

Information

from the Parliamentary Commissioner for the Armed Forces

Annual Report 2014 (56th Report)

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Foreword

2014 was a year of truth for the German Federal Armed Forces (Bundeswehr). The age-related failure of weapons systems and materiel, and the increasing amount of refurbishment work required to maintain built infrastructure revealed how urgent it has now become to concentrate on the situation in routine operations after many years in which it was necessary to prioritise the equipment intended for mission areas. As far as the upkeep of buildings and maintenance of hardware are concerned, the backlogs to be dealt with have reached a scale that is no longer acceptable. It still remains to be debated whether the funds required to eliminate these problems can be obtained by reallocating resources within the current budgetary framework or an increase in the defence budget will be needed, at least for a limited period. Undoubtedly, however, waiting patiently to see what happens would result in even more weapons and hardware breaking down, and a further deterioration of the built infrastructure. The ‘Attractiveness Agenda’, whose objectives include improving the standard of living quarters, would then inevitably be condemned to failure.

The end of the ISAF mission in Afghanistan, and new deployments in Africa and the Middle East dominated developments in the German Armed Forces during the past year. This gives the occasion to review once again how and where the Armed Forces can be deployed on international missions in future without putting excessive strain on servicewomen and men, and their families who, in many parts of the forces, are already coping with massive, unreasonable burdens. Unreasonable levels of overwork are to be met with today because forces organised on the principle of ‘breadth over depth’ are having to take on the same kinds of tasks again and again without the organisational elements involved having been reinforced in any targeted way.

My gratitude is due, above all, to all those who have made such great, and sometimes the greatest, sacrifices for our country. Many of them are scarred by injuries to their bodies or minds. They are entitled to the care and welfare provision that is expressly assured them by the Legal Status of Military Personnel Act, provision that should also continue beyond the expiry of their term of service. Unfortunately, the veterans concept announced by the then Federal Defence Minister, Dr. de Maizière, which was to put in place arrangements for such provision, has still not been published. I sincerely hope that a solution will very soon be put forward that grants this group of individuals the recognition and attention the Act promises our servicewomen and men.

I find it highly disturbing to see how thoughtlessly Germany is still treating the Afghan helpers who have worked for its Federal Armed Forces, police and development cooperation agencies. Our country is quite rightly generous in taking in people from many crisis regions – with a gratifying lack of bureaucracy – without conducting costly, time-consuming individual checks to determine whether they pose a potential security threat. It is inexplicable why, of all people, those who have worked for our country just like our German operational forces are treated worse and tied up in red tape. It is especially unacceptable that – if they have actually managed to make it to Germany – they are often treated shabbily and put up in undignified accommodation. These people have earned our respect and our thanks, not distrust and resentment.

The present Annual Report is the last of the series of reports to the German Bundestag for which I have been responsible. The five Annual Reports and the various interim reports give a highly differentiated account of the development of our armed forces. There have been many improvements over the last few years, especially when it comes to the equipment used on deployments. The fact that the number of military personnel killed and injured on deployments has gone down continually over the years bears witness to this. We should now do all the more to look after the surviving dependents of our servicewomen and men who have been killed in action and died in the course of their duties.

I will continue to perform my tasks in the accustomed fashion and with total commitment up to the end of my term of office in May 2015. I wish my successor, who has already been elected, Dr. Hans-Peter Bartels, Member of the German Bundestag, good luck and every success in his difficult, responsible, but fulfilling task.

The year under review in brief

As previously in 2013, the year under review was dominated by the reorientation process that is taking place within the Federal Armed Forces, with all the consequences it has had for servicewomen and men, and their families. Apart from this, the Federal Armed Forces' involvement in the ISAF mission in Afghanistan ended after 13 years on 31 December 2014. Happily, no German soldier was killed in action last year.

In November 2014, the Forest of Memory memorial was opened in the grounds of the Henning von Tresckow Barracks at Potsdam. Servicewomen and men who have fallen in action and died in the course of their duties are honoured there in a worthy form. The Parliamentary Commissioner for the Armed Forces welcomes the concept for the memorial and the location that has been chosen. At the request of the families, this commemorative site is to be a place of peace and private grieving.

The Federal Armed Forces will contribute up to 850 servicewomen and men to the ISAF follow-up mission, Resolute Support. Towards the end of the ISAF deployment, the living quarters and welfare services for the servicewomen and men in Afghanistan had attained excellent standards, organisational procedures had been improved, and the equipment supplied ensured a high level of safety for the servicewomen and men there. A large proportion of the principle weapon systems have now been withdrawn.

It will continue to be a challenge to guarantee the highest possible levels of safety for the servicewomen and men on the follow-up mission as well. The same also applies for the servicewomen and men on the KFOR mission in Kosovo, as well as the approximately 2,700 servicewomen and men who are taking part in the other missions in which the Federal Armed Forces are involved. The Report discusses in greater detail specific issues that became apparent in relation to these deployments during the year under review, for example deficiencies in mission planning, equipment and living quarters, as well as the health risks that are encountered at various operating locations.

New commitments have been made to the European Bridging Operation in the Central African Republic (EUFOR RCA), the reinforcement of NATO's Air Policing operations in the Baltic region by the Air Force and the provision of support to the crisis area in northern Iraq. In addition to this, the Federal Armed Forces are contributing to the campaign to fight Ebola in West Africa.

Constant efforts have to be made to guarantee the highest possible levels of safety for the servicewomen and men on the ISAF follow-up mission, efforts that will therefore carry on into the future. They involve, firstly, complete and intensive training for deployments and, secondly, optimal equipment for both routine operations and deployments.

A serious air accident when a Tornado fighter aircraft was coming in to land at Büchel Air Base prompted the Federal Armed Forces to examine whether the use of a ground proximity warning system (GPWS) could have prevented this and other air accidents in the past, including accidents with fatal consequences. The conclusion reached was that the possibility that using such a system might have averted the collisions could not be ruled out. The Report deals with the background to this at length in section 2.2.4.3.

The massive defects and deficiencies in major end items such as the Eurofighter, the NH90 transport helicopter, the Transall transport aircraft and the Navy's minehunters that came to light during the year under review also gave great cause for concern, as did the realisation that Germany's armaments planning system is not guaranteeing future operational requirements will be met in an appropriate, timely fashion. Apart from this, it was nowhere near possible for the demand for replacement parts and operating resources for old hardware to be met. Section 2 of the Report looks at the impacts this is having on the forces, and individual servicewomen and men.

Just as great a role is played by the equipment of servicewomen and men with functioning, operationally ready weapons. The criticism of the accuracy of the G36 rifle heard during the year under review is therefore highlighted too, as is the clearly increased wear and tear to the forces' P8 pistols that has become apparent (section 2.1).

However, safety is not just a question of equipment, but also of the amount of stress that can be imposed on any individual as they perform their functions. An excessive workload can trigger errors or uncontrolled responses and, not least, have negative effects in the private sphere. The sometimes unreasonable workload of military operations on whole organisational elements or individual servicewomen and men on special assignments identified during the year under review is therefore definitely worrying and forms another focus of the Report (section 1.1).

This excessive workload is one of the consequences of the Personnel Structure Model 185 which, in the opinion of the Parliamentary Commissioner for the Armed Forces, needs to be reevaluated with a critical eye to the tasks that are being taken on. Overall, massive challenges have been, and will be, posed by the manpower cuts that

have already been made and are still envisaged in the course of the reorientation process within the Federal Armed Forces.

During the year under review, it became more difficult for senior non-commissioned officers and candidate officers in the Officer Specialist Service to participate in the selection process for acceptance into service as a career soldier. The disappointment this has caused is only too understandable. The Report examines this issue, as well as the necessity of a central system for the management of established posts. The different approaches to the management of established posts in the individual services and major organisational elements can result in servicewomen and men who have been given worse appraisals in one part of the forces being promoted more rapidly than servicewomen and men with better appraisals in another. This provoked justified dissatisfaction, above all in agencies with mixed staffing.

Previously, in 2013, the reduction of flying personnel in Army Aviation from approximately 900 to approximately 600 helicopter pilots that was linked to the introduction of the new structure caused particular anger among the individuals affected. There has been little change in this regard. The situation will get even worse because further cuts are due to be made. These cuts will affect personnel who were actually selected as ‘personnel for the future’ in a costly, time-consuming process carried out in 2013. A bottleneck is already foreseeable now on account of the need for personnel to be replaced in Army Aviation. In so far as this is the case, the plans have proven not to be very farsighted. The Report explains the details in section 14.9.

The reorientation process has brought about considerable changes in the living circumstances of more than a few servicewomen and men and their families, which are dealt with in greater detail by section 7, ‘Compatibility of service and family/private life’, as well as other parts of the Report. At the beginning of her term of office, the Federal Minister of Defence directly addressed better compatibility of military careers with family life, and rapidly put forward both an agenda (Bundeswehr in the Lead – Active. Attractive. Different) and the Draft Act to Increase the Attractiveness of Service in the Federal Armed Forces. Unfortunately, not all the measures that need to be implemented urgently are found in the bill. For example, the right to choose between the reimbursement of relocation costs and a separation allowance is missing, although this was explicitly provided for in the coalition agreement signed on 16 December 2013.

Reliable, family-friendly personnel planning is still an important factor for servicewomen and men, and their families, as are close-to-location childcare and opportunities to work part-time or move to teleworking during certain phases of family life.

Families bear particular burdens in connection with deployments abroad. This is why, especially given the current situation, the Federal Armed Forces are under an onus to assist them, for instance by using the aid and allowances for public employees to fund home helps, as foreseen in the Draft Act to Increase the Attractiveness of Service in the Federal Armed Forces. The Parliamentary Commissioner for the Armed Forces will pay attention to ensure that this provision is also implemented appropriately.

Servicewomen and men still find themselves being deployed for years on end far away from their homes and therefore having to commute at the weekends. Apart from their absence from their families, they frequently suffer financial losses because they need to rent expensive residential accommodation, the costs of which are not fully met by the separation allowance. It is therefore particularly annoying that no action has yet been taken in response to the Commissioner’s demand that properties owned by the Federation but no longer in use be placed at the disposal of the Federal Armed Forces.

During the year under review, the dilapidated condition of the built infrastructure at a whole series of Federal Armed Forces facilities became startlingly clear. Years of neglect have led to what are, in some cases, unacceptable conditions. Much still needs to be invested in these facilities if servicewomen and men are to ‘feel at home’ in the places where they serve.

As every year, superiors’ leadership behaviour, and the training of servicewomen and men, above all their basic training, were important topics. A number of exemplary cases are documented in order to illustrate the misconduct and deficiencies in training that are met with, in particular when it comes to the handling of weapons.

Once again, it became apparent that unintentional discharges frequently occur that could be prevented by better training.

Regrettably, numerous incidents occurred during the year under review that saw violence directed against the Federal Armed Forces. Servicewomen and men were also attacked. Apart from this, there was once again a series of incidents in which wheel nuts were loosened on military and private vehicles. The details are set out in section 3.5.

The care servicewomen and men receive from the Medical Service is still a problematic issue with many different aspects, as the Report discusses in detail in section 15. There has been little change to the grave manpower problems with which the Bundeswehr hospitals and unit medical teams have been grappling. Under the reorientation process, the Bundeswehr hospitals are supposed to be integrated still further into the civilian health system. When this is done, however, no action should on any account be taken that calls into question the Bundeswehr hospitals' mission and functions as indispensable components in the central in-patient and out-patient care provided for all members of the Federal Armed Forces in Germany and abroad, and as the final link in the rescue chain for the curative care of individuals who have been disabled in action. The reality of the forces' regional health provision is far removed from the motto 'Strong Care on Your Doorstep'. Seamless, fully comprehensive, reliable care for servicewomen and men by unit physicians and unit dentists has not been in evidence. Nor will a modern medical practice information system be in place before 2016.

Deployment-related mental conditions are on the rise among servicewomen and men. Such conditions are increasingly being diagnosed among personnel who took part in missions a considerable time ago. It cannot be ruled out that cases of mental illness will go up markedly even further. The Report argues that the Federal Armed Forces will have to adjust to a rise in the numbers of patients to be looked after and their treatment capacities will have to be expanded accordingly. More detailed comments will be found in section 17.

Although it is personnel injured on deployments who particularly need to be cared for, the procedures for the approval of disability and special foreign assignments benefits and pensions, and the length of those procedures still do not meet the standards regarded as appropriate by the Parliamentary Commissioner for the Armed Forces. Sections 18 and 19 explore this issue thoroughly.

1 Reorientation of the Federal Armed Forces

The Federal Armed Forces have been restructured continuously since Germany was unified in 1990. 'Army Structure 5', 'renewal', 'transformation', 'reorientation' – the terminology has changed, but not the far-reaching impacts of each restructuring exercise on servicewomen and men, and their families.

From the perspective of the Federal Ministry of Defence, the goals of the reorientation process are to build mission-oriented Federal Armed Forces, establish a recruitment system responsive to the demographic developments that are taking place in Germany and secure the Armed Forces' finances on a sustainable basis. The measures with which these objectives are to be achieved are bringing about one of the most profound and comprehensive transformations the Armed Forces have experienced since their establishment.

Servicewomen and men are worried, in particular, about the principle consequences the structural transformation will have for their working and private living conditions. Beginning with the reorganisation of the Federal Ministry of Defence as of 1 April 2012, this transformation, which has affected about 520 of the Federal Armed Forces' 600 agencies and units, has been driven ahead continuously.

In 2013, many petitioners' criticism was still focussed on the uncertainty that surrounded the planning for future assignments and the dissatisfaction about the lack of transparency when it came to decision-making. Broadly, this was only still the case for the Medical Service during the year under review. As a result of multiple delays to the publication of the organisational principles for the restructuring of the Central Medical Services envisaged as of 1 January 2015, the staff unit responsible for the matter burdened servicewomen and men's families with great uncertainty about the future situation over a long period of time.

During the year under review, restructuring was tangible in very concrete terms for the servicewomen and men of other major organisational elements and their families. Bases were closed and new assignments were started. The upshot was that personnel found themselves moving house or, alternatively, commuting to their duty locations, as well as going on additional temporary assignments and training courses, all of which noticeably strained the mood in the forces.

In so far as can be ascertained, the evaluation of the reorientation process has not as yet been used to scrutinise once again the concepts for individual bases. As far as stationing is concerned, it is a matter of what can be financed and what is practical. Not all the decisions taken stood up to these criteria. For example the closure of barracks with expensively renovated buildings that are now no longer used for their intended purposes was not very convincing. It is regrettable that decisions of this kind are not being reexamined once again where the plans still remain to be implemented. This is also a question of the economical management of budgetary funds that could have been allocated more expediently for the benefit of servicewomen and men in other places.

1.1 Excessive workloads on servicewomen and men

On several occasions, the Parliamentary Commissioner for the Armed Forces has used previous Annual Reports to draw attention to the irresponsibly heavy workloads being borne in certain organisational elements, in particular in connection with deployments abroad. This problem does not affect all servicewomen and men. Indeed, the burden is distributed very unequally. In some cases, whole service branches are significantly affected. But smaller groupings of personnel with skills that are in short supply are also having excessive demands placed on them. The main problems they face are having to deploy abroad too frequently and not spending long enough serving at home between these foreign assignments.

The reorientation process within the Federal Armed Forces is informed by the premise that the breadth of the capability profile is of greater salience than other factors ('breadth over depth'). This rule must not result in certain groups of servicewomen and men becoming positively burnt out. Conceptually, reorientation has been based to a great extent on the reality of operations in Afghanistan. Since the process began, further deployments have been committed to. At present, insufficient manpower is available for the Federal Armed Forces to shoulder yet more international responsibilities in future, assuming there is the political will for this. It is necessary either for the Armed Forces to plan for and also fill adequate numbers of posts in fields where there are shortfalls, or for them to stop taking on particular operational commitments. The examples discussed below show that the principle of 'breadth over depth' creates considerable difficulties, certainly unless appropriate adjustments are made.

1.1.1 Surface-to-Air Missile Squadron

Concern is being caused by the situation in the Air Force Surface-to-Air Missile (SAM) Squadron. Since the beginning of 2013, the SAM Squadron has provided servicewomen and men for NATO's Operation Active Fence in Turkey. During the last two years, it has not been possible for 181 servicewomen and men to comply with what is known as the 4/20 deployment planning and implementation system. 4/20 deployment planning and implementation was introduced by the Federal Ministry of Defence at the request of the German Bundestag as part of the reorientation of the Federal Armed Forces and means that, in principle, the aspiration is for personnel to spend four months on deployment, then have 20 months before they go on their next deployment. Since only the Air Force SAM Squadron can provide the PATRIOT 3 fire units for the operations in Turkey, the situation will continue to worsen for the members of this organisational element because many of them have to keep deploying to the mission area repeatedly with only short breaks in between. Against the background of the fact that the SAM Squadron has nowhere near enough personnel depth, the Federal Ministry of Defence has admitted that there is no way of achieving structural sustainability. The Netherlands have already announced they wish to end their participation in the reinforcement of NATO's air defences in Turkey in January 2015. Spain will replace the Dutch Element. In these circumstances, it is hardly possible to explain to German servicewomen and men why they too cannot be relieved by Alliance partners.

1.1.2 Fast Patrol Boat Squadron 7

The members of Fast Patrol Boat Squadron 7 have also faced a similar situation over the last few years. Since 2006, the Squadron has been providing servicewomen and men for the UNIFIL mission off the coast of Lebanon. Recently, members of the Squadron have been deployed for an average of four to five months, and longer in individual cases, then spent just twelve months serving at home before their next deployment begins. What makes absences abroad even worse for the members of Navy units is that they also have to spend time away doing guard duty while their vessels are in dry dock. On average, the members of the Squadron spent 220 days away from their home base in the years 2012 and 2013. Some servicewomen and men have actually been away from home for more than 300 days a year. These figures are cause for great concern. Generally, all seagoing units are under pressure. The Federal Ministry of Defence assumes that the burden on these servicewomen and men will ease following the planned decommissioning of the fast patrol boats. However, this is not assured. A very large proportion of the personnel in question will probably continue their service on corvettes. This is true at least for those who wish to be assigned close to home – which is likely to be the majority. They will then find themselves under similar pressures. Servicewomen and men rightly ask themselves how they are supposed to start and maintain a partnership or develop a relationship with their own children under these conditions.

The additional burdens that have been mentioned for servicewomen and men due to their fire guard duties while vessels are in dry dock could be reduced if a sufficient number of appropriate accommodation units for ships' crews were to be made available by the shipyards. As no personnel would then stay on the ships and boats outside duty hours, fewer fire guards would be needed overall and the shipyard crews could be kept as small as possible.

However, the provision of living quarters would have to be included in the calls for bids for the shipyard services that are required.

1.1.3 1st Submarine Squadron

Massive manpower problems are also to be noted in the 1st Submarine Squadron. Of seven submarine crews formed within the unit, only a maximum of four could be equipped with sufficient personnel at the end of the year under review. Even a personnel pool of volunteer servicewomen and men who had received brief training in the duties to be performed on a submarine was not enough to remedy the situation. In addition to this, there is just one fully trained signalman who is qualified for operations on submarines available in the 1st Submarine Squadron. Action is urgently needed here, even if all the Squadron's commitments can be fulfilled by personnel who may not be fully trained, but have received some instruction.

1.1.4 Navy Aviation

The situation in Navy Aviation has not improved substantially either since the last Annual Report on account of the years of deployments on the European anti-piracy mission Operation Atalanta. Overall, 1,349 personnel are doing their service in Navy Aviation. Over the last two years, 559 members of this organisational element each took part in several deployments abroad. The other 790 servicewomen and men did not complete any deployments abroad. These figures should not detract from the hard work done by the servicewomen and men who ensure the smooth running of routine operations in Germany. However, they show that the current circumstances are creating systematic imbalances in the burden imposed by deployments abroad. The inability to deploy the Sea Lynx seaborne helicopters at times hopefully represents a temporary problem (on this issue, see also section 2.2.2).

The technicians who work on the Sea King helicopter too came to be burdened excessively during the year under review. The average amount of maintenance required for one flying hour has risen from 50 to 122 hours without the numbers of maintenance staff having gone up. This is not an acceptable situation.

1.1.5 Air cargo transshipment personnel

A similar assessment continues to apply for the air cargo transshipment personnel, who are required on several missions abroad and at the logistical transshipment point in Trabzon. Only twelve of the 28 posts in the Armed Forces were filled half way through 2014. All twelve transshipment personnel have taken part in more than one deployment abroad over the last 24 months. A small group of servicewomen and men with special skills are being exhausted by the increasing number of deployments abroad without anything being done to replenish their numbers to a level that would reduce the burden they bear.

1.1.6 Enlisted personnel in the Nautical Technical Service

The frequent demands made on their specific skills are also taking the enlisted personnel in the Nautical Technical Service to the limits of their resilience. Of the 50 posts provided for, only 35 are filled. Of them, 21 servicewomen and men have been on deployments abroad during the last two years, 20 of them on more than one occasion. In this case too, the Federal Ministry of Defence is far away from the goal it has set itself of 4/20 deployment planning and implementation.

1.1.7 Boarding team leaders

The boarding personnel now merged in the Naval Force Protection Battalion, who have been on deployment for years, both with the UNIFIL mission off the coast of Lebanon and under the auspices of the Atalanta anti-piracy operation, find themselves in a stressful situation as well. The boarding team leaders are affected by this to a particular degree. In the last two years, 30 leaders have been on 67 deployments abroad. This situation represents a considerable personal burden, and not just for the servicewomen and men who are actually being assigned recurrently to the missions. Under these circumstances, routine operations in Germany are suffering significantly as well, including the training of urgently required new personnel.

Nor will these problems be resolved by temporarily deploying combat swimmers as replacement boarding teams. These personnel receive a lengthy, highly expensive training for special operations. It will hardly be possible to convince combat swimmers that the duties they perform and, in particular, the extraordinarily demanding training and proficiency training they go through are worthwhile if they are having to keep conventional operations

going while neglecting their original tasks. Here too, it is again apparent that the ‘breadth over depth’ principle is undermining the sustainability of ongoing operations.

1.1.8 Engineers/special engineers

The improved situation for the Army’s special engineers is more cheering. In mid-2013, a total of 311 Federal Armed Forces engineers found themselves on deployments. By mid-2014, this number had gone down to just 94 on account of the reduction in the size of the ISAF mission. The special engineers in the Joint Support Service are still coping with a spike in their workload, in particular the camp management personnel. Of 164 established posts for special engineers, only 108 were filled in 2014. Although the number of established posts has been cut, the proportion filled is still lamentable despite demand staying at the same level. There is urgent need for action here. The Parliamentary Commissioner for the Armed Forces will keep a close eye on the study of the options for the reinforcement of these personnel that has been announced by the Federal Ministry of Defence.

1.1.9 Tactical Air Force Wing 33

The personnel of one Air Force security squadron were also affected by a particularly high burden of on-duty hours. The causes were the insufficient number of posts filled and the failure to obtain security clearance for numerous servicewomen and men, who consequently could not be deployed to perform their duties and whose roles had to be taken over by their fellow soldiers. From a positive perspective, it is to be noted that, as a consequence of a complaint from the Parliamentary Commissioner for the Armed Forces, the staffing levels for these enlisted personnel clearly improved in the course of the year under review: In the first quarter of the year, 74 per cent of posts were filled and 55 per cent of security screenings concluded; in the third quarter, 97 per cent of posts were filled and 85 per cent of security screenings concluded.

1.1.10 Signals operators

According to information from the Federal Office of Bundeswehr Personnel Management, there is a shortfall of 1,500 servicewomen and men in the specialty and assignment series for signals operators. The Federal Office believes it will not be possible to make up for this shortage in the foreseeable future because conditions on the labour market are making it more difficult to recruit IT personnel for the Federal Armed Forces. The worrying consequences this is having for the personnel already in the Federal Armed Forces are illustrated by the situation in Mountain Infantry Battalion 233. 18 IT staff sergeants are provided for. However, it has only been possible for six posts to be filled with skilled personnel. It is inexplicable how six IT staff sergeants are supposed to cope with the flood of work for which 18 IT staff sergeants are thought to be required. If this situation continues – as the Federal Office of Bundeswehr Personnel Management expects –, it will be impossible to justify what is happening to the few qualified servicewomen and men who are available.

On account of the increasing use of information technology in the Federal Armed Forces and its growing complexity, the job and training profiles for signals personnel have also been made more demanding as part of the reorientation process. As a matter of principle, because the technological challenges being faced have been transformed, it is to be welcomed that fewer signals NCOs are to be appointed but, in exchange, more information technology staff sergeants. In order to mitigate the extreme staff shortages this is causing, however, the decision to make the job and training profiles more demanding should be reconsidered, at least for a transitional period.

1.1.11 Technical Centre 61

A shortage of air traffic controllers and civilian firefighters is hampering flight operations at the Technical and Airworthiness Centre for Aircraft in Manching. Of the 15 posts for air traffic controllers, only eleven were filled at the end of the year under review. As a result of deployments, leave or sickness, the actual number of servicewomen and men who could be set to work on the ground went down even further at times. This situation too is forcing the available personnel to manage a massive amount of extra work. In addition to this, the fact that on occasion the number of air traffic controllers available goes down to less than seven is having dramatic consequences for operational preparedness because flight operations have to be completely halted when this happens. This is not a one-off case, as is explained with regard to the reduced operational capability of civilian firefighters in section 1.6, ‘Application of the European Working Time Directive to servicewomen and men’.

1.1.12 Refusal to pay compensation for lapsed leave

The heavy burden of operations on particular formations often has negative impacts for servicewomen and men even after the end of a deployment as well. Personnel from Fast Patrol Boat Squadron 7 told the Parliamentary Commissioner for the Armed Forces that the whole Squadron was so overworked that some servicewomen and men had had to let their leave lapse. In the light of the applicable laws and directives, the Federal Ministry of Defence sees no possibility of monetary compensation for lapsed leave being paid to the individuals in question. As a matter of principle, it is good practice for leave to be taken primarily in the form of days off. However, if servicewomen and men cannot take their leave as days off through no fault of their own as a consequence of high levels of operational strain, the forces' duty of care and a general sense of justice demand that lapsed leave be compensated for with monetary benefits in exceptional cases. Otherwise, the individuals affected will ultimately feel punished for the extraordinary commitment they show. The opposite must be the case. A way should be found to particularly acknowledge the hard work done by these servicewomen and men.

1.2 Personnel Structure Model and vacancy management

The Armed Forces' manpower is currently well below the target of 185,000 servicewomen and men set by the Federal Ministry of Defence for 2017. In view of the pressures that have been described, this is a very alarming situation that needs to be reevaluated with a critical perspective on the tasks to which the forces are being committed. The ideas put forward by the Federal Minister of Defence about initially increasing actual force strength to the 185,000 full-time posts provided for in the Personnel Structure Model therefore deserve to be supported. Only in this way can part-time working be expanded as is envisaged, for example. However, like absences for family reasons or personnel shortages due to training and advanced training, part-time working must no longer mean additional pressure is placed on other colleagues. In some parts of the Medical Service, in particular, justified complaints have been made about this again and again for years. The personnel planning and economic measures taken to date have not been enough to compensate for the vacancies in these units. It is to be welcomed that roughly 3,000 additional posts are now planned for all branches of the services, which will ensure there are always enough unassigned personnel available in the system when they are needed to step in and cover manpower gaps caused by absences on family grounds. The vacancies that result from part-time working must also be filled at the same time. Effective, promptly implemented vacancy management, including a cover pool with the right mix of skills, is indispensable.

1.3 Reenactment of the Military Personnel Representation Act

The reorientation process within the Federal Armed Forces also demands that the regulations on the representation of military personnel be adapted to take account of recently created organisational forms and competences. The representation of military personnel is a component of, and integral to, leadership development and civic education. A working group has been set up with the divisions within the Federal Ministry of Defence responsible for this issue, formations, trade union interest groups, the Central Staff Council and the General Spokespersons' Committee to prepare for the amendment of the Military Personnel Representation Act. In consequence, the preconditions have been put in place for this legislation to be reenacted in consensus in the course of 2015. This is to be welcomed.

1.4 Active. Attractive. Different Agenda and Act to Increase the Attractiveness of Service in the Federal Armed Forces

In previous Annual Reports, measures were suggested to increase the attractiveness of military careers, in particular permanent improvements to the compatibility of service and family/private life. In so far as this is the case, the Attractiveness Agenda launched in the spring by the Federal Defence Minister, Dr. Ursula von der Leyen, with its 29 individual measures, and the Draft Act to Increase the Attractiveness of Service in the Federal Armed Forces presented by the Federal Ministry of Defence and the Federal Ministry of the Interior in October 2014 deserve to be welcomed and accord to a very great extent with the thinking of the Parliamentary Commissioner for the Armed Forces, particularly as they also incorporate the majority of his proposals.

New working time models, measures to reduce transfers and better career planning, more flexible childcare services, the establishment of an internal labour market and the further development of infrastructure are some of the key points of the attractiveness measures that are being taken but, from the perspective of the Parliamentary Commissioner for the Armed Forces, will not be sufficient if the forces are to become one of Germany's most attractive employers. For example, the statutory anchoring of the option to choose between separation

allowance and the reimbursement of relocation costs as set out in the coalition agreement, suitable measures to improve housing services and steps that make it easier for servicewomen and men's relatives to follow them to a new location when they are posted abroad at both the vocational and private levels do not feature in the bill. In addition to this, no measures are foreseen that would compensate for the advantages enjoyed in the civilian sector compared with the equivalent benefits paid to servicewomen and men, for example the remuneration of on-call and standby duties for medical NCOs and staff sergeants in Bundeswehr hospitals.

Increasing the attractiveness of the military will also involve servicewomen and men being offered even better prospects for their time after the Federal Armed Forces. This will mean not only the welcome establishment of a functioning internal labour market, but also the creation of the legal preconditions for former temporary-career volunteers to be given preferential treatment when appointments are made within the public service. Apart from this, it should be made possible for ex-service personnel to take actually earned pension rights accrued in public sector service relationships with them when they move over to the statutory pension insurance scheme (what is known as 'portability'). Finally, provisions intended to bring about fundamental improvements in the services' built infrastructure are missing from the draft bill.

1.5 Housing infrastructure

The Parliamentary Commissioner for the Armed Forces has highlighted massive deficiencies in the residential buildings at a series of bases in all the Annual Reports published over the last decade. The reason for the sometimes dilapidated state of these properties is the backlog of refurbishment work in the West German Länder caused by the delayed implementation of many construction projects. The suspension of the Special Refurbishment Programme West decided on in the course of the restructuring process has had a counterproductive impact in this field. The 38-per-cent staffing cuts made to the authorities responsible for military infrastructure within the jurisdiction of the Federal Ministry of Defence while the Federal Armed Forces have been reduced in size and the unsatisfactory staffing levels at the Land building authorities have also contributed to these delays.

According to a survey conducted in August 2014 by the Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services at the instigation of, among others, the Parliamentary Commissioner for the Armed Forces, 38 per cent of the forces' residential buildings still display major defects of the kind that are supposed to be addressed as priorities by the investments being made over the years from 2014 to 2017. The actual objective of a single room with a wet cell for every member of the forces was not even taken into consideration in this expert opinion. Nine per cent of the buildings, i.e. 269 out of 3,000, are actually uninhabitable at the moment, even though some of them are nevertheless being lived in

Further shortcomings that have been identified, such as the overcrowding of barracks rooms, rust and mould, smelly drains, and broken radiators in shower rooms and toilets during the winter illustrated how the infrastructure has been neglected for many years at numerous locations. Maintenance is a never-ending task that has been making only steady progress for years. The Olympia furniture that dates back to 1972 and is sometimes still to be met with is old fashioned and often worn out. The lack of Internet connections for private use in the living quarters at bases almost everywhere in Germany means the modern information services young people demand today are not available. Servicewomen and men are entitled to an up-to-date living environment, if only on the basis of the statutory guarantee that the Federal Armed Forces will care for their personnel.

The Federal Minister of Defence has recognised that action is needed and included the creation of attractive, contemporary housing and living conditions for servicewomen and men as an important building block in the attractiveness campaign. This will also involve the provision of modern, attractive living quarters for servicewomen and men's family members, as well as commuters.

Initially, however, the new accommodation standards will only gradually be complied with at training facilities and remote bases, a process that began in 2014, and this will only happen over the long term at all bases. Pleasingly, with the exception of the accommodation for recruits, single rooms are to be introduced as standard in future, each with an *en suite* bathroom. A proposal to this effect from the Federal Ministry of Defence was forwarded to the Federal Ministry of Finance on 8 August 2014 for its approval. Until this approval is received, decisions will be taken about the introduction of the new billeting standards at military facilities on a case-by-case basis. This has happened, for example, with the plans for living quarters at the Federal Office of Languages in Hürth and Münster. According to a statement from the Federal Ministry of Defence, single rooms are provided for in the new living quarters for applicants for commissioned service that are to be built by 2017 at the Federal Office of Bundeswehr Personnel Management Assessment Centre in the Mudra Barracks at Cologne.

It remains to be hoped that the improvements can be implemented as planned and are not obstructed by organisational problems within the administration. Such problems became evident, for example, in relation to one of

the first of the measures announced by the Federal Minister of Defence as part of the Attractiveness Agenda, the installation of fridges in barracks rooms. The Federal Armed Forces veterinary surgeons responsible for supervising this announced that they would prohibit the use of the fridges if additional inspectors were not employed to make checks every 14 days, and so ensure the fridges were being used and cleaned properly by the servicewomen and men.

Above all, sufficient budgetary funds must be available in order to eliminate the shortcomings that have been described and achieve modern standards. The Federal Minister of Defence has intimated that the renovation and building programme might be accelerated. There is no evidence of this in the relevant budget titles. Rather, the Budget Committee of the German Bundestag cut the authorisations for future commitments in its settlement session at the instigation of the German Federal Government. The Parliamentary Commissioner for the Armed Forces suggests that relevant needs be reported with a view to obtaining some of the €10bn set aside for extra investments announced by the Federal Minister of Finance.

Apart from this, the Parliamentary Commissioner for the Armed Forces has put it to the Federal Ministry of Defence that, where appropriate, when the state building authorities are temporarily having to cope with excessive workloads, the private sector should be contracted with the planning and implementation of projects of this kind in coordination with the Land building authorities. This was rejected by the Ministry, which made reference to Article 87b of the German Basic Law. It should nevertheless be examined whether Article 87b does allow scope for such an approach. The Parliamentary Commissioner for the Armed Forces has asked the Reference and Research Services of the German Bundestag to examine the issue.

1.6 Application of the European Working Time Directive to servicewomen and men

In a judgement delivered in 2011, the Federal Administrative Court ruled that the European Working Time Directive (Directive 2003/88/EC), which requires certain amounts of time to be allowed for breaks and rest periods, as well as limiting the maximum weekly working time, is valid for the whole of the Federal Armed Forces, and therefore applies to servicewomen and men as well in principle. According to the Court, the customary practice of regulating the working times of servicewomen and men in internal directives, orders or administrative regulations was not adequate for the transposition of the Directive. Despite this judgement and the expiry of the deadlines set in the Directive, the Federal Ministry of Defence has not as yet changed the legal situation. The introduction of statutory provisions on duty hours for servicewomen and men is now finally foreseen in the Draft Omnibus Act to Increase the Attractiveness of Service in the Federal Armed Forces with a standard working time of 41 hours a week during routine operations.

It will be difficult to comply with the Directive in certain organisational elements, the Navy for example. There will probably have to be isolated exceptions here, but time off *in lieu* is certainly to be granted soon after any overtime or accumulated until the end of the tour of duty. Exceptions for deployments abroad will also be needed. The details of working times and the remuneration of overtime are to be regulated in secondary legislation. Due to failures in the past that can no longer be remedied, however, the new rules on duty hours will enter into force at the beginning of 2016 at the earliest. There is no prospect of them being cost neutral. Markedly more personnel will be required in some major organisational elements, such as the Navy and the Medical Service. On this issue, see also section 15.3.3.

Otherwise, there is a danger that there will be stoppages of the kind that have occurred in the civilian parts of the Federal Armed Forces where the Directive has already been transposed. The shortage of civilian firefighters in Tactical Air Force Wing 33 at Büchel briefly brought flight operations to a halt last year. The formation had to move its flight operations to the Nörvenich base. As was reported to the Parliamentary Commissioner for the Armed Forces, other bases were affected by comparable restrictions on their operations. For example, flying had to be cancelled every first Monday in the month at Technical Centre 61 in Manching. Further unplanned stoppages forced the suspension of flight operations on a total of 31 days, which placed considerable limitations on the performance of the Centre's functions. It should therefore be ensured that the new working time arrangements for servicewomen and men are accompanied by the requisite increases in manpower.

1.7 Transfer of functions from the Federal Defence Administration to other ministerial bodies

The last Annual Report contained critical mentions of the problems that have been caused by the transfer of functions from the Federal Defence Administration to other ministerial bodies. In particular, backlogs of work had built up during the transitional phase and opportunities for scrutiny had essentially been lost, both within the Federal Ministry of Defence and on the part of Parliament and the Parliamentary Commissioner for the Armed

Forces. Apart from the processing of aid and allowances for public employees, it was the processing of applications for separation allowances, travel expenses and relocation allowances, above all, that took noticeably longer while the planned transfer to the Federal Office of Administration was being prepared. The criticism of the transfer of these functions from the Federal Defence Administration to other ministerial bodies that came from many sides persuaded the Federal Minister of Defence to halt the transfer of travel management for which provision had originally been made. She realised that transferring this function would not generate the added value for the Federal Armed Forces that was anticipated, and negative effects could only be avoided if it stayed completely within the Federal Armed Forces. This is to be welcomed and should also be given consideration as far as other fields are concerned.

1.8 Processing of petitions and enquiries concerning special incidents

The Parliamentary Commissioner for the Armed Forces has about 30 staff at his disposal to deal with the subject matter raised by petitions. With about 5,000 cases to be processed each year, he therefore relies on the assistance and investigative work of the Federal Armed Forces' military and civilian authorities, above all when it comes to interviewing witnesses. In response to his requests for cases to be reviewed, the Parliamentary Commissioner for the Armed Forces receives written comments, along with all documents that have been produced during the review or consulted. The evaluation of these comments constitutes part of the basis on which he assesses petitions and special incidents. In addition to this, the Commissioner also conducts interviews and investigations himself, where this is necessary.

1.8.1 Delays in processing

As already discussed in previous Annual Reports, considerable delays occur again and again when it comes to the processing of requests for reviews and enquiries about the progress of the measures taken to deal with complaints by the agencies of the Federal Armed Forces that have been involved. This is unsatisfactory, above all in particularly urgent cases when petitioners expect immediate help from the Parliamentary Commissioner for the Armed Forces, for instance when their livelihoods are at stake. One servicewoman had complained in a petition about the amount of time it took for her application for parental leave to be processed because she could not apply for parental allowance until her leave had been approved. This in itself is indicative of the excessive strain on the competent agencies. In addition to this, it also took disproportionately long to process the comments made in response to requests for reviews. The delays were caused either by staff vacancies, in particular in newly created formations and command staffs, or planned manpower levels that were insufficient to cope with the work in good time. Army Headquarters has found itself shouldering a particularly heavy workload for a long time. In April 2014, it was revealed that cases dating back to October 2013 were being processed there at that time. In some instances, it took six months for cases to be dealt with once the substantiated comments had been received from the subordinate unit or agency. In response to enquiries from the Commissioner about the current status of investigations, Army Headquarters frequently stated that the submission of its comments would be delayed on account of a large number of new petitions, complaints and enquiries from other commands. In addition to this, urgent matters for the Federal Ministry of Defence were prioritised over comments for the Parliamentary Commissioner for the Armed Forces. It was only possible for very vague statements to be made about the dates when the comments requested would be completed, if at all.

It is inexplicable and also unacceptable if, as has happened, Army Headquarters merely concurs with the opinion expressed by a subordinate unit four months after it received the unit's comments. Furthermore, the priorities set by Army Headquarters could ultimately lead to an erosion of the constitutionally anchored right of petition. The Federal Ministry of Defence eventually announced the division in question would be reinforced, initially with two officers, and this has also been implemented. Furthermore, continuing efforts are to be made to recruit qualified reservists who can be trained individually to do this work. These efforts are to be welcomed. Processing times improved noticeably at the end of the year under review.

Excessively long processing times were also encountered in the 1st Armoured Division during the year under review on account of a deteriorating manpower situation. For instance, in response to enquiries from the Parliamentary Commissioner for the Armed Forces about the progress being made in investigations, it was basically explained that no improvement in the situation, which had been continuing for some time, could be held out in prospect due to the workload and the lack of staff to deal with enquiries.

The commander of the Territorial Tasks Command, who was also unable to submit his comments promptly, noted, among other things, that the staffing levels in its leadership development and civic education section were insufficient to deal with all the tasks assigned to it. All the section's officers were overwhelmingly engaged in

processing matters relating to petitions, something that was not part of their job descriptions. Planned or unplanned personnel absences were weakening their ability to do this work, limited as it in any case was. Adequate, prompt and appropriate processing of petitions and complaints could only be ensured by the creation of another command post. Such a command post has since been established and was also filled as of 1 November 2014. Furthermore, a post has been created for a sergeant in a supporting role, which it has also been possible to fill in a timely manner.

The efforts made to improve the processing of petitions at the Federal Office of Bundeswehr Personnel Management showed first, clearly tangible successes. This is to be welcomed.

Permanent overwork due to understaffing is not consistent with the principles of leadership development and civic education, damaging to the health of the individuals affected and most certainly does not serve the aim of making the forces more attractive. Manpower levels must be based on the volume of work to be done. Where structural adjustments are necessary, they must be tackled as rapidly as possible. Flexible, timely support measures must be possible when temporary spikes in workload are having to be coped with.

Excessively long processing times in matters relating to petitions are often also met with when complaints proceedings are being conducted in parallel under the Military Complaints Regulations. In cases of this kind, instead of timely comments, the decision on the complaint is usually communicated to the Parliamentary Commissioner for the Armed Forces at a later point in time. In 2013, in response to criticism of this practice from the Commissioner, the Federal Ministry of Defence instructed its subordinate agencies to report to the Commissioner on the progress made in investigations, and present a provisional assessment of the facts and the legal situation prior to the conclusion of complaints proceedings in the same matter. The Commissioner will draw on these assessments more frequently in future when the occasion arises, but will continue to demand comments on each petition that allow cases to be decided.

1.8.2 Quality of case processing

It is not just the time taken to process matters raised by petitions and special incidents that was deserving of criticism during the year under review, but also the manner in which this was being done. At times, for instance, the copies of the documents relating to an investigation demanded in a request for a review were either not forwarded or not provided in full. There were instances in which individuals who had been criticised were not interviewed, but merely asked to comment on the matter. In one case, it was decided to dispense with interviewing a servicewoman even though there had been talk of a complaint being suppressed. If only to ensure she was being cared for, a formal interview should have been conducted in order to notify the individual in question of her rights. At the same time, there was a failure to interview a significant witness.

1.9 Active legal instrument management

As part of the reorientation process, the Federal Armed Forces have introduced what is known as ‘active legal instrument management’, which involves earlier service regulations and directives being listed under the generic term ‘legal instrument’. In the thinking of the Federal Ministry of Defence, each legal instrument should be given a memorable title that makes it easy to find. Apart from this, the legal instruments will be renumbered and published electronically using the Legal Instruments ONLINE portal on the Federal Armed Forces Intranet. Only in exceptional cases will there still be printed versions of the instruments. Given that not all military personnel have a computer workstation at their disposal, it is questionable whether this reform will actually give all servicewomen and men the access they require to the legal instruments that are relevant to them. The Parliamentary Commissioner for the Armed Forces will follow this with interest. The need for transparent rules and regulations that are accessible to all actors will also have to be taken on board within the Federal Ministry of Defence, something that became clear from the difficulties with the G36 assault rifle that are discussed in in section 2.1.2.2.

2 Equipment

As far as their materiel is concerned, as had to be admitted by the Federal Minister of Defence and the chiefs of staff during the year under review, the Federal Armed Forces have reached the limits of their capacities. In September 2014, the Chief of Staff presented the Defence Committee of the German Bundestag with lists that detailed the readiness of the Federal Armed Forces’ principle weapon systems, which revealed clear deficiencies the parliamentarians on the Committee had not expected to be as grave as they actually proved to be. In this

context, it is to be noted that, in some respects, the situation is even more unsatisfactory with regard to a number of weapons systems that are not mentioned in the lists.

In previous years, the Parliamentary Commissioner for the Armed Forces has argued on several occasions that the equipment available might not be enough to maintain routine operations, and that Germany's armaments planning processes are not guaranteeing future operational requirements will be met appropriately in good time. The causes are to be found not least in the priorities set as a result of the Afghanistan mission, but also have structural roots. The provision of better equipment for the troops on deployments was urgently needed, and this was the right thing to do. Yet many things that were not immediately relevant for the ongoing deployments were neglected. The materiel for routine operations suffered a great deal from this tendency and will now have to be updated to the state of the art with a regeneration campaign. If this is to happen, however, the Federal Ministry of Defence will have to formulate corresponding demands for funding. The Commissioner is convinced that, in its role as the legislative body that adopts the federal budget, the Bundestag will not refuse to allocate funds for the implementation of essential demands.

The Federal Ministry of Defence's claim that the provision of materiel enjoys the highest priority as a means of optimising operational capabilities and mission performance has unfortunately not proven to be accurate. As is demonstrated by the technical difficulties and equipment failures that became public during the year under review, for example with the Eurofighter, the NH90 transport helicopter, the Transall transport aircraft and the Navy's minehunters, it is evident not enough has been done to ensure the hardware the services already possess is being kept in good condition. At the same time, it was foreseeable that the delivery of the new pieces of ordnance that had been ordered would continue to be delayed. Nor has there been adequate planning to meet the demand for replacement parts and operational resources for old hardware, so that this demand has had to be met by cannibalising old items of equipment. In the case of the Navy's helicopters, Parliament was only informed about the defects discussed above by the Federal Ministry of Defence at the prompting of the Parliamentary Commissioner for the Armed Forces.

Among other things, during the year under review the considerable wear and tear to equipment encouraged training facilities to recommend that servicewomen and men make modifications to items of equipment that run counter to the relevant regulations. This resulted in serious incidents, such as the example described in section 30.2.2.

Adequate stocks of equipment in good condition are indispensable when servicewomen and men are being sent abroad on new deployments that involve risks to life and limb. It may not be possible to forecast years in advance what hardware and skills will be required for future deployments. However, a certain basic level of equipment is essential, for example in air transport.

Servicewomen and men must always be able to respond appropriately, depending on the tasks they are performing and the threat situation. Personal safety is an essential aspect of this. This is why, after weighing up all the arguments, the Parliamentary Commissioner for the Armed Forces is calling for the procurement of unmanned armed aircraft. He articulated this position at the public hearing held on this topic by the Defence Committee in June 2014. The written statement he presented on the matter can be viewed on the Internet.

The defects in major end items that have been mentioned are also influencing the pressures borne the servicewomen and men who have to work with these pieces of hardware. In Naval Aviation, for example, the average amount of maintenance work required for one hour of flying by a Sea King helicopter has gone up from 50 to 122 hours. Since the numbers of maintenance staff have not been increased, this is an unacceptable state of affairs. The situation is no better when it comes to the Sea Lynx.

It is just as true for equipment as it is for manpower levels: Either the tasks taken on have to be adjusted to the materiel parameters or the materiel parameters have to be adjusted to the tasks. In particular, the following issues were prominent in relation to routine operations and deployments abroad during the year under review:

2.1 Equipment for training

The attention of the Parliamentary Commissioner for the Armed Forces was drawn to a series of defects in equipment that negatively affect the training of servicewomen and men, and their operational preparedness. In this respect, the quantity and quality of the equipment supplied for routine operations in Germany are still essential to the security and effectiveness of the troops, especially on deployments.

2.1.1 Availability of major end items and vehicles

For example, one special forces unit was unable to conduct a complex exercise with NATO partners because it could not provide a CH 53 GS/GE helicopter. This was rightly viewed by the German servicewomen and men who were involved as embarrassing. Of nine helicopters that came into question in the squadron tasked with conducting the exercise, eight were essentially out of operation on account of repair work that was being done and the only mission-ready helicopter had just another three flying hours until its next compulsory service.

Of the 1,498 sorties scheduled by Tactical Air Force Wing 51 Immelmann up to the end of October 2014, only 924 could actually be flown. This is equivalent to a cancellation rate of 38 per cent. In this respect, it is to be remarked that the number of scheduled flights is hardly sufficient to properly train all the flight crews to NATO standards in any case.

Delays occurred again in the delivery of replacement parts for the Eurofighter despite improvements that were felt during the year under review. Further measures are called for here in order to ensure the requirements imposed by deployments and proficiency training can be met.

Predeployment training in the Army suffered from the restricted availability of protected vehicles. It is obviously not unusual for armoured transport vehicles to be simulated with Mercedes Vito light vans, Eagle IV protected tactical vehicles with Nissan Pathfinders and Dingo armoured infantry mobility vehicles with Wolf four-wheel drives during predeployment training. According to the account of the matter given by the Federal Armed Forces, these replacement vehicles are only used as resources in the initial phases of training. Nonetheless, this circumstance is not calculated to instil satisfaction. Against the background of the scaling back of the ISAF mission, the Federal Ministry of Defence announced in 2013 that major items shipped back to Germany could be distributed within the Army as of mid-2014 and improvements in predeployment training were therefore to be expected. These improvements have not yet made themselves felt to date. On the contrary, the maintenance to be done on these items will take several years so that they will only gradually come on stream.

2.1.1.1 Service life extension for the MARDER infantry combat vehicle

In the past few years, the Annual Report has repeatedly addressed the need for the MARDER infantry combat vehicle to be modernised. The MARDER does not possess night combat capability, which means servicewomen and men cannot observe their rules of engagement when it comes to the positive identification of hostile forces. In addition to this, there is a considerable shortage of 20 mm blank ammunition, which is placing serious restrictions on exercises undertaken at the Armoured Forces Training Centre. As far as the Armoured Forces are aware, this ammunition is no longer available on the market.

The Federal Ministry of Defence has always denied there is any need for modernisation work to be carried out, arguing, firstly, that the MARDER infantry combat vehicle would no longer be needed in Afghanistan as of 2014 and, secondly, that the new PUMA infantry combat vehicle would be coming on line 'in good time'. The comments on the Annual Report of the Parliamentary Commissioner for the Armed Forces made by the Federal Ministry of Defence in 2013 assumed the PUMA would be in use within the forces as of 2014.

Beyond the mission in Afghanistan, it is conceivable the Federal Armed Forces may undertake deployments that will demand such capabilities. In addition to this, the Federal Armed Forces' mechanised infantry regularly provide resources for the NATO Response Force (NRF). For example, Mechanised Infantry Battalion 371 is supplying 30 MARDER infantry combat vehicles for the 2015 Response Force.

In September 2014, a study conducted by KPMG for the Federal Office of Bundeswehr Equipment, Information Technology and In-Service Support came to the conclusion that the PUMA would not be able to attain full initial operational capability before 2020. This is consistent with what the Parliamentary Commissioner for the Armed Forces learned on a field visit to the Army Development Office.

If capabilities are to be maintained until the PUMA infantry combat vehicle is fully operationally capable, it will be necessary to operate the PUMA infantry combat vehicle and the MARDER together. From the perspective of the Armed Forces, irrespective of the number of PUMAs that have already been delivered, a minimum stock of approximately 100 MARDER infantry combat vehicles should be kept in use for parallel operation until such time as the full number of operationally capable PUMA infantry combat vehicles is available. The study therefore suggests necessary steps be taken to ensure operational capabilities, including the extension of the MARDER infantry combat vehicle's lifetime beyond 2020.

This suggestion should be implemented quickly by the Federal Ministry of Defence. The Parliamentary Commissioner for the Armed Forces made concrete proposals in this respect in his 2011 and 2012 Annual Reports.

2.1.2 Small arms

The Federal Armed Forces' new gunnery training concept for the P8 pistol and G36 rifle takes account of the changed requirements imposed by the Federal Armed Forces' deployments abroad.

2.1.2.1 P8 pistol

However, the operational capability and availability of P8 pistols for training were considerably restricted by the increased use of the weapons required by the concept, and the wear and tear they have suffered as a result. Army Headquarters and Navy Headquarters pointed out, among other things, that the fitting of a hardened breech, in line with the suggestion made by the Parliamentary Commissioner for the Armed Forces, will prevent these high levels of use from causing serious attrition. In addition to this, the P8 pistol will be replaced with the improved P8A1 model as part of a full regeneration programme. Furthermore, the P8 Combat and P8A1 Combat pistols are to be replaced completely with the P30 pistol as of 2015.

2.1.2.2 G36 rifle

The Parliamentary Commissioner for the Armed Forces has been dealing with the G36 assault rifle, the Federal Armed Forces' standard weapon, for almost three years since the first evidence of deviations in accuracy due to external influences came to light. Following tests carried out by an independent institute commissioned by the Federal Armed Forces, ammunition lots from one manufacturer were specified as the reason for the defects. A problem with the weapon itself was ruled out. In the spring of 2014, there were once again reports about problems with the accuracy of the G36 rifle that suggested the cause lay in the weapon itself. The Federal Court of Audit also expressed criticism of the approach taken by the Federal Armed Forces when it came to the resolution of the problems with this rifle. In July 2014, the Budget Committee of the German Bundestag decided to have the contracts for the procurement of further G36 rifles presented to it before they were signed.

A rapid, comprehensible solution must be found by the Federal Armed Forces if servicewomen and men are to have confidence in the weapons they use. The necessary regeneration of the Federal Armed Forces' small arms must not be jeopardised until the product has been improved or a successor system procured. The Parliamentary Commissioner for the Armed Forces has always advocated the continuation of the regeneration programmes and argued that the obsolescence of the forces' weapons will otherwise take on dramatic dimensions.

According to a statement from the Federal Armed Forces, an interim report on the G36 rifle's accuracy is to be published in the second quarter of 2015. As the Federal Armed Forces view the matter, the results of this investigation should be recognised by all parties and lead to steps to resolve the problem. It remains to be seen whether this expectation will be fulfilled. Transparent cooperation between all the institutions involved is imperative in order to reestablish reciprocal trust in the procedure. It is all the more dangerous that certain individuals have apparently behaved in ways that raise suspicions about changes being made to the reports on testing results and influence being exerted on the people involved in the investigations. When the Parliamentary Commissioner for the Armed Forces learned of this, he pursued the matter on a field visit and discussed the information he had gathered with the competent state secretary. The Defence Committee of the German Bundestag has looked at the topic thoroughly in the mean time as well. The Commissioner will observe further developments.

2.1.2.3 Submachine guns

The Federal Ministry of Defence confirmed a serviceman's claim that the MP2 submachine gun used until now by tank crews had been replaced with the MP7 submachine gun although there were no brackets for the MP7 submachine gun in the Leopard 2 battle tank. The installation of new brackets is said to have been delayed on account of communication problems between the project managers and the user.

2.1.3 Unintentional discharges due to inadequate training

As in previous years, unintentional discharges occurred again and again when small arms were being handled in Germany and on deployments abroad. Servicewomen and men were injured in some of these incidents. The large number of unintentional discharges shows it is still just as essential as it ever was to teach servicewomen and men respect for firearms and role model this attitude. Carelessness, recklessness and the contraventions of the regulations they encourage are still the most frequent reasons for unintentional discharges. What was noticeable during the year under review, however, was the rise in cases in which deficiencies in training or shortages of training materials were connected with unintentional discharges.

In one case, a serviceman carried out the unloading procedure on his P8 pistol incorrectly so that the weapon was unintentionally charged. While the firing mechanism was being checked, a shot went off. His company commander admitted that, on account of a major shortage of small arms, the serviceman in question had not done a gunnery training session with the P8 pistol for a considerable time, but merely taken part in ‘guarding scenarios’ at the base firing range. In these scenarios, the accuracy of the shots fired and the handling of the P8 pistol play subordinate roles. What is more important is that servicewomen and men internalise the procedures for different escalation stages.

In certain serious cases, technical defects combined with incorrect handling brought about unintentional discharges. For instance, an unintentional discharge that gives cause for concern occurred in March 2014 at the camp in Mazar-i-Sharif. A shot was fired from the machine gun on a Dingo armoured personnel carrier’s FLW 100 remote controlled light weapon station when it was being unloaded. The Federal Office of Bundeswehr Equipment, Information Technology and In-Service Support identified a technical defect (deformation of the cocking slide) as the cause, which was compounded by incorrect handling. The investigations found that the operator had not been trained on the FLW 100 remote controlled light weapon station in accordance with the relevant instructions.

As the Federal Ministry of Defence has stated, unintentional discharges from the MP7 submachine gun are almost exclusively attributable to a lack of training in the unloading of the weapon. The Federal Armed Forces have responded to this and changed the operating procedures for the unloading of the weapon. They state the number of incidents has gone down markedly since this was done.

Gaps in the training of personnel who operate weapons are unacceptable because of the danger they pose to servicewomen and men’s lives and health. As far as this is concerned, the units that contribute troops to deployments are called upon to provide appropriate, adequate instruction in the functions they will perform during the predeployment training that is undertaken. It must be ensured that the requisite training materials are available for these activities.

2.1.4 Lucie night vision device

The operational capability of the Lucie night vision device also left much to be desired, although there had been improvements in its performance. For example, apart from the very time-consuming maintenance work the old devices require, there were failure rates of more than 70 per cent in one unit. On this issue, the Federal Ministry of Defence stated, among other things, that it had been possible to raise the proportion of personnel equipped with operational night vision devices in this particular unit to almost 100 per cent. Furthermore, the Ministry said that maintenance was being carried out by a civilian company with sufficient capacities. The considerable, rapid improvements made are to be welcomed. This, however, was a one-off; action is urgently needed in numerous similar cases.

2.1.5 Ear defenders

A few service personnel suffered what is known as acoustic trauma during target practice with small arms. As the investigations found, the personnel had basically been informed about the correct way to wear the standard-issue ear defenders prior to the beginning of the target practice. Nor was there any evidence that the ear defenders had been used incorrectly by the personnel who were affected. According to an assessment by the Federal Ministry of Defence, the ear defenders in question offer the greatest possible protection against health impairments caused by exposures to sound. Nonetheless, it is obviously not feasible technically to achieve 100% protection, so health damage is possible, at least in individual cases. The Armed Forces have a duty to prevent health impairments by supplying suitable materiel. The Parliamentary Commissioner for the Armed Forces will continue to observe this problem.

Defects were also found in cryptographic radios with active ear defenders. A review confirmed the necessity of improving the ear defenders. In the mean time, appropriate approaches to the solution of this problem have been elaborated. Decisions about their implementation will now have to be taken as rapidly as possible by the competent authorities

2.2 Equipment for deployments abroad

The last few Annual Reports have drawn attention again and again to defects in the equipment issued to servicewomen and men deployed in Afghanistan. It is cheering that numerous improvements have now been made in this field to protect the troops. Many items of equipment are no longer required because of the Federal Armed

Forces being brought back from Afghanistan, but were still relevant during the year under review. This development is exemplified by the introduction of what is known as a route-clearance system for the detection and clearance of explosive ordinance and improvised explosive devices, the transportation of a considerable number of protected vehicles into the mission area and the procurement of large numbers of night vision goggles.

2.2.1 Urgent Operational Requirements and Fast-Track Initiative for Operations

The Federal Armed Forces achieved many of these improvements to the equipment for deployments through the Urgent Operational Requirements (ESB) accelerated procurement procedure. The Federal Ministry of Defence has abolished this tried and tested instrument and replaced it with a new instrument entitled Fast-Track Initiative for Operations (SiE) as part of the changes that are being made to the procurement procedure. The first indications suggest that the transition from ESB to SiE, at least, is not going smoothly. For example, the IT support needed in order to be able to procure products under SiE is not available. Furthermore, procurement projects conducted under ESB have to be transferred to the revised Customer Product Management (nov.) system with a tremendous amount of administrative effort. In the mean time, the Federal Ministry of Defence has reported on the progress made in the evaluation of the ‘transition from ESB to SiE’, stating that a recommendation for action has been drawn up that encompasses a series of proposed improvements. It remains to be hoped the deficiencies identified will be remedied as rapidly as possible. The implementation of the improvements that have been announced will continue to be observed by the Parliamentary Commissioner for the Armed Forces.

2.2.2 Navy helicopters

Since June 2014, the Navy’s entire fleet of MK 88A Sea Lynx helicopters has been withdrawn from military operations due to cracks that have been discovered in the tail cone. At the end of the year under review, a statement by the Navy Chief of Staff claimed there was no obstacle to the helicopter’s approval for a return to service. According to information from the Technical Centre, however, the causes of the cracks that have occurred are still being investigated. Hitherto, the Sea Lynxes have been used, among other things, as shipborne helicopters for the European anti-piracy mission Atalanta. Without shipborne helicopters, the capabilities approved by the German Bundestag can only be mobilised subject to severe constraints, if at all. Under these circumstances, it will probably be extremely difficult to convince the servicewomen and men in the seagoing Atalanta units that there is any purpose to their deployment. Furthermore, it is a cause for concern that crewmembers could not be evacuated by helicopter if a medical emergency occurred. Apart from this, problems cropped up with the Sea King helicopters at the same time so that it has only been possible for the consignment to perform tasks that require air mobility to a limited extent. Consequently, the Navy’s aircraft are currently grounded for the most part.

2.2.3 HOT 3 guided missile

During the deployment of the TIGER weapons system on the ISAF mission, HOT 3 guided missiles have suffered ignition failure on several occasions with identical damage being caused each time. To date, it has not been possible to clarify the reasons for this because the guided missiles at the base in Afghanistan had to be destroyed on safety grounds. The Parliamentary Commissioner for the Armed Forces will be informed by the Federal Office of Bundeswehr Equipment, Information Technology and In-Service Support about the options for the retrospective investigation of the causes.

2.2.4 Slow pace of procurement

Improvements in the procurement field that were announced years ago are still being pushed ahead too slowly. In this respect, it is not just a matter of complex armaments projects, but also of smaller-scale solutions to protect servicewomen and men’s health and lives. It causes concern that they have had to wait for years for the equipment they need. This is highly demoralising for those affected and can easily be regarded as indifference on the part of their employer. Procurement policy too is an aspect of the Armed Forces’ attractiveness.

2.2.4.1 Flying visors with laser protective filters

The problems with the supply of flying visors with laser protective filters discussed in the last Annual Report have continued. In the estimation of the Federal Ministry of Defence, the procurement of the laser protective visors required for the TIGER combat helicopter helmet system will take at least three to five years. Even the

interim solution ordered by the Federal Ministry of Defence could not be introduced while the TIGER was still operating in Afghanistan.

2.2.4.2 Neck muscle training equipment

The procurement of equipment to train the neck muscles of flight crews on NH90 and TIGER helicopters will also continue to be delayed further, according to information from the Federal Ministry of Defence. This equipment is urgently required in order to prevent damage to the health of the flight crews. Following a field visit to Afghanistan, the Parliamentary Commissioner for the Armed Forces drew the Federal Ministry of Defence's attention to the necessity of such training equipment as long ago as 2011. In response, it advised the Commissioner that such equipment would initially be procured for 2015. Sensibly, all the Federal Armed Forces' flying formations are now to be considered for the procurement of this training equipment. Affected servicemen complained to the Commissioner about severe cramps in their necks and backs. In its comments to the Commissioner, the Army Office speaks of health risks caused by pathological load distribution in the musculoskeletal system. It stated recurring complaints were occurring in the neck muscles and upper spine, including cramps, joint dysfunctions and chronic complaints that required medical consultations and therapy. Against this background, it is unacceptable that the equipment is only due to be procured in 2016.

2.2.4.3 Ground proximity warning systems

In January of the year under review, a serious air accident occurred while a Tornado combat aircraft was flying in to land at Büchel airfield. Fortunately, both crewmembers were able to save themselves with their ejector seats. The subsequent evaluation of the air accident by the Federal Armed Forces Flight Safety Division found that the absence of what is known as a ground proximity warning system (GPWS) represented an at least indirectly contributory factor in the accident. A GPWS is an auxiliary technical system designed to prevent accidental collisions with the ground. GPWSs have already proved their worth in the British Royal Air Force. By contrast, following a risk-cost-benefit assessment, Air Force Headquarters decided in 2007 not to request the installation of GPWSs in German Tornados. What is at risk here is the highest good the servicemen and men entrusted to the Armed Forces have, i.e. their lives, as well as which there are possible hazards to the general population. These risks are not purely abstract in nature, as the air accident statistics prove. Since 1980, 18 air accidents caused by 'controlled flight into terrain' (CFIT) have occurred with the Tornado weapons system. 28 crewmembers died in these accidents. Even if it is not possible to say with certainty GPWSs would have prevented these air accidents, their installation would represent an additional safety measure that would help to avert CFITs. The decision not to procure GPWSs has proven to be the wrong one. It is incomprehensible that 18 air accidents had to happen before this was conceded. The Air Force's leadership has now initiated another investigation into the introduction of GPWSs. This is to be welcomed. The investigation should be concluded as rapidly as possible.

2.2.4.4 Welfare telecommunications

During the year under review, the criticism of welfare telecommunications was directed, in particular, at the level of the costs for the use of the Internet. The Federal Armed Forces allow each member of the services on mandated deployments abroad 30 minutes of telephone calls to German landlines free of charge each week. If they spend any longer than this on the telephone, it has to be paid for by the servicemen and men themselves. There is no flat rate for using the Internet. Instead, Internet use is charged by the minute and costs up to 14 cents a minute. As in previous years, the Federal Ministry of Defence cites its contract with the telecommunications company that provides the services as the reason for this anachronistic arrangement. The agreement concerning the provision of communication services runs for a fixed term until 30 June 2015 and will have to be upheld until that date. The successor contract is to implement the German Bundestag's cross-party resolution on this issue in 2012 after what is now almost three years since its adoption in 2012. As of 1 July 2015, it should be possible to use the Internet free of charge without time limits in mission areas and to use it to telephone Germany. The Parliamentary Commissioner for the Armed Forces will arrange to be informed by the Federal Ministry of Defence about the drafting of the new contract that is to be concluded.

The requirements concerning up-to-date welfare telecommunications will also apply for Navy ships and boats deployed on missions abroad. The Ministry speaks of a 'tangible improvement' for seagoing units as of 1 July 2015. However, the immediate or prompt technical implementation of free-of-charge Internet access will be hindered on these vessels by the need to carry out technical and structural adaptations. According to a concept drawn up by the Federal Ministry of Defence, all the Navy's ships and boats are to be fitted out with technology

that will put in place the systems needed to provide comprehensive welfare telecommunications. At present, just a few units are equipped with the necessary satellite communications capacities. According to a statement from the Federal Armed Forces, the equipment of Class 123 and 124 frigates, 702 combat support ships, 130 corvettes and 404 tenders with the requisite SATCOM capacities would not be possible until 2017, even if it were to be prioritised. This timeline is not acceptable. It is therefore to be welcomed that the Federal Ministry of Defence has now announced satellite telephones and dishes are to be made available as rapidly as possible under new framework agreements to ensure welfare telecommunications for seagoing units that find themselves on deployments until the upgrades have been completed. It remains unacceptable that the installation of these systems will be limited to modern types of ship. For instance, the crewmembers of the older Type 122 frigates will see no benefit. It is to be ensured that acceptable, free-of-charge welfare telecommunications are made available for the crewmembers of ships and boats with limited space and technical facilities, at least while they are in port.

3 Leadership behaviour

Leadership behaviour is crucial in determining how servicewomen and men live and work together in a military environment. Respectful treatment of one another, caring behaviour, a willingness to speak out against shortcomings and the consistent application of the law are integral to leadership development and civic education. The leadership behaviour displayed during the year under review did not always satisfy the requirements placed on it. In particular, higher-ranking superiors are models when it comes to questions of leadership. The coaching of top officers provided for as part of the Bundeswehr in the Lead Agenda, which is supposed to commence in July 2015, is therefore viewed positively by the Parliamentary Commissioner for the Armed Forces. He will observe its implementation attentively.

3.1 Tone and manners

Exemplary behaviour guided by the principles of leadership development and civic education is to be expected from non-commissioned officers and officers who are immediate superiors or disciplinary superiors. Unfortunately, however, individual cases of misconduct occur over and over again. It is enough for an inappropriate tone to be cultivated between superiors and subordinates.

One unit leader insulted servicemen under his command, calling them, for instance, ‘stupid wanker’ or ‘bullshitter’. When he found a breach of duty had been committed, the disciplinary superior preferred not to impose a disciplinary penalty on account of the otherwise excellent behaviour shown by a non-commissioned officer with many years of experience in the military. This cannot be accepted. Such transgressions must be met with all the appropriate instruments of disciplinary law, since they are likely to permanently damage trust and respect in dealings between service personnel.

It is just as unacceptable for a superior to negatively change his contribution to a servicewoman’s appraisal because she has not exercised her disciplinary powers as he wished. This represents an impermissible educational measure.

3.2 Responses to breaches of official duties

Inappropriate responses to breaches of official duties undermine trust in superiors’ leadership skills and jeopardise discipline among the troops. They undermine any sense of justice and can lessen individuals’ motivation to serve in the Federal Armed Forces. Behaviour that runs counter to service regulations is therefore to be investigated promptly and rapidly with all due diligence. Contraventions of the rules that were relevant in disciplinary terms were also punished immediately and appropriately by most superiors during the year under review. In some cases, however, there was sufficient reason for complaints to be made.

For example, the servicewomen and men in two of a company’s platoons were temporarily banned from speaking and using mobile telephones when they were kept in the lobby to their living quarters from early on Friday afternoon until the late evening hours for interviews during an investigation into suspected drug misuse. This meant their weekend leisure time was restricted impermissibly. They did not attend an evening meal. It was only at nearly 21.00 hrs. that they were allowed to order a pizza. This approach created a justified impression that collective punishment was being meted out. Despite the official superior’s contravention of his duty of care, shortcomings in the investigation of these circumstances meant it was not found a disciplinary offence had been committed. Even though behaviour indicative of collective punishment is not the rule, it does occur occasionally in the experience of the Parliamentary Commissioner for the Armed Forces.

For example, trainers in a unit for recruits imposed impermissible collective disciplinary measures in the form of PE exercises. Superiors must oppose this phenomenon consistently. The trainers were given disciplinary fines.

3.3 Political extremism, anti-Semitism and xenophobia

The cases reported by the Armed Forces as ‘special incidents’ in which there is a suspicion of an extreme right-wing, anti-Semitic or xenophobic background are treated very seriously by the Parliamentary Commissioner for the Armed Forces. Reports about such incidents are always taken up and evaluated automatically.

During the year under review, the Federal Armed Forces reported 63 special incidents of this kind. In the previous year there were 58 reports. As far as the servicewomen and men involved were concerned, about 74 per cent were enlisted personnel, while 24 per cent were junior and senior non-commissioned officers. Three officers were also reported as suspects. No disciplinary offence could be proven or no perpetrators identified in about 13 per cent of the suspected cases of which the Parliamentary Commissioner for the Armed Forces was notified.

Cases of the ‘circulation of illegal propaganda’ were also reported. These involved, among other things, taking extremist music into Federal Armed Forces facilities and listening to it there, performing the Hitler salute, shouting ‘*Sieg Heil*’, and making extreme right-wing, anti-Semitic and xenophobic comments. The growing significance of the use of ‘social media’ when such criminal offences are committed is noticeable.

Frequently, interviews revealed that the servicewomen and men in question had committed these breaches of duty impulsively and without any consciousness of wrongdoing. This shows that education through appropriate instruction is not sufficient in all cases. Superiors are under an onus to provide more and better information about these issues. Often, it was not possible to ascertain any corresponding political or ideological convictions were held by the perpetrators. In isolated instances, disciplinary offences were also committed under the influence of alcohol.

Nonetheless, such cases should not be played down. These disciplinary offences breach the core duty incumbent upon servicewomen and men to recognise the liberal, democratic basic order as expressed in the German Basic Law, and to work for its observance in all they do. Servicewomen and men must distance themselves unambiguously from groups and movements that do not recognise our state, its constitutional organs and its current legal system. Misconduct of this kind has therefore been punished consistently with disciplinary measures or premature discharge from the services.

3.4 ‘Social media’ on the Internet

The term ‘social media’ denotes technologies that allow Internet users to be networked for the purposes of communication and cooperation. The last Annual Report pointed out that the dissemination of information and opinions on the Internet throws up numerous questions about possible violations of the law, including such violations within the Armed Forces. The private publication of information about operational matters within the Federal Armed Forces by servicewomen and men who have not previously obtained official approval may represent a disciplinary offence or even a criminal act. More incidents that involved the ‘social media’ were reported during the year under review than in the previous year.

Servicewomen and men sometimes use ‘social media’ thoughtlessly and without any consideration of the right to privacy, minority rights and the sensitivities of their fellow soldiers. In doing so, they contravene the duty to act in a comradely fashion anchored in Section 12 of the Legal Status of Military Personnel Act. This obliges all servicewomen and men to respect the dignity and rights of their fellow military personnel, something that demands mutual recognition, consideration and respect for other people’s opinions. Apart from this, the Federal Armed Forces’ rights and concerns are also to be protected when ‘social media’ are used. For example, the publication of duty rosters may be contrary to military interests.

This is why servicewomen and men should be taught about the correct handling of ‘social media’ in character guidance classes or on training courses. When using ‘social media’, they are called upon to always communicate respectfully and responsibly with and about one another. Individuals within or outside the Armed Forces must not be insulted, disparaged, vilified, threatened or bullied using images or text. The ‘social media’ do not exist in a legal vacuum.

3.5 Domestic security situation

The guarding and security activities carried out at facilities during routine operations are intended to protect the members and materiel of the Federal Armed Forces, and guarantee their operational readiness.

The Federal Ministry of Defence's recently enacted Concept for the Reorientation of Guarding and Security Functions explains that the Federal Armed Forces are increasingly turning to companies from the security industry and technical security systems to reduce the burden of guarding and security tasks on the Armed Forces during routine operations. If such tasks are outsourced, the Federal Armed Forces must pay attention to ensure that qualitative criteria stand in the foreground when security companies are selected. This is important because the Federal Armed Forces' agencies again reported numerous incidents in which violence was directed against military assets during the year under review. According to the reports, attacks were also committed against members of the Federal Armed Forces in some cases. Most of these reports dealt with damage to property, sometimes in connection with break-ins and thefts, while in isolated instances buildings were smeared with paint, and three arson attacks were reported.

In the grounds of the garrison training area at the Werratal Barracks in Bad Salzungen, two servicemen were attacked while out on patrol by three individuals who were on the site unauthorised. In the course of the ensuing scuffle, one of the attackers succeeded in grabbing a service weapon. He released the safety catch of the weapon, which was already charged, and aimed it at the face of one of the servicemen. In response, the second serviceman fired two warning shots. After the second warning shot, the attacker threw away the service weapon he had taken and escaped with the other intruders.

On 7 February 2014, a serious ammunition theft occurred in the parachute barracks at Seedorf, which were under military guard. Several ammunition boxes were broken open and 34,881 cartridges of small arms ammunition of various calibres stolen. The ammunition boxes were secured in accordance with current regulations. However, the further-reaching recommendations issued in January 2006 by the Advisory Commission on Guarding and Security had not been implemented. On account of this incident, measures were immediately ordered to enhance military security. Further measures to improve the security of the barracks are envisaged. Apart from this, judicial disciplinary proceedings were instituted against one of the servicemen on watch duty and a second prematurely discharged.

An arson attack during the night of 23/24 August 2014 in the grounds of Altmark Training Area caused about €450,000 of damage. Unknown perpetrators set fire to recognisably civilian vehicles owned by a construction company.

As in the past, numerous cases of vehicle wheel nuts being loosened were also reported during the year under review. Once again, it was not possible to identify the perpetrators. Where parking spaces are located outside a secure military site, the Armed Forces should provide for greater protection, either by means of technical surveillance or an appropriate extension of the area secured by the military. Apart from this, in the interests of their own safety, all members of the Federal Armed Forces should check both their own private vehicles, whether parked inside or outside barracks, and military vehicles before the start of every journey to ensure the wheel nuts are tightened correctly.

3.6 Flood Relief Service Medal

The Flood Relief 2013 Service Medal was established by the Joint Directive of the Federal Minister of the Interior and the Federal Minister of Defence of 2 July 2013. The establishment of this decoration is to be welcomed as an expression of gratitude and recognition for the outstanding dedication shown in the relief efforts that averted dangers and repaired damage during the catastrophic floods in late May and June 2013.

During the year under review, several petitioners drew attention to the fact that this service medal had still not been presented to them. A review found it had taken several months to procure the medals. The company commissioned to supply them had not been able to meet its contractual obligation to deliver all the medals by the end of February 2014 at the latest.

The Federal Ministry of Defence left it up to the superiors responsible for awarding the medals whether to present the certificates in advance or wait for the medals to be supplied in order to hand over the certificates and medals at the same time. Following the delivery of the service medals to Army Headquarters on 24 March 2014, just two members of staff were assigned to sort and forward the 17,000 medals and certificates to the correct recipients. In many cases, they were not awarded until June 2014 for these reasons.

In the mean time, it has been possible for Army Headquarters to forward all the medals and certificates. In one case, a serviceman was not awarded his medal until November 2014 because he was absent on a training course. It cannot be ruled out that further delays have occurred in other individual cases due to the particular circumstances in the units on the ground. Servicewomen and men are rightly disappointed if a commendation and decoration they have earned is only awarded months or even a year later.

4 Training

4.1 Basic training

The aim of the three months of basic training recruits go through is essentially for them to learn the military skills they need at the beginning of their term of service. Their physical fitness, toughness and stamina are to be increased and consolidated without the servicewomen and men being understretched or overstretched. Recruits usually expect very demanding training and accept this challenge. However, exaggerated harshness in training conflicts with the principles of leadership development and civic education. It can also result in recruits leaving the Federal Armed Forces prematurely at their own request.

For example, one trainer simulated the hostile capture of a personnel gate. When he did this, he initially pointed his P8 handgun, which was loaded with live ammunition, at a recruit's upper body then, after the recruit had complied with his trainer's instruction and knelt down, pointed it at his head as well. The four other recruits present also had to kneel down. This trainer will now have to answer for his actions before a disciplinary and complaints court.

Nor is it any more acceptable for recruits to have their mouths taped up with adhesive fabric tape because they have caused disruption by talking loudly. Judicial disciplinary proceedings were instituted due to this incident.

Every superior has an obligation to treat the servicewomen and men under her or his command humanely at all times in accordance with the law. The degrading and insulting treatment of subordinate servicewomen and men is misconduct by a superior that has to be taken very seriously. A superior who treats subordinates in a manner that strips them of their dignity not only commits a serious breach of her or his official duties, but also a military criminal offence. In addition to this, such misconduct can lead to a loss of authority on the part of the superior, and therefore jeopardise the unit's military cohesion and combat efficiency.

4.2 Predeployment training

As described in section 2.1.1 above, predeployment training in the Army suffered from the restricted availability of protected vehicles. The Parliamentary Commissioner for the Armed Forces has doubts whether servicewomen and men's safety is ensured at all times: For example, in at least one case a commercially available vehicle used to substitute for a military vehicle lost a tyre while it was being driven. Furthermore, this approach definitely runs counter to the 'train as you fight' principle, which is of course based on the use of vehicles that will be relevant for the upcoming deployment.

4.3 Training capacities in Air Traffic Services

The Federal Armed Forces intend to ensure all the demand for course-based training in Military Air Traffic Services is satisfied using options for civilian-military cooperation or an in-house model developed by the Air Force. The preparatory reviews and consultations carried out for this purpose have already made good progress. A final decision is now to be taken as rapidly as possible in order to ensure all concerned are able to plan with the necessary certainty.

4.4 Training of Navy and Army aviators

The shortage of operational helicopters in the Navy and Army made it increasingly clear that it will be necessary to fall back on training and basic helicopters for basic training and licence renewal. These aircraft can also be procured on the market. Small numbers are already available in the Navy. The Army is examining a solution along these lines too. The Parliamentary Commissioner for the Armed Forces supports these initiatives.

4.5 Legal knowledge of disciplinary superiors

Superiors are responsible for the supervision and discipline of their subordinates. Disciplinary superiors must take action if there is any suspicion of a disciplinary offence and, when investigating the facts of the matter, identify any incriminating or mitigating circumstances and factors with a bearing on the type and level of possible disciplinary measures. A disciplinary superior can only perform this particular responsibility if she or he possesses the requisite legal knowledge. Good legal knowledge is also required in military complaint proceedings in order to guarantee the legal entitlement servicewomen and men enjoy under the Military Complaints Regulations to have incidents investigated if they believe they have been treated wrongly or a breach of duty has

been committed. Insufficient legal knowledge on the part of superiors can lead to mistakes in leadership behaviour, unequal treatment and, ultimately, subordinates losing confidence in their superiors.

During the year under review, it was also to be noted that a few superiors did not always possess sufficient legal knowledge for their duties. In one case, for instance, a justified disciplinary measure for repeated late arrival for duty while supervising subordinates was quashed several times due to formal errors and could ultimately no longer be imposed because the serviceman in question had already left the Federal Armed Forces on standard terms.

The issue of an unlawful order by an official superior to attend a church service also remained without consequences: To begin with, the individual responsible made a formal error, then the disciplinary measure was quashed following the submission of a complaint, and finally it was no longer possible for the disciplinary measure to be imposed again because the offence was time-barred.

Superior agencies must guarantee that servicewomen and men with disciplinary powers are also taught the legal knowledge needed in order to exercise them. This applies, in particular, for individuals who are appointed to higher ranks as ‘lateral entrants’ and therefore become superiors directly by virtue of their rank.

5 Duration of disciplinary investigations

The personnel situation in the agencies and authorities responsible for the administration of justice within the Federal Armed Forces has been strained for years and has led to unacceptable delays in disciplinary proceedings. The efforts made in 2014 to increase the number of legal professionals by holding recruitment rounds and transferring staff from other organisations have mitigated the problem at most, but will not remedy it in the foreseeable future. Action continues to be needed in this field.

Due to the shortage of personnel, servicewomen and men are subjected to excessively long investigations and proceedings, and therefore avoidable stress. Investigations in disciplinary proceedings are usually accompanied by a prohibition on the approval of career advancement measures for the servicewoman or man in question. In so far as this is the case, delays can also have negative impacts under career law, for example. On this topic, see section 14.4. Furthermore, not enough is being done to take account of the precept that disciplinary matters should be dealt with in a timely manner as stipulated by Section 17 of the Military Discipline Code.

The Federal Ministry of Defence makes reference to the improvements that it expects from the implementation of restructuring within the Federal Armed Forces by 2017. Until then, cases are to be prioritised in order to ensure the appropriate, timely performance of the authorities’ tasks. The reference to the year 2017 and the decision to prioritise cases will not eliminate the problems that have been described at a time when the bodies in question are constantly overworked. The situation can only be improved by the rapid, permanent elimination of personnel shortages in the authorities and agencies charged with the administration of justice.

Although the posts in Legal Counselling and the Disciplinary Attorney’s Office at Army Headquarters were overwhelmingly filled, only half of all their staff were actually present at times for various reasons. As a consequence, for example, the processing of one complaint against a disciplinary measure took over ten months.

There were also delays again in the processing of disciplinary matters by the 1st Armoured Division Disciplinary Attorney’s Office during the year under review. Absences meant it was not possible to cope with the considerable workload in a timely fashion in all instances.

5.1 Workload of the disciplinary and complaints courts, duration of proceedings before disciplinary and complaints courts

Disciplinary and complaints courts are federal courts of first instance that rule on the legal cases referred to them from within the Federal Armed Forces under the Military Discipline Code and the Military Complaints Regulations. During the year under review, the Presidium of the Disciplinary and Complaints Court North complained that, due to the closure of two disciplinary and complaints court chambers in Hanover, a disciplinary and complaints court chamber in Hamburg had been having to deal with a clearly excessive workload for a considerable period. This had led to large backlogs and proceedings that took an unreasonably long time to complete, which were not acceptable in view of the precept that disciplinary matters should be dealt with in a timely fashion. In one case, a written charge dated 26 March 2012 was submitted to the competent chamber of the Disciplinary and Complaints Court North (Hanover). A judgement by the chamber of the Disciplinary and Complaints Court North (Hamburg) that had subsequently become competent for the case was not delivered until 18 March 2014, almost two years after the written charge had been received.

Furthermore, a reduction in the number of chambers at the disciplinary and complaints courts, and therefore in their staffing would only be justified if the amount of work to be coped with were to decline. In the mean time, these problems have been recognised by the Federal Ministry of Defence. The workloads of the two disciplinary and complaints courts are being evaluated, and their current staffing levels assessed. Further steps to reduce their workload must be taken.

5.2 Contraventions of the prohibition on discrimination

The Act on the Parliamentary Commissioner for the Armed Forces prohibits any disciplinary measures or discrimination because an individual has contacted the Parliamentary Commissioner for the Armed Forces. A contravention of this prohibition is a grave disciplinary offence. During the year under review too, there were petitions from servicewomen and men who, apart from requesting that their allegations be reviewed, were afraid of discrimination as a result of the petition they had written. Fears of this kind are taken extraordinarily seriously by the Parliamentary Commissioner for the Armed Forces and are always addressed by the review to be carried out and any subsequent observations.

The very fact that a fear of discrimination is being articulated indicates that the relationship of trust these servicewomen and men have to their superiors has been eroded in the concrete case. This gives reason to call upon superiors to foster trust generally by means of exemplary conduct. They have to avoid any behaviour that is likely to call into question the guaranteed right to contact the Parliamentary Commissioner for the Armed Forces individually and directly without going through official channels. Even actions that could be misunderstood or a ‘casual turn of phrase’ that could awaken the impression writing a petition might be ‘disapproved of’ or ‘penalised’ are to be refrained from. Superiors who prevent subordinates from submitting petitions, reports or complaints, or suppress such submissions can be punished under the Military Criminal Code with custodial sentences of up to three years. Merely attempting to do this is prosecutable.

Preventing discrimination also means that superiors stop servicewomen or men from discriminating against the author of a petition or taking revenge out of annoyance at, for example, having been the target of a petition. One serviceman deployed abroad spoke to the Parliamentary Commissioner for the Armed Forces during a field visit and told the Commissioner he felt his appointment as a career soldier was overdue and that, as far as he was aware, the letter of appointment had already been forwarded to the mission by his home formation some time before. The official superior justified this delay to the Parliamentary Commissioner for the Armed Forces by explaining he intended to present the serviceman with the letter of appointment in a dignified setting in front of his peers during a forthcoming visit by the superior three star general. Contrary to this statement, the petitioner was presented with the letter of appointment by his commanding officer, a lieutenant colonel, in the lieutenant colonel’s office, following the Commissioner’s visit. According to the account given by the petitioner, the lieutenant colonel explained that he would not allow the petitioner to be appointed by a general because the serviceman had complained to the Commissioner. The petitioner therefore did not deserve to be appointed by a general before the assembled troops.

6 Deployments and assignments abroad

In 2014, due to the progressive reduction of the forces in Afghanistan, the Federal Armed Forces contributed markedly fewer servicewomen and men to missions abroad overall than in the previous years. At the end of 2013, just under 5,000 personnel were still serving in the German mission contingents, whereas only roughly 2,700 servicewomen and men were left in this position a year later.

The falling total number of servicewomen and men in mission contingents and the simultaneous increase in the number of deployments abroad were already showing impacts during the year under review. For example, some service branches were having the strain on them relieved in personnel terms by the scaling back of the ISAF mission in Afghanistan. In contrast to this, some servicewomen and men are continuing to be placed under more strain than is proper, above all those with skills that are particularly in demand. This was discussed in detail in section 1.1. Furthermore, additional deployments demand greater air transport capacities and more personnel to maintain them.

6.1 New deployments and assignments abroad

As previously in 2013, the number of deployments has risen. The year under review saw Germany commit troops to the European Bridging Mission in the Central African Republic (EUFOR RCA), to which the Federal Armed Forces are primarily contributing strategic airborne medical evacuation capacities. Furthermore, the Navy took

part in the operation in the Mediterranean Sea to escort the US special ship Cape Ray when it was tasked with destroying Syrian chemical weapons. Participation in the European training mission EUTM SOMALIA to train Somali security forces was resumed again after a brief interruption. German trainers with EUTM SOMALIA are now no longer working in Uganda, but on the ground in the Somali capital, Mogadishu.

As a response to the crisis in Ukraine, the German Air Force committed up to six fighter jets to reinforce NATO's Air Policing operations in the Baltic region.

Furthermore, the Federal Armed Forces delivered foodstuffs and medical supplies to the crisis area in northern Iraq, as well as military equipment and weapons with support from a training team of paratroopers on the ground.

6.2 Support for the campaign to combat Ebola in West Africa

The Federal Armed Forces are supporting the campaign to combat Ebola in West Africa, among other things by providing personnel for a treatment facility run by the Red Cross in Monrovia, Liberia. The servicewomen and men, and reservists deployed to provide nursing care for Ebola patients have voluntarily made themselves available for these duties. Alongside these volunteers, servicewomen and men are being posted to work as medical auxiliary personnel for the volunteer helpers. Apart from this, Air Force personnel are operating an air bridge from Dakar in Senegal to the areas affected by Ebola. The Parliamentary Commissioner for the Armed Forces regrets that the Federal Armed Forces have not assigned exclusively volunteer personnel to this mission.

According to information from the Federal Ministry of Defence, all the servicewomen and men deployed in the areas affected by Ebola have received comprehensive training. It is the opinion of the Parliamentary Commissioner for the Armed Forces that, apart from the best possible preparation for the mission, post-mission care must also be ensured. Immediately after their return, a one-week debriefing workshop is planned for all personnel as a compulsory measure, and they are offered the option of staying for up to two weeks in an 'aftercare facility', partly in order to give their families and friends the reassurance of the certain knowledge they are not infectious. Should volunteers become infected with Ebola during their deployment, it is not possible for them to be evacuated to Germany by air, according to the information from the Federal Ministry of Defence.

It is to be viewed critically that volunteers who have fallen ill with Ebola in Germany could still not be treated at Bundeswehr hospitals at the end of the year under review. According to a statement from the Federal Ministry of Defence, this is to be made possible at the Bundeswehr Hospital Berlin, as described in section 15.3.4. Until that time, those affected will be forced to rely on the provision at civilian treatment centres in Germany.

6.3 Planning of deployments

The dynamics of the political decisions to take on new commitments abroad resulted in the Federal Armed Forces having to plan several deployments simultaneously within a few weeks. It is all the more important for there to be reliable, integrated mechanisms that link all military decision-making levels and major organisational elements for the preparation of the materiel and manpower required by new mission tasks.

One example from Camp Koulikoro in Mali shows that, unfortunately, reliable, integrated cooperation did not always take place between all military decision-making levels and major organisational elements during the year under review. Members of the medical task force company in the German mission contingent to the European training mission EUTM MALI rightly complained about numerous shortcomings at the Role 2 container hospital. For example, the dental treatment container had been delivered to the mission without previously being drained and the treatment chair had been cleaned using the air extraction systems. On account of the contamination with germs this had caused, the container could not be put into operation at first. If the container had been prepared more carefully in Germany, this problem would have been avoidable.

In addition to this, while these deployments were ongoing, plans were also being made for, for example, the ISAF follow-up mission, Resolute Support. In this context, the protracted process of forming a government after the parliamentary elections in Afghanistan proved to be an impediment to the planning activities. At the same time, the return of the German ISAF mission contingent's materiel and personnel continues to progress almost soundlessly. All involved deserve gratitude and recognition for their considerable efforts.

Members of the Naval Force Protection (MSK) units reported to the Parliamentary Commissioner for the Armed Forces about deficiencies in the medical supplies they were provided with during a deployment abroad in 2013. Under the European anti-piracy mission Atalanta, the Naval Force Protection units are deployed on World Food Programme ships as what are known as Autonomous Vessel Protection Detachments (AVPDs) in order to protect the ships from attacks by pirates. In the course of their duties, the 15-member protection detachments have to ensure they are provided with medical supplies independently. Since their World Food Programme ship only

called sporadically at the supply point for the German personnel in Djibouti and it was therefore impossible to plan for these visits, there were fundamental gaps in one AVPD's supplies of medical equipment throughout their mission. It is to be welcomed that the Navy has recognised this problem. With the reorganisation of the Naval Force Protection Battalion, a dedicated organisational element is now available with its own personnel and materials that may be able to ensure planning is more effective and AVPDs are provided with the correct medical supplies in future.

Both the examples given above demonstrate the significance of thorough preparation for new mission tasks. Steps must be taken to prevent servicewomen and men feeling abandoned to their own devices by the Federal Armed Forces on account of shortages of materiel. This is true to a particular extent for the members of the first contingents sent on a new mission, who set about the performance of their tasks with a high degree of motivation and pioneering spirit.

6.4 Preparation for missions

During the year under review, servicewomen and men also reported problems relating to their personal preparation for deployments. There were concerns about both the assignment procedure for the deployment abroad and their predeployment training.

6.4.1 Assignment to deployments

Of particular significance when personnel are assigned to a mission is the way in which the competent superiors communicate with deployment participants. Empathy is called for here, but also early, ongoing and transparent information for the servicewomen and men in question concerning the progress of the assignment. For instance, several servicewomen and men described how their assignment to a mission abroad had been cancelled at short notice during the year under review. This is particularly frustrating when the individuals affected have already received their predeployment training, and had all the necessary vaccinations and medical checks. Apart from this, spouses and children have often been prepared for the forthcoming situation for months on end. This is unfortunately true for reservists as well. On this issue, see also section 12.

6.4.2 New gunnery training concept

By the end of 2014, all servicewomen and men were supposed to have been trained in accordance with the new small arms gunnery training concept. Among other things, the new gunnery training concept is informed by how the requirements placed on armed personnel have been changed by the predeployment training for Afghanistan. In January of the year under review, the Federal Ministry of Defence published the results of the Contingent Survey on Predeployment CPCM Training for the German ISAF mission contingents, which covered the period from October 2012 to May 2013. As far as predeployment gunnery training was concerned, the survey found that just 74 per cent of servicewomen and men had been trained on the basis of the new gunnery training concept. The next survey for the first quarter of 2014 found only a slight increase in the proportion of those trained under the new concept to 82 per cent. This outcome is not satisfactory. The announcement made by the Federal Ministry of Defence that training under the new gunnery training concept will no longer be conducted just as part of predeployment training in future, but will be delivered to all servicewomen and men as part of their unit-level training is therefore to be welcomed.

6.4.3 Transport to and from deployments

The Annual Report 2013 criticised the fact that servicewomen and men deployed to Afghanistan still had to travel to the mission area using the inconvenient, time-consuming route via the Air Force base at Termez in Uzbekistan. In consequence, it is to be welcomed that the Federal Ministry of Defence decided it would be possible to fly directly to the airport at Mazar-i-Sharif without the diversion via Termez from October 2014, depending on the concrete security situation. This approach initially appeared a good way of shortening the amounts of time servicewomen and men on the mission were away from their families. However, the shorter journey is counteracted by the times when the servicewomen and men arrive at Cologne/Wahn Airport, which are late on Saturday evening as a rule. In order to make their travel arrangements more efficient, the flight schedules should be organised in such a way that either connecting flights or connections to other modes of public transport can be taken. Otherwise, the Armed Forces will have to make appropriate accommodation available, if necessary in hotels.

6.5 Living quarters on deployments

Fundamentally, the living quarters on deployments during the year under review were in a comparatively good condition, especially where the Federal Armed Forces themselves had national responsibility for their accommodation, but problems were encountered in particular where German servicewomen and men were quartered in facilities or camps provided by the host country or third nations.

6.5.1 Base Aérienne 188, Djibouti

The accommodation situation for the members of the P-3C ORION operational control group with the German Atalanta mission contingent was inadequate at times. For example, due to the acute danger of attacks in Djibouti the 48 members of one operational control group had to be evacuated from their hotel accommodation to the French-run air base Base Aérienne 188. The servicewomen and men were put up there for a few days in a disused residential block. After a short while, they discovered the ceilings of the rooms where they were staying were infested with rodent pests. Subsequently, a large proportion of the personnel were billeted temporarily for another two days in a former supermarket.

There can be no objection to the evacuation of the operational control group for security reasons. However, the fact that, despite the existence of evacuation plans, no acceptable accommodation was available for the German servicewomen and men shows a need for improvements. The Federal Armed Forces' Joint Operations Command recognised this and initiated appropriate measures.

6.5.2 Camp UCATEX, Central African Republic

Cause for concern was given by a report from the Federal Armed Forces' Joint Operations Command about the suspected contamination of the soil at Camp UCATEX in the Central African capital, Bangui. At this point, German soldiers with the European military mission in the Central African Republic (EUFOR RCA) were also serving at least temporarily at Camp UCATEX. According to the assessment made by the Federal Armed Forces' Joint Operations Command, the subsoil at the camp, which was located on the site of a former textiles factory, was contaminated with highly health-damaging aromatised hydrocarbons. After this finding became known, the German servicewomen and men on the ground were ordered not to enter the camp any more. In the mean time, the subsoil at the site has been sealed by covering the ground with concrete and gravel. Since then, four German servicemen have been staying at Camp UCATEX.

6.5.3 Decimomannu, Sardinia

The accommodation situation for German servicemen who are stationed temporarily at Decimomannu on Sardinia has improved cheerily during the year under review. Two members of the Air Force Tactical Training Command Italy, which is based there, told the Parliamentary Commissioner for the Armed Forces that, thanks to a petition submitted in 2012, most of the barracks rooms had been repainted and the bathroom fittings replaced. Build-ups of mould and limescale had been removed, some of the washbasins and toilet seats replaced, and new furniture brought in.

6.5.4 Estonia

Some of the servicemen deployed in Estonia were accommodated in very rudimentary living quarters during the period under review. In particular, the horrible stench of the tap water was viewed with concern by the servicemen on the ground. Chemical tests on samples of the water ordered by the Federal Armed Forces confirmed that the levels of manganese and iron were far higher than the limit values provided for. The concentrations were not damaging to health. In consequence, the servicemen were offered supplies of bottled water as drinking water. The German forces' tour of duty under this mission ceased at the end of the year under review. In so far as switching to other accommodation should not be possible due to operative necessities, consideration should be given to providing the servicewomen and men with water for their showers using tankers for the next tour of duty.

Koulikoro, Mali

During his first field visit to Mali, servicewomen and men drew the attention of the Parliamentary Commissioner for the Armed Forces to the fact that redundant ammunition and explosives were being stored in a practically unsecured Malian ammunition depot at Camp Koulikoro. After these munitions had been secured or removed as

a consequence of the field visit, service personnel reported to the Commissioner that inadequately secured ammunition and explosives were still being kept at the Malian ammunition depot. At the end of September 2014, the Commissioner was informed by Joint Operations Command that the few hand grenades and antitank mines still present in the ammunition store had been removed. Some of the munitions found in the weapons store had been removed, while some had been placed in a separate storage container. At present, Joint Operations Command sees no critical hazard for German military personnel. In response to an enquiry made by the Commissioner that had been prompted by a serviceman, the Federal Ministry of Defence stated that unsecured ammunition and explosives were still being kept at the Camp. According to the Federal Ministry of Defence, steps to secure these stocks as demanded by the French mission command, the competent European Union representatives and the German officials responsible, had not been taken as yet because the Malian officials in charge had refused to do anything about the matter. This is an untenable situation. The Commissioner is demanding immediate action to secure the explosives and weapons, which would protect the lives and physical wellbeing of the German servicewomen and men, as well as others at the camp.

There is still no way of guaranteeing the German servicewomen and men at Koulikoro total protection from mosquitos. The Parliamentary Commissioner for the Armed Forces is currently engaged in discussions on this topic with the Federal Ministry of Defence.

6.6 Foreign duty allowance

Once again, servicewomen and men sent in petitions about the award of the foreign duty allowance during the year under review. They complained about the unequal financial treatment of the crews on fleet service ships in comparison to that of members of mandated missions in the eastern Mediterranean Sea, for example those serving on Operation Active Endeavour (OAE) or UNIFIL. Members of the German OAE and UNIFIL mission contingents at sea receive level 2 foreign duty allowances. The crews of fleet service ships do not draw foreign duty allowances because they are present in the Mediterranean Sea as part of national crisis prevention activities and are under national command. Instead, they receive financial compensation under the provisions on time off *in lieu* for particularly large amounts of overtime and service at inconvenient times. The Federal Ministry of Defence has pointed out that – despite being taxable – these allowances are approximately the same as a level 2 foreign duty allowance. However, if the financial difference between the two allowances is just a few euros, it is even less explicable to the crews of the fleet service ships that they should be refused foreign duty allowances and the appreciation as participants in a mission abroad with which they are associated.

In this connection, service personnel with a standing NATO maritime group in the Mediterranean Sea complained about the worse remuneration of port time for servicemen on this quasi-operational commitment compared to their fellow servicemen on the UNIFIL mission: they explained that it was merely the personnel who were deployed as military guards who received remuneration for the additional duties they performed during port time in the course of the quasi-operational commitment to the standing NATO maritime group. All the other personnel received nothing. It was explained they were merely due their usual home pay, as well as their Navy allowances and sea duty pay. By contrast, all their fellow servicemen on the UNIFIL mission were apparently awarded a reduced foreign duty allowance during their stay in the same port. In view of the practical similarities between the conditions under which Navy personnel are assigned to seagoing units on missions abroad and quasi-operational commitments, the question arises of the reasons with which the different levels of remuneration are supposed to be justified.

A positive development is in the offing for the servicewomen and men of the German UNIFIL mission contingent deployed in Lebanon. Hitherto, they have been paid level 3 foreign duty allowance. Prompted by a petition to the Parliamentary Commissioner for the Armed Forces, the Federal Ministry of Defence has comprehensively reviewed and reevaluated the conditions under which the consignment is serving. In particular, in the light of the increasing intensity and frequency of the terrorist attacks in Lebanon, the Federal Ministry of Defence believes it is justified for the foreign duty allowance to be raised to level 4. The Ministry has announced it will be conducting the requisite consultations with the Federal Ministry of the Interior, the Federal Ministry of Finance and the Federal Foreign Office.

During the year under review, the frigate Augsburg took part in the operation in the Mediterranean Sea to escort the US special ship Cape Ray, which had been sent there to destroy Syrian chemical weapons. The Augsburg escorted the special ship from 3 July 2014, but had already been in the area preparing for the operation since 30 April 2014. From this point in time, the members of its crew received foreign duty allowances from the Bundeswehr Service Centre, which were initially paid out subject to confirmation. The Bundeswehr Service Centre cancelled these payments on 31 May 2014 and issued recovery notices because the statutory preconditions for

the payment of foreign duty allowance would only be satisfied when the Augsburg started escorting the Cape Ray as of 3 July 2014.

The servicewomen and men on the frigate Augsburg were rightly upset about the decision that, as a matter of principle, they were only entitled to foreign duty allowance while escorting the Cape Ray, as well as the toing and froing on this issue. They contacted the Parliamentary Commissioner for the Armed Forces and the Federal Minister of Defence, asking for the situation to be clarified. The servicewomen and men were left in the dark about the basis for the financial compensation they would receive for their deployment abroad right until the end of August. It is inexplicable to a serviceman on active duty that it should take more than four months for the Ministry to settle on the relevant compensation provisions for an assignment of service personnel abroad, something that shows the gulf between the decision-makers in the Federal Ministry of Defence and the reality of the deployments. The need for improvements in this field will have to be acknowledged, something that would be to the benefit of our servicewomen and men on active service.

6.7 Military post

Despite the modern options for communication using the Internet and mobile telephones, the significance of military post is still just as great as it ever was for the servicewomen and men in the German mission contingents. In smaller contingents, for example at Dakar in Senegal and Camp Koulikoro in Mali, military post personnel have always had other functions to perform. This is not an ideal solution and led to delays in the delivery of military post at both locations during the year under review. According to the current directives, the maximum time it should take for military post to be delivered is 14 days. Given what modern logistics is capable of doing with air transport, the amount of time allowed no longer seems appropriate to modern expectations and should be shortened.

At the end of the year under review, the Federal Ministry of Defence reported that the postal service for the German service personnel with UNAMID is currently not assured. Post and packages from Khartoum were not being forwarded to El Fasher. According to information from the Federal Ministry of Defence, it was at first possible for the problem to be dealt with by the servicewomen and men collecting the post from Khartoum at their own initiative. However, this can only be an interim solution.

6.8 Award of the Bundeswehr Foreign Duty Medal

In 2014, servicewomen and men once again complained about problems associated with the award of the Bundeswehr Foreign Duty Medal. These problems were primarily caused by omissions on the part of the competent authorities within the Federal Armed Forces.

For example, one officer was not awarded a NATO Medal despite having served three tours of duty with the ISAF Mission because the competent authorities in the country to which he had been deployed and the staff section responsible for leadership development and civic education, and personnel management in his home agency had both neglected to apply for the medals. Foreign Duty Medals express respect and recognition for what service personnel have done for our country and the Alliance on deployments. The same is true for the medals awarded by the European Union, NATO and the United Nations. Following a mission abroad, these decorations also remain visible for all to see on the ribbon bar of the soldier's service dress as a manifestation of esteem. Foreign Duty Medals therefore rightly have a high value in people's minds. In addition to this, the medals can have be of very real significance for the recipient's legal status as well: As part of the veterans concept, former Federal Defence Minister Dr. de Maizière specified the award of the Foreign Duty Medal as one of the qualifications for an entitlement to veteran status. All the individuals involved in the award procedure therefore continue to be under an onus to ensure the rapid, smooth presentation of the Foreign Duty Medals.

Service personnel complained to the Parliamentary Commissioner for the Armed Forces that they had not been awarded a service medal for the 1992 UNOSOM mission in Somali. No service medals have been established for the historic missions of the early 1990s. Servicewomen and men rightly view this as evincing a lack of gratitude.

6.9 Use of alcohol and narcotics

During the year under review, suspected contraventions against the rules on the use of alcohol on foreign deployments were either not confirmed when they were reviewed or were less serious individual cases.

6.10 Security situation in mission areas

The threat situation in the German mission area in Afghanistan is classified between low and substantial, depending on the region. The Federal Armed Forces are still reporting numerous security incidents from the ISAF mission area week by week. The Afghan security forces are paying a high price in blood. In the first ten months of 2014, 4,544 members of the Afghan army and police fell in action. German forces too have been attacked on many occasions, coming under fire from insurgents. This shows the necessity of a follow-up mission. The fact that no German serviceman fell in action during the year under review gives cause for gratitude and relief.

The threat from what are known as green-on-blue attackers continues to have to be viewed with concern. A serious attack of this kind was committed in August when an Afghan Army soldier opened fire on ISAF personnel at Camp Qargha near Kabul. A US general was killed in this incident, and other ISAF soldiers, including a German brigadier general, suffered wounds.

The reports about the escalation of the security situation in Somalia are also disquieting. The Parliamentary Commissioner for the Armed Forces will observe further developments attentively.

6.11 Reception of threatened Afghan local employees

Germany has a duty of care for the Afghan local employees who find themselves and their families threatened because their support for the Federal Armed Forces is held against them by backward-looking groupings. These people must be offered the opportunity to find new homes in Germany. Otherwise, there is a danger that the willingness of local residents to support the Federal Armed Forces in ongoing and future deployments will decline massively.

It is indeed incomprehensible that Germany rightly welcomes a far larger number of refugees from the crisis regions of this world for humanitarian reasons, but particular caution prevails when it comes to taking in those who have given assistance to our country.

7 Compatibility of service and family/private life

The number of petitions on the compatibility of service and family/private life, something that affects men and women to the same degree, is still high. In the Annual Report 2010, the Parliamentary Commissioner for the Armed Forces suggested the topic be investigated, above all in view of his findings about the high rates of separation that affect the marriages and relationships of servicewomen and men. The study produced by the Bundeswehr Centre of Military History and Social Sciences is based on a survey of servicewomen and men carried out in 2012, but was only published in the summer of 2014. It supplies important findings about the special strains of careers in the forces. For instance, the respondents said that the pressures imposed by their duties primarily had negative impacts on their family plans and future aspirations, as well as causing conflicts and tensions in family/private life and heavily constraining their opportunities to cultivate social contacts and pursue leisure activities. Almost half the respondents stated that the strains of their duties had previously contributed to their separation from a partner. 43 per cent found it difficult to meet a new partner on account of the pressures of their duties. 53 per cent of existing partnerships were suffering because it was difficult to start a family under the prevailing conditions in the forces. These results, which are consistent with the findings from petitions, are worrying. In contrast to what had been demanded by the Parliamentary Commissioner for the Armed Forces in the run up to the investigation, the study failed to separately address the special strains borne by servicewomen and men in special assignments and assignments affected by personnel shortages, and survey the partners of military personnel. These partners frequently have different perceptions of the strains military duties impose on family and private life. Apart from this, surveying them would have made it possible for important findings to be arrived at with regard to possible changes in their partners' character as a result of their military workload.

More than any of the other strains they face, the servicewomen and men mentioned commuting at the weekend as the main cause for the negative impacts of service in the Federal Armed Forces. Assignments away from home for years and absences due to attendance at training courses led to conflicts within partnerships and estrangement. These complex problems are still unresolved. One servicewoman and mother of four wrote quite accurately, 'Simply because this career demands that we work some of the time in theatres of war and crisis areas, we servicewomen and men need a stable family structure that looks after us during our deployments and picks us up afterwards.' In this connection, it is indicative that 49 per cent of the personnel with the 22nd ISAF

Contingent who were surveyed after their return also stated that commuting at the weekend was by far the greatest strain on their family and private lives. Danger to life and limb was mentioned comparatively rarely by the respondents (eleven per cent).

The Bundeswehr Centre of Military History and Social Sciences is currently working on an investigation into the impacts of commuting by service personnel on their family and private lives. It remains to be hoped that this forthcoming detailed analysis will be concluded in a timely fashion so that the findings obtained can be incorporated into measures to make the Federal Armed Forces more attractive.

The desire for assignments close to home, flexible working times and cheap universal childcare were also particularly emphasised in the Federal Armed Forces' survey. These findings are consonant with the petitions on this topic evaluated by the Parliamentary Commissioner for the Armed Forces over the last few years.

7.1 Attractiveness measures

The package of measures under the Attractiveness Agenda presented by the Federal Minister of Defence in the spring of 2014 and the Draft Act to Increase the Attractiveness of Service in the Federal Armed Forces incorporate a large number of suggestions made by the Parliamentary Commissioner for the Armed Forces with regard to the problems that have been known about for a long time ensuring the compatibility of service and family/private life. The Agenda and the Omnibus Act are associated with the hope that the often invoked development towards a modern, attractive Federal Armed Forces is now gaining momentum as they compete for the 'brightest minds' and 'cleverest hands'. What will be decisive in this respect will be to translate the targets that have been adopted into reality with practical action and really breathe life into the new modern spirit to which the Armed Forces are aspiring in their routine, day-to-day operations. It would therefore be welcome if markedly longer stays in post were provided for in future, while transfers were harmonised with school semesters as a matter of principle and were announced with considerably longer advance notice of six months.

In this connection, the Parliamentary Commissioner for the Armed Forces has recommended to the Federal Minister of Defence that she comply with the request that was also put repeatedly to her predecessors in this office, and seek to persuade the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder that schools following a nationally standardised framework curriculum should be established at suitable locations. This would make it easier for school-age children – not just those of servicewomen and men but particularly of this section of the population – to cope with the frequent changes of school caused by their parents' transfers from one posting to another. The German Federal Chancellor addressed this problem at the Parliamentary Commissioner's Annual Reception back in 2007, in which context she drew attention, in particular, to the strains on servicewomen and men with school-age children. The time has come to tackle this issue and find a successful solution. The autonomy the Länder enjoy in cultural and educational affairs should not prevent the large number of children affected by the problem from finally being given adequate help under the auspices of the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder.

7.2 Family-friendliness and attractiveness in everyday military life

7.2.1 Part-time working, teleworking

The instruments to improve the compatibility of service and family/private life that already exist are exploited far too rarely in individual cases. Here, it is initially necessary to break down old mindsets. For example, the Federal Armed Forces should examine the extent to which more posts than in the past could be classified as suitable for part-time working. It is not very attractive if a female career soldier is compelled to convert her employment status into that of a temporary-career volunteer because her application for the part-time assignment she urgently requires is rejected by the Armed Forces. However, concepts to make working times more flexible must be accompanied by an appropriate approach to vacancy management. Negative experiences with unexpectedly high vacancy levels, as when parental leave was introduced, must not be repeated.

The Federal Armed Forces should show greater courage when it comes to the expansion of teleworking. Up until recently, for example, a directive has ruled out teleworking in what is termed a non-established post. This is a notional post in which service personnel are assigned close to their homes if they have, for example, serious personal reasons for requesting such an arrangement. It was possible for a change in the directive to be achieved as a result of petition proceedings. The approval of teleworking now depends on whether the concrete form in which the applicant's duties are organised is suitable for an arrangement of this kind. On this issue, see also the example in section 30.4.1.

In this connection, the acquisition of laptops to bridge the period between the approval of teleworking and the setting up of a permanent workplace is a cheering step.

7.2.2 Information and advanced training

It will also be important to improve the Armed Forces' information policy on the measures they are offering to enhance the compatibility of career and private life because many of these instruments are not well known among the troops. As a matter of principle, a central point of contact for all problems associated with questions about the compatibility of family and service at every base is to be welcomed. However, such points of contact must be manned appropriately. There are doubts about the idea of additionally burdening garrison senior officers with this because they are already having to shoulder a diverse range of tasks.

Furthermore, it is indispensable to provide leaders and their subordinates with regular advanced training on these topics. This applies, in particular, for the handling of enquiries from servicewomen and men in special private situations and emergencies. Petitions were received repeatedly during the year under review on problems applying for special leave when family members or long-term domestic partners had fallen sick. In many instances, the investigations carried out revealed uncertainty about the interpretation of the relevant rules. There is evidently a need for training in this field.

Mention can be made of another disappointing example of how applications are dealt with at the unit level: One servicewoman found herself compelled to ask the Parliamentary Commissioner for the Armed Forces for help during the year under review because, following the approval of her application for teleworking, no further steps had been taken to set up her workplace. There was no awareness of the procedure for the creation of a teleworkplace, which has been in place since 2005, within the petitioner's unit. This does not appear to be a unique case because Air Force Headquarters admitted the processing of applications of this kind could not be viewed as a matter of course in all units. Action needs to be taken here.

Furthermore, superiors will need a higher degree of creativity and greater determination in future to find individual solutions. However, such solutions must not be detrimental to the whole organisational element. For instance, it is viewed positively if superiors permit scope for the variation of duty hours, especially because flexitime is not on offer across the board. This enables servicewomen and men to perform their professional duties despite the inconvenient opening times of daycare facilities for children, for example. An individual solution was also found for a service couple with a sick child who was prescribed a spa treatment that would last several days. In the opinion of the disciplinary superior, leave ought to be requested in order to allow one of the parents to look after the child as was necessary. It is praiseworthy that, when the matter was reviewed, this decision was corrected. In comparable cases at civilian federal authorities, special leave is granted for a total of five working days under the Special Leave Ordinance in situations of this kind. The action taken in this instance was informed by these practices and motivated by a desire to promote the compatibility of family and service. This topic should be taken up as quickly as possible and addressed in a suitable fashion in the Implementing Provisions to the Leave Regulations for Military Personnel. Only then will disciplinary superiors and the individuals affected have the certainty they need to act with confidence.

7.2.3 Financial attractiveness

The Federal Armed Forces' attractiveness as an employer is closely connected with the financial situation of their servicewomen and men. Against this background, the changes to the law planned with the Omnibus Act to Increase the Attractiveness of Service in the Federal Armed Forces are to be welcomed, for example those that would bring about improvements in hardship allowances or post allowances.

By contrast, the financial situation has worsened for individuals who go on official trips due to the revision of the rules on the reduction of travel expenses when meals are provided free of charge. Following this change, it is no longer possible for other expenses that are typically incurred during official trips to be reimbursed. The individuals affected have to pay these expenses themselves. It remains to be hoped that a return to the previous legal situation, the necessity of which has already been recognised by the Federal Ministry of Defence, is provided for as soon as possible.

7.3 Family-friendly personnel planning

An employer's attractiveness is also measured decisively in terms of the quality of their personnel management. It is therefore to be welcomed if, as has been announced, there is to be more intensive mentoring at shorter intervals by personnel managers in future. Far too often, personnel managers only learn of petitioners' current

wishes concerning assignments from petition proceedings. In addition to this, the work done by personnel planners will have to become more transparent. The fact they can be assigned to a different post at any time is one of the inconveniences voluntarily accepted by military personnel and therefore among the defining features of service status. Nonetheless, it is indicative if petitioners speak of feeling ‘let down’ or treated ‘like a puppet’. It is only possible to concur with the paramedic who wrote about the fact she could be assigned to another post at any time, ‘Yes, that is true. But I did not sign up to renounce having a family with children and a private life.’ Servicewomen and men are affected particularly often by new assignments at short intervals. Unlike comparable cases in the public service, these are not permanent assignments.

The online information exchange about posts held out in prospect under the Attractiveness Agenda, on which servicewomen and men will be able to register their interest in assignments, will create greater transparency. It would be even better for posts to be advertised as a matter of principle, a conventional practice for modern, attractive employers and in the public service. Servicewomen and men could then apply for posts that were also compatible with their personal circumstances.

In addition to this, the information policy and recruitment procedure must be improved further as the base closures that are still forthcoming are implemented. Petitions continue to reach the Parliamentary Commissioner for the Armed Forces in which servicewomen and men show amazement that the competent personnel planners do not have access to the personnel record questionnaires they have filled out. Those affected often do not know that the questionnaires with their personal details are only sent to the Federal Office of Bundeswehr Personnel Management if it is necessary to examine what are termed serious personal reasons. This therefore only happens if the health status of the servicewoman or man, their spouse, a child or other close relatives explicitly listed in the Guidelines on the Posting, Change of Post and Temporary Assignment of Military Personnel could be relevant when decisions are taken about assignments.

In this connection, especially against the background of a number of petitions received during the year under review, it should not go unmentioned that the failure to include long-term domestic partnerships between individuals who are not married or civil partners in the group of those who come into question for the recognition of serious personal reasons does not reflect the reality of servicewomen and men’s lives. This applies particularly for partnerships in which parental duties have been assumed.

Furthermore, the failure to take long-term domestic partnerships into consideration is also to be criticised and interrogated because this form of family unit is definitely classified by the forces as relevant in other contexts. For example, security screenings regularly cover non-married partners. Joint households also play a role in welfare law. Against this background, care or support for seriously ill long-term domestic partners should also be grounds for the recognition of serious personal reasons. It is to be welcomed that the Federal Minister of Defence has focussed with tremendous clarity on the care of seriously ill relatives. Another necessary step is the extension of this caring approach to long-term domestic partnerships.

7.4 Close-to-location childcare

The question of close-to-location childcare options is often raised in petitions and during field visits. Again and again, – unjust – criticism that the efforts currently being made in this direction are inappropriate is to be heard from the public and also among the ranks of the Federal Armed Forces. Especially for young servicewomen and men, the phase in which they are building their careers, which places heavy demands on their mobility, and the period when they are starting families run in parallel. If only for this reason, the military families in question are confronted with the issue of childcare relatively frequently. In addition to this, the strains of family life are very great for parents with small children. Adequate childcare should be ensured during their duty hours so that fathers and mothers are nonetheless able to demonstrate their skills in service.

There is also far too high a number of well trained servicewomen and men who find it difficult to start a family on account of the conditions under which they serve. It does not have to be inevitable that the Federal Armed Forces lose skilled personnel or scare off talented young people with good qualifications for this reason. In consequence, the progress in the expansion of child daycare provision is to be welcomed. Positive mention should be made here of the daycare facilities that have been opened for children at the Bundeswehr University in Munich and the Bundeswehr Hospital Coblenz, as well as the setting that is due to open in 2015 at the Bundeswehr Hospital Ulm. Unfortunately, the situation at the Bundeswehr Hospital Berlin is still unresolved. The demand for 46 childcare places has now been acknowledged by the Federal Ministry of Finance, which is responsible for decision-making on projects of this kind. Nonetheless, the construction of a Federal Armed Forces-run child daycare facility still has to get over the hurdle of passing a disproportionately comprehensive assessment of alternatives demanded by the Federal Ministry of Finance. Especially in view of recent cases involving

parents who are struggling with such problems, this is inexplicable because the strains caused by special duties and shift working in the Medical Service, and the special childcare provision that is therefore required are well known.

In addition to this, during the year under review the Federal Armed Forces were able to acquire further rights to take up places in suitable local authority childcare settings. This is cheering, but the principle should apply that, 'in-house kindergartens take precedence over places at other facilities.'

Another possible solution is group childminding. This is a form of childminding in which several childminders combine together in suitable premises to offer childcare. The premises for this should be provided by the Federal Armed Forces. Independent initiatives too can prove successful in this field, as is demonstrated by the group childminding setting called Luftikus that has been set up at Tactical Air Force Wing 74's Neuburg an der Donau base.

7.5 Childcare at training course venues

For the most part, unfortunately, the specific demand for childcare options close to training courses for the children of training course participants, for example at the Army Officer School in Dresden, is not being met. In particular, it is single parents who have to take their children with them to the venues for their training courses and are frequently affected by difficulties of this kind. The demand for childcare during courses is encountered regularly, but can vary widely in terms of numbers. Local authority settings often refuse to give children places on a monthly basis for reasons rooted in their educational concepts. At the same time, settings that specialise in short-term childcare are often not located close to training course venues. Here too, the obvious solution is the group childminding model discussed above. If the premises made available by the Armed Forces have to be converted for this purpose, it is decisive whether this demand is recognised by the Federal Ministry of Finance, which is responsible for funding such schemes. This recognition must be given unbureaucratically and as quickly as possible. Until a conclusive solution has been put in place, thought should also be given to other options. More flexible starting times for the childcare sessions used by the individuals in question could potentially make their family situation easier in the mornings. This would allow childcare facilities some distance away from training course venues to be utilised.

7.6 Parental leave

The time taken to process applications for parental leave is still criticised as too long by servicewomen and men. The consequence of this can be that, after the end of their maternity leave, during which they still draw a salary, they initially have no income any longer. For it is only with the final decision on the granting of parental leave that parental allowance can be applied for. If this decision is not issued until the end of the maternity leave, the amount of time needed to process the application for parental allowance means parents are not assured an uninterrupted income. There is a danger that the first payment of parental allowance will not be made until months after the individual's salary has ceased to be paid. This is why parental leave applications should be prioritised for processing and dealt with without delay once the birth certificate has been presented. As is apparent from petitions, the individuals affected can find themselves in real financial trouble as a result of delays in the payment of parental allowance.

When parental leave is taken, pay and benefits in kind are suspended as well, while the entitlement to the payment of separation allowance, which commuters use, for example, to pay the rent on a second flat, expires at the same time. This is unacceptable and must be changed urgently. During the year under review, an expecting father therefore complained quite justifiably that his parental allowance would be used up almost entirely by the rent at the base that he was having to carry on paying during his two paternity months.

The reenactment of the legislation concerning relocation and separation allowances announced a long time ago by the Federal Ministry of Defence, which is intended to address this problem, has been going through the process of interdepartmental coordination since 2013. It is absolutely essential that it be implemented in a timely fashion in order to put an end to the unfavourable treatment of these personnel that has been described.

7.6.1 Repayment of enlistment bonus

Taking up parental leave can entail yet more financial disadvantages. This is the case if it is not in the interests of the services for the period taken as parental leave to be served later at the end of the servicewoman or man's term of service and she or he was awarded an enlistment bonus. A proportion of this bonus has to be paid back if leave is granted on parental grounds. However, the question of whether a lost period of service should be made

up at a later date falls within the discretion of the Federal Armed Forces, and cannot be influenced by the servicewomen and men in question. It appears contradictory when servicewomen and men initially receive a bonus as an incentive for committing to complete their service, but a short while later it is denied the Armed Forces have an interest in them serving their full term. If the enlistment bonus then has to be paid back as well, the Federal Armed Forces do not in any way present themselves as an attractive employer for servicewomen and men.

7.6.2 Information gaps

There is still an urgent need for information on questions relating to the take-up of parental leave. For example, servicewomen and men cannot find information about the option of interrupting the payment of transitional allowances, either on the Child Care Portal Internet site or the Federal Armed Forces' pages on vocational advancement service. Transitional allowances are benefits that are calculated as a certain percentage of the servicewoman or man's last few months of pay and are paid to retiring temporary-career volunteers for a particular period of time – depending on how long they have been serving in the forces. Again and again, petitions reach the Parliamentary Commissioner for the Armed Forces that report of financial worries if parental leave is taken up during vocational advancement service. The information on offer should be expanded accordingly.

It is just as important to regularly update the information that is published. This could enable parents to avoid overpayments upon taking up parental leave by waiving their benefit payments. Until November 2014, the relevant application form on the Internet site of the Child Care Portal still gave the nearest military district administrative office as the authority responsible for the payment of parental leave benefits rather than the Federal Office of Administration, which is now in charge of administering them. When the Parliamentary Commissioner for the Armed Forces requested that it be updated, the out-of-date application form was removed from the Child Care Portal Internet site, along with the guidelines for applicants, but no updated version had been posted by the end of the year under review. This must now be done immediately.

7.7 Strains on families due to deployments abroad

Particular strains on families arise when servicewomen and men go on deployments abroad. In consequence, there must be an inviolable period of time reserved for service personnel to be together with their relatives in advance of any deployment, something that is asked for again and again in petitions.

7.7.1 Long-term study of returnees from Afghanistan

According to the long-term study *Afghanistanrückkehrer (Returnees from Afghanistan)*, which was published by the Bundeswehr Centre of Military History and Social Sciences during the year under review, only some military personnel associate deployments abroad with negative impacts on family and private life. The majority of the respondents from the 22nd ISAF Contingent stated that their partnerships and families had coped well with the period of the deployment. However, the results of the study have to be interrogated critically as a whole because they fundamentally contradict the impressions the Parliamentary Commissioner for the Armed Forces has gained from his discussions with servicewomen and men's partners. Furthermore, it is astonishing that the research report includes a section entitled 'My wife is still "on active service" – deployment-related changes for family and partnership', but no spouses or partners were interviewed. In addition to this, it will take some time before the still ongoing evaluation of the survey of service personnel who have since left the forces is completed. It would be pleasing if these supplementary research results were published promptly and not with more than a year's delay, as happened to the original study.

7.7.2 Recognition of domestic helps as fundable with aid and allowances for public employees

Another problem raised again and again is the fact that, up until now, it has not been possible to provide short-term support in households where one parent is absent as a result of a deployment abroad. The rigid application of the provisions on aid and allowances for public employees to date has caused unacceptable hardships. The demand for such support has now been recognised by the Federal Ministry of Defence as well, and a corresponding provision included in the Draft Omnibus Act to Increase the Attractiveness of Service in the Federal Armed Forces. The Parliamentary Commissioner for the Armed Forces will pay attention to ensure that this provision is also implemented in an appropriate manner. In addition to this, it may be necessary for additional childcare services, such as services provided by childminders, to be used while one parent is absent for several months in

connection with a deployment. This is usually the case when the parent who has stayed at home does a job that involves shift or weekend working. It is inexplicable that the current rules do not permit the employer to pay the often high additional childcare costs that are incurred. They should therefore be revised urgently pursuant to the Minister's instructions.

7.8 Family time during recovery phases

Especially with a view to the diverse difficulties that are often thrown up by the absence of the family member who is on a deployment, phases of recuperation should not lead back once again into periods of separation. Shared 'time out' with their families after their return from a deployment is particularly important to many servicewomen and men. This has been confirmed by the *Returnees from Afghanistan* study from the Bundeswehr Centre of Military History and Social Sciences. Following their return from a deployment, servicewomen and men can be granted a preventive spa treatment, what is known as a 'Kolbow cure'. It is understandable for them to wish to spend this spa treatment in the same establishment as their partner and children if there is a medical indication for a mother-child or father-child cure. Hitherto, however, clinics that offer these two spa treatments under one roof have been in short supply. A preventive cure is not a spa cure in the classic sense, but a course of preventive in-patient treatment intended to counter possible deployment-related health conditions. By contrast, a mother-child or father-child cure requires a medical indication certified by a doctor. On account of the differences between the treatment provided by, and ethos of, preventive and parent-child cures, just one of the 28 clinics where preventive cures can be taken has been offering parent-child cures as well to date, according to information from the Bundeswehr Medical Service Staff. In view of the significance having their families around them has for servicewomen and men's mental and physical conditioning after they have returned from a deployment, as well as their relatives' wellbeing, further opportunities for the combination of the two methods should be sought.

It is just as unfortunate that up until now servicewomen and men have had to pay the costs for their accommodation and childcare during a preventive treatment in full themselves, in contrast to which these costs are paid for people with statutory pensions and health insurance under the rules on domestic assistance. This contradicts diametrically the concept of care anchored in the Legal Status of Military Personnel Act, which would justify special benefits.

8 Women in the Armed Forces

During the year under review, the number of women in the Armed Forces rose slightly in comparison to the previous year, from 18,535 in 2013 to 18,923. The proportion of career soldiers who are women is 3.5 per cent, while they currently make up 13.5 per cent of temporary-career volunteers and a good 12 per cent of military service volunteers.

As in previous years, the petitions that have been received do not offer evidence of any fundamentally gender-specific problems in the Armed Forces. However, it is not possible to talk of servicewomen's integration into the Federal Armed Forces having been completed.

8.1 Troop Portrait without Lady?

The study entitled *Truppenbild ohne Dame? (Troop Portrait without Lady?)* that was announced a long time ago and published by the Bundeswehr Centre of Military History and Social Sciences on 21 January 2014 comes to the conclusion that there is now a 'cloudier climate for integration' and argues that the integration of women into the Armed Forces will still require great efforts.

In comparison to a previous study that was published in 2008 and based on data collected in 2005, the prejudices against women in the military have not declined within the Federal Armed Forces. For instance, one third of servicemen are still of the opinion that the German Army has lost combat power due to its inclusion of women.

It is pleasing that the Federal Armed Forces took this study as an opportunity to thoroughly analyse these worrying results on a broad basis in a symposium at the Command and Staff College in Hamburg in July 2014. The papers presented there by servicewomen with unusual openness before a large audience described experiences that confirmed the results of the study and demonstrated that the climate for integration in the Federal Armed Forces is still far from perfect in many ways.

The servicewomen talked about discriminatory treatment by their superiors, disparaging looks and remarks, and male soldiers' fear of female competition. Not infrequently, male comrades were brought in as witnesses during

meetings with female soldiers out of a fear of possible accusations of sexual harassment. This all shows that uninhibited dealings between servicewomen and servicemen are unfortunately still not a matter of course.

There was also confirmation of the unequal treatment when it comes to forms of address that was also mentioned in the last Annual Report and is rightly perceived as disparaging: While it went without saying male personnel would be addressed with their rank and surname, a servicewoman's rank was often omitted when she was spoken to. This constitutes a clear infringement of the rules on forms of military salute and address in the Federal Armed Forces.

According to the study, 52 per cent of the servicemen surveyed believed that servicewomen were not equal to physically demanding functions. One female officer serving in a parachute unit described her struggle for recognition: In order to be able to meet the tough physical and mental demands made of her, she trained in her free time as well. However, her enormous power as a runner evidently seemed so unbelievable to her superior that he made her repeat a run the next day. This constitutes a clear case of discrimination.

There are differences in physical performance between women and men. However, it would be possible for these to be compensated for in some areas. For example, the technical further development of stretchers to allow for bearers with less physical strength would be conceivable.

The Federal Armed Forces can only be an attractive employer for servicewomen of all ranks as well if the equality of opportunity that exists on paper is actually translated into reality.

According to the study, 51 per cent of servicemen believe the work done by women is judged too positively, while 62 per cent of servicemen claimed women have better career opportunities. These perceived imbalances are not backed up by the figures. The Parliamentary Commissioner for the Armed Forces welcomes the work currently being done within the Federal Ministry of Defence to create a valid database of women's performance in this field, which should bear fruits in early 2015.

8.2 Uniform and body armour

According to information from LH Bundeswehr Bekleidungsgesellschaft, the Federal Armed Forces' partly state-owned clothing supplier, more feminine versions of certain uniform garments that have been requested by servicewomen for a long time, in particular the four-seasons jacket, and the trousers and jacket of the dress uniform, have now been introduced. A uniform with a skirt has also been developed in line with suggestions made by servicewomen.

Another understandable demand that servicewomen have addressed to the Parliamentary Commissioner for the Armed Forces again and again is that for well fitting female body armour. Ill-fitting body armour obstructs successful gunnery training and represents a safety risk for servicewomen on deployments abroad. After years of discussions, this situation finally needs to be remedied.

8.3 Military gender equality officers

In its comments on the last Annual Report, the Federal Ministry of Defence held out in prospect the implementation of the suggestions made by the Parliamentary Commissioner for the Armed Forces on the participation of military gender equality officers in appraisal procedures, disciplinary proceedings and complaints proceedings, but this has not happened to date. A revision of the Implementing Provisions to the Act on Equal Opportunities for Female and Male Military Personnel in the Bundeswehr, into which the corresponding rule-changes are to be incorporated, has been announced but will take some time to enact. The military gender equality officers are rightly calling for this projected to be completed. The Implementing Provisions now need to be revised immediately.

Gender equality officers must also be able to accompany servicewomen, at their request, to witness interviews when incidents of sexual harassment are being investigated. The demand made by the Parliamentary Commissioner for the Armed Forces that this be permitted has not been complied with to date either, although steps to bring this about have been announced.

In his last Annual Report, the Parliamentary Commissioner for the Armed Forces highlighted the significance gender equality officers attach to their participation in appraisal procedures. This is true in particular with regard to the assessment of candidates' aptitude for further assignments that will advance their careers. It is only their involvement in these procedures that enables gender equality officers to work out how servicewomen should be judged when their performance is compared with that of male colleagues.

Furthermore, military gender equality officers complain that they are frequently informed late, if at all, by the heads of agencies about incidents in which servicewomen complain of having been discriminated against or bullied. These failures to provide information and delays in its provision undermine their ability to act in an advisory capacity. Agency heads' duties to provide information should therefore be formulated more clearly in the Implementing Provisions. In addition to this, it is of fundamentally decisive significance for the work of the gender equality officers that, as organs of the agencies in which they serve, they are involved and supported comprehensively by the competent heads of agency, and so able to perform the functions vested in them by statute impartially.

9 Bullying, sexual harassment

Servicewomen also contacted the Parliamentary Commissioner for the Armed Forces during the year under review with complaints about bullying. In many cases, allegations were made about the behaviour of superiors and, at the same time, sexual harassment by superiors or fellow soldiers. Apart from a few exceptional cases, the accusations could not be proven despite careful investigations. In many instances, the servicewomen in question are moved to new assignments in order to reduce the tensions in their units. They understandably perceive such transfers as unjust.

These findings from petitions are consistent with the results of the *Troop Portrait without Lady?* study and the conclusions from the Servicewomen in the Federal Armed Forces Symposium.

The statistics about sexual harassment in the services obtained from the study are highly disturbing. According to the figures, half of all servicewomen have been subjected to sexual harassment at least once, a quarter have experienced unwanted physical contact at least once and three per cent have actually been victims of offences against sexual self-determination. The fact that the figures for the Federal Armed Forces are in comparable orders of magnitude to those for other countries' armed forces (The Netherlands, Belgium) or lower (United States of America) does not put these results in a better light.

As the Parliamentary Commissioner for the Armed Forces is aware from discussions with victims, servicewomen often have inhibitions about reporting discrimination and cases of sexual harassment because they fear personal disadvantages. There is no need for new provisions here because these issues are already dealt with sufficiently by the principles of leadership development and civic education. Rather, superiors must bear an even greater onus to discharge their duties than in the past. They will have a central role in ensuring the problems that exist are overcome. They must live up to their exemplary function and tackle the problem proactively. In particular, given that a sexualised working atmosphere is the biggest risk factor for sexual harassment, superiors must be trained to show sensitivity to these matters. This means their training and professional development must be promoted in this field as well. Not least, however, the forces should be made more aware of this issue generally by means of presentations and training courses. Again and again, petitions describe the fundamental inadequacies shown by some, mostly male, personnel in interpersonal dealings with servicewomen. Some are evidently not aware of the implications of suggestive comments or actions. For example, the description of a servicewoman as the 'commander's whore [...] who was up for anything' in a sketch written and performed at an official party went far beyond the limits of joking, particularly as there was also absolutely no evidence to suggest a relationship of any kind between the two individuals. The servicemen should have been able to recognise that they had overstepped the mark when they were planning, preparing and performing the sketch. Since the slur against the servicewoman was not intentional, but a breach of the duty to behave in a comradely fashion had nonetheless been committed, their conduct was punished disciplinarily with educational measures in the form of warnings and advice.

10 Interference in a fellow soldier's marriage

During the year under review, servicewomen and men or their partners also increasingly contacted the Parliamentary Commissioner for the Armed Forces to complain that a fellow soldier had interfered in their marriage or established partnership. In one case, it was during a deployment abroad that a serviceman learned of the affair between his wife, who was also a servicewoman, and his superior in his parent unit. A disciplinary measure was rightly imposed on the superior. 'Interference in a fellow soldier's marriage' is a disciplinary offence and contravenes the duty to behave in a comradely fashion provided for in Section 12 of the Legal Status of Military Personnel Act. Especially at a time when servicewomen and men are exposed to great risks to life and limb on deployments abroad, their duty to stand by each other is particularly important. Servicewomen and men must be able to trust that a fellow soldier will not interfere in their marriage. Of course, this principle must apply in the same way for interference in an established partnership.

11 External appearance

During the year under review, about 50 petitions were received concerning Central Service Regulation A-2630/1, 'The External Appearance of Servicewomen and Men of the Federal Armed Forces', which entered into force on 1 February 2014. This topic was also raised again and again on field visits. For the most part, it was tattooed servicewomen and men who objected to the new provisions, which repealed the old 'Hair and Beard Directive', feeling their honour had been insulted, and that they had been 'labelled' or placed under pressure because they were now supposed to cover their tattoos. For instance, one serviceman deployed to Afghanistan had to wear long-sleeved shirts in temperatures of 50 degrees Celsius. Another serviceman felt he was made to look ridiculous when he wore a ladies' stocking to cover up a tattoo during a pledge ceremony in the summer that was attended by the Federal Minister of Defence and broadcast live on television, as an alternative to which he could have worn a bandage. Apart from this, one servicewoman's noticeably dyed red hair and the length of men's hair played a role in other petitions.

Furthermore, it is confusing for servicewomen and men if they are subjected to disciplinary measures for their external appearance while at the same time the Federal Armed Forces are seeking to attract recruits with a brochure, *Aktiv. Attraktiv. Anders. (Active. Attractive. Different)*, that features a photograph of a servicewoman who contravenes these guidelines on its front cover.

The Federal Ministry of Defence explained the new provisions were the result of a comprehensive decision-making and consultation process within the Federal Armed Forces. Apart from surveys of servicewomen and men at the grass roots and comparisons with other armed forces and employers, comments from the military gender equality officers, the First Sergeants Advisory Group to the Chief of Staff of the Federal Armed Forces and the General Spokespersons' Committee had influenced the new provisions, with constitutional requirements being taken into account as well. In the view of the Federal Ministry of Defence, the new rules do justice both to the need for servicewomen and men to have an orderly, disciplined appearance, and to a contemporary ethos that makes allowances for the expression of servicewomen and men's individuality.

In view of the numerous petitions that have been received, in particular on 'tattoos', this appears to have been only partially successful. Tattoos have been tolerated up until now in the Federal Armed Forces, and there have been no rules on them. The new regulation now declares them to be permissible for the first time (with a few exceptions), but stipulates that they must be covered. The Armed Forces state there is a duty to cover tattoos when wearing uniform, and therefore not when wearing leisure clothes, sports kit or swimming costumes, because the need for the German Armed Forces to exhibit a standardised external appearance when they are performing their defence role in Germany and abroad continues to justify certain restrictions, both from the perspective of the Federal Armed Forces' self-image and in public perceptions.

Against the background of the petitions that have been received, the handling of what are referred to as 'historic cases' is to be regarded as problematic, i.e. servicewomen and men who were already tattooed when they were appointed or who have had tattoos done while serving in the Federal Armed Forces that have been tolerated by their superiors. There is no practicable arrangement in place for these situations. In specific cases, paragraph 105 of the Central Service Regulation provides for it to be possible to diverge from the provisions. However, this means that disciplinary superiors decide what is to be done in each individual case, which inevitably gives rise to unequal treatment. The US Army offers a way forward that could be feasible here: When the relevant rules were tightened up, existing tattoos were 'grandfathered' as of a particular cut-off date and it was placed on record that they were exempted from sanctions. This could also calm the situation in the Federal Armed Forces.

Certainly, the Federal Ministry of Defence's opinion that visible tattoos are incompatible with servicewomen and men having an orderly, disciplined appearance is incomprehensible to the troops and the public in its present form, particularly as servicewomen and men have drawn attention to multinational formations such as the German-Netherlands Corps, complaining about the inconsistent orders followed in the different national elements.

Admittedly, how external appearance is regulated lies within the discretion of the Federal Armed Forces but, in view of the reality of people's lives today, an all-too-rigid attitude towards this issue could frighten off potentially suitable applicants during the recruitment process or persuade servicewomen and men to refrain from reenlisting. It is pleasing that, on the basis of an exchange of experiences at the end of the year under review, the Federal Ministry of Defence has relaxed the obligation to cover up 'non-removable body modifications', including tattoos, in a practical guide for superiors. According to the guide, this obligation now does not apply when duties are performed within military sites and military controlled access areas, as well as on board ships, boats and aircraft.

It is also pleasing that the Army has taken up the suggestion in last year's Annual Report that it adopt a standard grey uniform. It is envisaged that a standard 'Army grey' will be worn in future across all status groups, at least in closed formations. The Federal Armed Forces must therefore ensure that LH Bekleidungsgesellschaft Bundeswehr sells a 'grey' that conforms with the regulations. In addition to this, in particular against the background of the exemplary function service personnel have in representing the state, efforts are to be made to ensure that uniforms produced by private providers may not be worn in close formation if they do not accurately reproduce this shade of grey.

12 Reservists

The petitions received from reservists – eight female reservists also addressed the Parliamentary Commissioner for the Armed Forces during the year under review – demonstrated once again their high levels of motivation and commitment to the Federal Armed Forces. Reservists go on deployments abroad with the Federal Armed Forces and hold the fort at home. The Federal Armed Forces would find it difficult to perform their functions without the hard work done by reservists. It therefore deserves a great deal of recognition.

The employers who release their staff to perform reserve duties are also worthy of praise. The Parliamentary Commissioner for the Armed Forces has consequently been demanding for a long time that they be honoured publicly. They cope without staff for a longer or shorter period so that those employees are able to do service for the Federal Republic of Germany. It is particularly difficult to understand when reservists employed in the public sector are sometimes not released by their superior or have to accept disadvantages. Both activities are forms of service for the state, so more far-sightedness is called for on the part of their superiors as far as this issue is concerned.

The Parliamentary Commissioner for the Armed Forces welcomes the fact that, thanks to amendments to implementing provisions, applicants without prior military experience are now also being enabled to take part in general joint services military training as a gateway to full military training. This is a meaningful contribution to the recruitment of applicants who possess transferrable skills from civilian vocations that may be useful for military posts.

Furthermore, as far as the recruitment of skilled workers is concerned, for example to meet the urgent demand for IT specialists, the Federal Armed Forces should not just rely on the temporary career volunteers and career-service soldiers with technical IT skills who will be retiring from the forces in the coming years. Rather, they ought to draw on reservists who have acquired specialist IT knowledge in their civilian careers as well.

During the year under review, there were also complaints from reservists that concerned military pay, merit bonuses and the maintenance paid to reservists. The reform of the Conscripts and Dependents Maintenance Act that has been planned for a long time and called for again and again has still not begun to make its way through the parliamentary legislative procedure. To date, there is only a ministry draft that is the subject of interdepartmental coordination. Given this is the case, the deficiencies in the field of maintenance addressed in the last few Annual Reports, for example the long processing times when reservists apply for maintenance or the reimbursement of travel expenses by the competent Land authorities and the level of these benefits have still not been remedied.

One very frequent problem is the assignment of reservists within the Federal Armed Forces. They set aside periods of free time in their civilian lives in order to do reserve duty with the Federal Armed Forces. However, operational requirements sometimes change, so that previous arrangements made with the Federal Armed Forces can no longer be upheld and the reservist is not actually deployed. This is annoying for the individuals in question and, in certain circumstances, their employers. Where it is not possible to avoid changes of this kind to the plans that have been made, reservists should at least be informed about them at the earliest possible point in time.

It is pleasing that the rules concerning the use of the training and fitness facilities at barracks that were criticised in the last Annual Report have been changed so that reservists designated for assignment now have access to all Federal Armed Forces sports facilities free of charge to prepare for and recuperate from their reserve duties.

13 Voluntary military service

Up until 31 October 2014, 10,178 military service volunteers had commenced their service with the Federal Armed Forces during the year under review. This meant the number of military service volunteers recruited – with educational qualifications similar to those of the military service volunteers already assigned in the services – was 1,867 more than in the comparable period of the previous year. However, the Navy was unable to replicate this generally positive result. This service branch did not succeed in recruiting sufficient numbers of military

service volunteers. The Basic EVSC pilot project (EVSC: extended voluntary service conscript) that has been launched by the Navy is to be welcomed as a matter of principle. The Parliamentary Commissioner for the Armed Forces is monitoring this project closely, in particular to ascertain whether the lowered minimum requirements prove their worth. It is pleasing that the Navy's recruitment activities are effective, according to information from the Navy Chief of Staff, and that its schools and training facilities are working to full capacity. It remains to be seen whether this success will be sustained and the Navy's personnel situation will improve over the long term.

The number of petitions from military service volunteers fell slightly during the year under review compared to the previous year. There were complaints, for example, about the level of military pay, the ways in which applications are processed and the length of time this takes, discharge during the probationary period, the rejection of requests for reassignment and the advice provided at the careers centres. However, it became clear that military service volunteers' notions cannot always be reconciled with the facts of life in the Federal Armed Forces. The ideal and the reality diverged in many cases.

At 23 per cent, the dropout rate was also high during the year under review. 20 per cent ended their military service at their own request during the six-month probationary period, giving important personal reasons for their decision, three per cent were discharged by the Federal Armed Forces on account of a lack of physical or other aptitude.

From discussions with military service volunteers and numerous petitions, the Parliamentary Commissioner for the Armed Forces is aware that in many cases the coarse treatment of recruits, the feeling too much or too little is being asked of them and the lack of action taken to foster the skills they already have motivate the decision to end their service. It is initially a matter for the careers centres to inform applicants comprehensively and avoid making promises that cannot be kept. Following the beginning of volunteer service, regular personnel interviews could counteract any feeling of disillusion that is beginning to take hold and avert misunderstandings at an early stage.

During the year under review, military service volunteers also repeatedly asked the Parliamentary Commissioner for the Armed Forces for support in leaving the Federal Armed Forces prematurely following the expiry of their six-month probationary period. The reasons given for this were offers of attractive apprenticeships or university places. These requests are understandable. However, it is only possible to leave the Armed Forces prematurely in circumstances in which remaining in the military would represent a particular hardship for the servicewoman or man for personal reasons, in particular on domestic, career or economic grounds. Military service volunteers must be aware of their contractual obligations, which are not binding solely on the Federal Armed Forces, but on both parties.

The increase in the daily military pay rate by two euros included in the Draft Act to Increase the Attractiveness of Service in the Federal Armed Forces is welcome.

14 Personnel

14.1 General remarks

The reorientation of the Federal Armed Forces will result in their manpower being cut to 185,000 servicewomen and men by 2017, with 55,000 posts for civilian staff. This is being accompanied by a restructuring that is primarily oriented towards enhancing operational capabilities. At the same time, against the background of the demographic developments that are taking place and the further growth in competition from commercial enterprises of every type and size, the Federal Armed Forces wish to become one of the most attractive employers in Germany.

These few key points give a hint of the enormous challenges posed by personnel issues. Firstly, the body of personnel must be organised, structured and oriented in such a way that the Federal Armed Forces are able to perform their tasks comprehensively and permanently in routine operations and on deployments. Secondly, personnel management must take account of servicewomen and men's personal interests and concerns when there is tension between them and the requirements of their duties. It will only be possible to ensure the reorientation process within the Federal Armed Forces is successful over the long term if these interacting, sometimes conflicting, challenges are addressed effectively.

The Federal Minister of Defence has recognised this and taken rapid, decisive action: At the beginning of 2014, the Concept for Personnel Development in the Federal Armed Forces was enacted by the Federal Ministry of

Defence. Further measures have been taken with the Attractiveness Agenda and, in particular, the Draft Act to Increase the Attractiveness of Service in the Federal Armed Forces.

The aims of the Personnel Development Concept are to make more flexible use of servicewomen and men's potential and enhance their job satisfaction. Irrespective of the individual's status, their talents and competences should be identified and systematically promoted. Apart from this, due account should be taken of personal and family wishes.

From the perspective of the Parliamentary Commissioner for the Armed Forces, a reevaluation of the Personnel Structure Model is required. The number of petitions received from servicewomen and men on personnel matters was very high again in 2014 too. The main focuses were the appraisal system, the general promotion situation, which is overwhelmingly determined by the number of established posts budgeted for, and questions about career paths, as well as fundamental criticism of the restructuring exercises, and the reduction in size and reorientation of the Federal Armed Forces generally.

In addition to this, servicewomen and men complained about the advice given at careers centres, deficiencies in personnel management and the processing of personnel matters, for example the granting of leave, problems upon appointment, the planning of assignments and training courses, rejected requests for reductions in terms of service, discharges and waiting times for security screenings.

14.2 Changes to the selection process for acceptance into service as a career soldier

In 2013, temporary-career soldiers expressed criticism of the deferment of the selection process for acceptance into service as a career soldier. The selection process is necessary in order, on the one hand, to recruit the most suitable servicewomen and men and because, on the other hand, more servicewomen and men always apply than are provided for under the structural targets. A ruling of the Federal Administrative Court of December 2012, which declared the original practice of selecting applicants by year of birth to be unlawful, made it necessary to revise the selection process, so the process that had been in train up until this point was deferred. The Parliamentary Commissioner for the Armed Forces welcomed the Court's ruling because he had criticised selection by year of birth in previous Annual Reports. However, as a consequence of the deferment, applicants who had been affected still found themselves facing uncertainty about their career and life plans nearly a year after the judgement was delivered. The amended selection process launched in May 2014 did not deliver the certainty for the members of the various career path categories that had been expected. So far, this has impacted on senior non-commissioned officers and candidate officers for the Officer Specialist Service.

14.2.1 Disadvantagement of senior non-commissioned officers

On account of considerable delays in the reform of the selection process by the Federal Ministry of Defence, no selection process was held for senior non-commissioned officers in 2013. Servicewomen and men who had submitted an application in 2012 for the 2013 selection process were informed in a letter from the Federal Office of Bundeswehr Personnel Management in mid-2013 that their applications received for the 2013 selection process would continue to be valid and would be carried over to the 2014 selection process.

Then, however, at the end of 2013, the Federal Office of Bundeswehr Personnel Management announced in anticipation of the ministerial directive enacted in May 2014 that, as a matter of principle, a temporary-career volunteer would only still be entitled to submit an application under the new process if she or he was able to present two routine appraisals. The Federal Ministry of Defence justified this revision by saying it was focussed exclusively on the criteria of aptitude, achievement and qualifications, and therefore a strengthening of the merit principle. Only the applicants for the 2013 selection process who would no longer have been able to submit an application at all as of the 2015 selection process, for example because their term of service would have ended, were still taken into consideration in the 2014 selection process after a special appraisal had been requested. This meant that many servicewomen and men who had submitted applications for 2013 and would have been entitled to submit applications under the old rules were no longer entitled to participate in the 2014 selection process because they were not able to present the second appraisal that was requested. These applicants can now take part in the process in 2015 at the earliest. The disappointment felt by the individuals in question is understandable.

The reasons for the failure to supply the second appraisal were various. For example, this was a problem for applicants who had risen rapidly up the waiting list for promotion on account of a very good first regular appraisal. Due to the promotion they had received in the mean time, however, these outstanding applicants were moved to a different comparison group with fellow servicewomen and men who had many years of experience,

and were therefore even more outstanding. Furthermore, the regular appraisal in this new comparison group was carried out at a later point in time, which meant the second regular appraisal was not available when the selection process was held.

In principle, the requirement that two appraisals be presented in order to be entitled to submit an application for the selection process seems a good way of strengthening the merit principle. If, however, as has been the case here, it means that the most outstanding applicants have no chance of acceptance as career soldiers in a particular year's selection process, a step taken with good intentions has been completely counterproductive and is incompatible with intelligent personnel replacement. This alone would be a good enough reason to demand further exceptions from the rules. The Federal Ministry of Defence has promised to examine this. After what is now several months of investigations, the Parliamentary Commissioner for the Armed Forces expects that a decision will be taken by the Federal Ministry of Defence before the matter is dealt with by the passing of time, for example as a result of the discharge of these particularly skilled servicewomen and men.

The arrangements are also to be criticised because the letter from the Federal Office of Bundeswehr Personnel Management encouraged applicants to be confident that they would be included in the selection process. They now have to wait another year before the decision about their future career in the Armed Forces is taken. This is particularly difficult for servicewomen and men who are not far from the end of their term of service or the beginning of their vocational advancement service, and want to begin planning an alternative career.

14.2.2 Disadvantagement of candidates for Officer Specialist Service career paths

Senior non-commissioned officers who submitted an application for the 2013 selection process for acceptance as career soldiers in 2012 and an application to switch to the officer's career path in the Officer Specialist Service in the same year were also informed initially by the Federal Office of Bundeswehr Personnel Management – like all the other applicants – that their application would be considered in the 2014 selection process. The passage on this topic in the process rules adopted by the Federal Office of Bundeswehr Personnel Management expressly stated that the group of individuals entitled to apply also included officer candidates approved for the officer's career path in the Officer Specialist Service up until 1 October 2013.

In a later update to the process rules, the sentence about the right of officer candidates for the officer's career path in the Officer Specialist Service to be accepted into service as career soldiers was deleted. The officer candidates were now informed that only members of this career path category qualified to be considered for acceptance into service as career soldiers. Applicants who had already been admitted to the officer's career path in the Officer Specialist Service and held a corresponding candidate rank were therefore no longer entitled to take part in the selection process for acceptance into service as career soldiers. The background to this decision is the fact that the individuals in question would in any case be admitted into service as career soldiers after the successful completion of their three-year training as officers in the Officer Specialist Service.

The change to the preconditions for the submission of applications during the ongoing process was rightly criticised by the individuals affected. It is understandable that they feel disadvantaged in comparison with their fellow servicewomen and men who are able to take part in the selection process for acceptance into service as career soldiers. Their applications for admission to the officer's career path in the Officer Specialist Service have been accepted on account of their far above-average levels of achievement, and they would therefore have had good chances of being successful in the selection process for acceptance into service as career soldiers as well. The fact that, regardless of this, they are earmarked for acceptance into service as career soldiers at a later point in time in any case is no compensation because, as a general rule, the decision about their status is more important for the individuals concerned than the precise career path they will be following. It would allow them and their families to make more reliable future plans at an earlier stage.

14.3 Career path disadvantages due to delays in training

Considerable delays in career path progress are still occurring in some speciality and assignment series because servicewomen and men are unable to attend the courses crucial for their training. According to a communication from the Federal Ministry of Defence, the reason for this is a shortage of capacities at certain training facilities.

This leads to trained personnel being overworked and constraints on operational capability, in particular in an assignment series where there are shortfalls. Such an outcome can quite certainly not be what is intended by the Armed Forces.

As discussed previously in the last Annual Report, for example, officers in the Officer Specialist Service who are designated for a later assignment in Military Air Traffic Services/Military Air Traffic Control have been

affected by these delays. The same is true for the training to become an Aeronautical Information Service (AIS) staff sergeant.

Servicewomen and men who are training to become an Armed Forces explosive ordnance disposal (EOD) staff sergeant are also having to put up with considerably longer training times. The post-specific training for this speciality and assignment series includes, among other things, the training courses Basics of Munitions for Non-Commissioned Officers Part A and Basics of Munitions for Non-Commissioned Officers Part B. Part A covers the technical aspects of the career path examination for senior NCO candidates for this assignment and is therefore relevant to the individual's promotion. In order to prevent career disadvantages being suffered, markedly more servicewomen and men have been enabled to attend Part A since 2010 because it is relevant to their chances of promotion. However, the capacities for Part B have not been increased. This is unacceptable. Especially when it is a question of assignment series that are already overworked in any case, capacities must be increased by making use of civilian personnel and training facilities as well if need be.

The failure to complete post-specific training can impact negatively on the appraisal of the individual in question. In turn, this can be relevant when it comes to acceptance into service as a career soldier or have disadvantageous effects as far as promotion to a higher rank is concerned. As a rule, servicewomen and men who have not yet finished their training also cannot participate in deployments abroad. The dissatisfaction of the servicewomen and men affected about the amount of time they have to wait before they are allocated to a training course, something for which they are not responsible, is quite understandable, particularly because it means they are not able to plan their assignments and leave over the longer term either.

On account of this backlog, the personnel managers responsible for the issue at the Federal Office of Bundeswehr Personnel Management and representatives of the training managers have regularly conducted discussions about the prioritisation of individual training courses since 2011. One criterion for the selection of participants in the training courses to become an EOD staff sergeant is the avoidance of career path disadvantages. It is to be welcomed that the Federal Armed Forces have now increased the training capacities at the training facility that holds the courses and, with a view to the impacts of further delays on individual personnel, prioritised attendance at these courses. Over the long term, training should not be organised on the basis of managing shortages. The Federal Armed Forces should also be careful to ensure that shortfalls are not exacerbated because the Federal Armed Forces are offering personnel to provide training support in these fields on international missions.

14.4 Career path disadvantages due to long disciplinary proceedings

In individual cases, disciplinary proceedings or criminal investigations and judicial proceedings that sometimes last for months or years on end can have a disproportionately disadvantageous impact on a servicewoman or man's career path and be stressful for the individual affected. Furthermore, excessively long investigations contravene the principles of leadership development and civic education. They are caused by staffing shortages in the disciplinary attorney's offices, and the disciplinary and complaints courts. This issue is discussed in section 5.1.

Servicewomen and men are not supposed to be promoted during investigations, allowed to attend training courses that will help them to progress in their careers or be assigned to better paid posts. Exceptions are only possible in cases of hardship. As a matter of principle, this approach is appropriate because, at the least, possible misconduct potentially raises doubts about the personal aptitude of the individuals in question as well. In some of these cases, however, the individual career path disadvantages caused to the persons affected are out of all proportion to the misconduct with which they are charged. This is true, in particular, when the individual is acquitted following the conclusion of the proceedings. Indemnification comes into consideration here in only a very few, exceptional cases. In addition to this, experience suggests that what are known as petty offences are also dealt with less urgently, which means the individual in question has to put up with even longer processing times.

In order to prevent disproportionate disadvantages being suffered, it would appear necessary to provide the disciplinary attorney's offices, and disciplinary and complaints courts with levels of staffing that enable them to perform their statutory tasks and, in particular, to also comply with the precept applicable in disciplinary proceedings that such matters be dealt with in a timely manner. During ongoing criminal investigations or judicial proceedings, the disciplinary attorney's office should inform the justice authority in charge of the case about the concrete impacts delays to the proceedings will have on the individuals concerned.

Furthermore, when less serious misconduct is dealt with, it is suggested that the authority responsible for personnel matters should always cooperate with the competent disciplinary attorney's office to examine whether the situation of the accused amounts to a case of hardship and therefore whether there is any possibility of their

debarment from promotion being lifted. In view of the consequences described above, it should not apply overly rigorous standards in this respect.

14.5 Rejection of applications for reduced terms of service

During the year under review, many servicewomen and men complained about the rejection of their applications to have their terms of service reduced under Section 40(7) of the Legal Status of Military Personnel Act. According to the Act, a soldier's term of service can be reduced at their application if the Armed Forces have an interest in this. It is only possible to ascertain whether the Armed Forces have an interest in such a reduction under the legislation if they would gain more advantages from the reduction in the term of service than if the individual served for the original period for which she or he was enlisted. For example, this is the case when the servicewoman or man's post has been cut and she or he cannot be assigned anywhere else. However, if the reduction in her or his term of service would create a vacancy or if existing manpower shortages were to be exacerbated, a reduction of the term of service would not be in the interests of the Armed Forces. Most applications for the reduction of terms of service are rejected because they would conflict with long-term personnel plans, even though the reasons put forward by many applicants, for example a change of career direction or the desire to move their workplace to somewhere close to their main ordinary private residence after years of commuting, seem understandable and justifiable.

In individual cases, the reasons advanced by personnel management for refusing applications for the reduction of terms of service are not convincing. This is true particularly for applications to reduce a term of service by a few weeks shortly before the end of the term of service and any remaining leave to which the individual may be entitled. It seems questionable whether a vacancy would actually arise in these cases or such a vacancy could not be accepted or compensated for over the short term.

There are also doubts whether the Armed Forces have an interest in the further assignment of all young officers who have failed to complete a degree at the Bundeswehr University until the expiry of the interim terms of service originally set for them. If the individual in question has been promised she or he will be appointed to a new job, it does indeed appear unjust to insist she or he serve out the remaining few weeks of her or his term of service without explicable reasons. This is all the truer if the individual in question does not have a permanent post and is only deployed 'on special duties'.

For instance, there was a failure to decide in a timely fashion about the complaint made by a lieutenant concerning the rejection of his application to have his term of service reduced. He had finally ended his degree course at the Bundeswehr University unsuccessfully, had not been enlisted further beyond his set term of service and had looked for an alternative career. After receiving assurances that he would be appointed to the higher intermediate police service in Saxony and the police service in Saxony-Anhalt, he submitted an application for the reduction of his term of service because the two possible dates for his appointment fell before it was due to expire. No decision was taken about his complaint prior to the dates when he was supposed to take up his new positions, and he therefore had to spend another two years in the Federal Armed Forces without training or concrete prospects. This meant he was denied what was probably a once-in-a-lifetime career opportunity, but also that the Armed Forces were tying up personnel funding and wasting resources.

14.6 Harmonisation of career path and promotion conditions in the individual services and major organisational elements

Servicewomen and men are chosen for promotion or a change of career path according to the principle of selection by merit, depending on their aptitude, qualifications and achievement. Since there are always more candidates on a promotion waiting list who fulfil the minimum preconditions laid down in career path law and are due for promotion than there are established posts available, the candidates for promotion are ranked after they have satisfied the requisite preconditions.

Apart from other performance criteria, it is primarily the most recent regular appraisal that is used for the ranking. The individual is then promoted on the basis of their placing in the waiting list. Since established posts are currently still managed separately by each of the individual services, different promotion waiting lists are drawn up for the members of the various uniformed services. There is no comparison of performance across the whole of the Armed Forces.

On account of the different methods of assessment that are used, there are various cases in which, despite poorer performance grades, candidates for promotion in one service or major organisational element are more likely to

be promoted than candidates for promotion in another service or major organisational element with better performance grades.

Particularly in agencies in which servicewomen and men from different services or major organisational elements work together, carry out comparable activities and are assessed together in a single comparison group, for example in the Joint Support Service, the individuals affected therefore understandably perceive the differences in promotion practice as contravening the principle of equality.

It is to be welcomed that there are plans to centralise the management of established posts across the uniformed services as of 2016. Established posts will then no longer be allocated to the individual services. When this happens, the separate drafting of promotion waiting lists will also cease and performance will be assessed across the whole of the Armed Forces. This is one measure that is likely to soften dissatisfaction and mistrust in the always sensitive field of promotion practice. The announcement sounds highly promising, but it remains to be seen whether and in what form it will be implemented.

In addition to this, there is also a need for harmonisation in other areas. Different standard terms of enlistment for enlisted soldiers or varying career path preconditions for certain comparable assignment series should be reviewed, for instance those for dog handlers.

14.7 Unlawfulness of the Rotation Directive

Cologne Administrative Court declared what is known as the ‘Rotation Directive’ to be unlawful in a final and binding decision handed down on 27 August 2014. This directive of the Federal Ministry of Defence of 5 April 2005 governs the selection process for the promotion/assignment of officers (Officer Specialist Service pay grades A12 and A13 g, Operational Service pay grades A15, A16 and B3) and non-commissioned officers (sergeant major pay grade A9+Z) above their individual general career path prospects. According to the Directive, candidates for promotion are primarily ranked in the waiting list that is drawn up on the basis of the dates when they were transferred to and took up their duties in the higher-ranking posts they hold. In the opinion of Cologne Administrative Court, the directive and the practice engaged in for many years on the basis of its provisions contravene the obligation that derives from Article 33(2) of the Basic Law for personnel to be promoted/assigned in line with the principles of aptitude, performance and qualifications. Length of service and age can no more be regarded as immediate performance-related selection criteria of the kind implied by Article 33(2) of the Basic Law than ‘length of time in post’. In the mean time, the Federal Ministry of Defence has adopted the Court’s view of the matter.

What is problematic and to be criticised is the fact that, although the Rotation Directive had already been regarded as at least dubious in legal terms a long time before the decision was handed down by Cologne Administrative Court, no consequences were drawn from this. The legal instrument carried on being applied for years – partly because it contained elements that were certainly felt to be just by the servicewomen and men in question. Following the judgement from Cologne Administrative Court, the directive is still valid law and the basis for the practical activities undertaken in this field. It remains to be seen what consequences the Federal Ministry of Defence will draw as it seeks to arrive at a legally sound arrangement.

14.8 Dresden Directive

In the interests of stronger joint performance of their tasks by the Federal Armed Forces, the Principles for the Structure of the Senior Executive, Command Relationships and Leadership Organisation within the Federal Ministry of Defence and the Federal Armed Forces (Dresden Directive) of 21 March 2012 provide, among other things, for the directorates-general within the Federal Ministry of Defence – as well as its subordinate authorities and agencies – to fill more posts with military and civilian personnel, irrespective of their status and, furthermore, to ‘draw together technical and organisational competences at all levels where this is possible.’ In consequence, the directorates-general within the Ministry, and other authorities and agencies are to be manned with more of a ‘mix’ of military and civilian personnel in future. The implementation of the Dresden Directive is an integral element in the reorientation of the Federal Armed Forces. The manner in which this is done and the progress that is made will therefore require intensive observation and scrutiny. There will certainly be resistance, in particular with regard to the greater mingling of civilian and military positions and personnel, in conjunction with new command relationships. The distrust that is met with will have to be addressed and overcome. A series of reforms with new or amended regulations, for instance to personnel, career path and disciplinary law, will be needed. Even if it is still too early for any final assessment of the reform measures that have been initiated or already implemented, the prevailing impression is that a more energetic and consistent approach is required, especially in this field.

14.9 Restructuring Army Aviation (Phase II)

The reduction of flying personnel in Army Aviation from approximately 900 to approximately 600 helicopter pilots when the new structure was introduced provoked numerous petitions in 2013. A selection conference entitled Army Aviation Personnel for the Future had used the ‘catalogue of criteria and measures’ approved by the Army Chief of Staff in 2012 as the basis for decisions about which servicewomen and men were to be removed from active assignment in the cockpit (released from their duties), and which were to continue to belong to the flying personnel, the ‘personnel for the future’. The individuals released from their duties criticised, in particular, the untransparent procedure when it came to their release, the selection criteria and the rather insensitive handling of the released pilots, which is evident just in the talk of ‘personnel for the future’. It may have been possible to achieve a marked increase in the comprehensibility, transparency and acceptance of the restructuring process when these petitions were dealt with, but this did not help those affected very much in their specific situation.

Even so, the reorganisation can be viewed as still not having been completed. Just a few weeks after the Army Aviation Personnel for the Future selection conference in 2012, it became apparent that, generally, considerably fewer resources than necessary, i.e. flight hardware and flying hours, would be available in future. This is due, on the one hand, to the increased demand for training driven by the experience gained from operations and, on the other hand, to delays in the delivery of new weapons systems. To this extent, the plans proved not to be very foresighted.

Under the new conception to be drawn up at Army Headquarters, it is foreseen that flying duties will be concentrated in the operational formations and training facilities. Furthermore, flying proficiency training will no longer be possible in other posts in future. This will demand, firstly, a further reduction in flying posts within Army Aviation. Secondly, formerly active flying pilots will be deployed to other posts and will no longer be able to leave the Armed Forces early, in contrast to the helicopter pilots released from their duties in 2013, who were still able to retire from the Federal Armed Forces under the Personnel Early Retirement Act.

For the individuals affected, this means being denied career prospects and suffering considerable financial losses due to the discontinuation of their flying pay. Those who are planning the new conception are therefore urged to administer the rest of the process transparently, gradually and as socially acceptably as possible for the affected servicewomen and men, and their families from a personnel management perspective. This will also involve thought being given to, for instance, whether and how the loss of flying pay and therefore a considerable proportion of their earnings can be cushioned using other suitable instruments.

In addition to this, it will be necessary to incorporate approaches that have rarely been used in the past into the measures envisaged, for instance the leasing of additional flight hardware to increase training capacities for a provisional period. The number of trainers will also have to be increased accordingly because pilots who are on a deployment are not able to train others. In turn, a shortage of trainers will reduce the number of new young pilots coming through the system, which will ultimately impose further strains on the personnel who are available. This cycle must be broken.

14.10 Changes to assignment practice for crews of jet combat aircraft

Great dissatisfaction continues to be caused by the changes made to the assignment practice for crews of jet combat aircraft that had been followed for many years, changes that were ordered by the Federal Ministry of Defence in 2010 and discussed in the Annual Report 2011. Until these changes to assignment practice were introduced in 2010, the pilots and weapons system officers affected had been able to assume that, as career soldiers, they would be deployed continuously on flying assignments and then retired once they passed the assignment-related age limit of 41.

Since 2010, decisions about the retirement of these individuals have been taken at a selection conference by the time they are 36. The background to this change was the increased demand for flying expertise outside flying assignments the Federal Ministry of Defence claimed was being experienced.

Although the servicemen affected were usually supposed to be informed about their further assignment five years before their original retirement age, they regard it as a grave breach of trust that their individual life and career plans are being turned upside down at this late stage in their careers. This is also comprehensible in view of the way this group was treated prior to 2010. For instance, the code ‘BO 41’, i.e. career officer with the special age limit of 41, was entered in all personnel orders following their appointment, and was even formulated as an ‘assurance’ in at least some documented instances.

Irrespective of the legal relevance of earlier declarations concerning their service relationship or the question of whether there is a legal entitlement to retirement upon reaching the special age limit, this arrangement is to be viewed very critically from the perspective of the protection of legitimate expectations. Good personnel management has to be judged in part by its adherence to previous declarations and promises. Although the levels of demand for certain skills may have altered, the late and unilateral changing of an individual career path with a mere reference to formalistic legal criteria certainly appears inappropriate.

It is therefore suggested that the current arrangement be subjected to critical examination once again, where applicable with amendments to the relevant regulations. For instance, it would be conceivable to make individual retirement ages more flexible or pay monetary compensation to those cohorts for whom the change in assignment practice was not to be foreseen.

14.11 Duration of security screening procedures

When the Federal Armed Forces wish to assign servicewomen and men to a sensitive duty, these personnel have to receive security clearance. Some of the individuals concerned complained about the disproportionately long duration of the security screening procedures. It was no rarity for the Bundeswehr Counterintelligence Office to take more than a year to clear personnel in the period under review. In addition to this, even more time has to be allowed for processing by the Security Officer at the Armed Forces Office, who decides on the proposals made by the Military Counterintelligence Service. The considerable amount of time these security screenings take also places strain on the servicewomen and men who have to stand in for fellow soldiers who have still not been cleared during this period.

As a rule, the servicewoman or man to be cleared is not deployed in a sensitive field until the screening has been concluded and the result has been received. They do not usually start their training until they receive a successful security clearance. For the individuals affected, this means later promotion, a delayed start to their training or even a period of duty without any meaningful deployment. For example, it is not acceptable if a military service volunteer leaves a security squadron after 23 months of service without having performed any security duties at all because he has not been given security clearance. It is therefore urgently necessary to speed up the screening procedures within the Military Counterintelligence Service, possibly by increasing its manpower, and the Parliamentary Commissioner for the Armed Forces has received assurances that this will be done.

One specific problem connected with the security screenings is assignment to posts involved in civilian-military cooperation with US armaments companies. Although they fully satisfied the other requirements for the level of security clearance they needed, the fact that two petitioners had been born in Kazakhstan and Russia excluded them from an assignment of this kind. The reasons for this are to be found in the provisions of international agreements on the handling of defence equipment produced by US manufacturers. Under Article 3 of the Basic Law, it is legally questionable to make someone's aptitude for a post totally dependent on their place of birth in order to achieve the purpose of guaranteeing a high degree of security and reliability. Nevertheless, it was to be accepted in these cases that, under international agreements of high significance for security, very far-reaching demands made by the other parties to these agreements have to be fulfilled in exceptional cases.

The Parliamentary Commissioner for the Armed Forces has suggested that care be taken at an early stage to ensure that servicewomen and men who could fall under these provisions are informed about this as part of assignment planning, or not trained for or allocated to assignments of these kinds. The Federal Office of Bundeswehr Personnel Management has given assurances that this will be done. Nonetheless, the situation is to be viewed critically from an equality perspective. The German Federal Government is therefore still being urged to seek to ensure future legal instruments do not expose it to the suspicion of discrimination.

14.12 Competence for the processing of indemnifications

Servicewomen and men who have suffered career path law and financial disadvantages due to errors in the processing of personnel matters, for instance due to delays in promotion and assignment to established posts or unlawful discharges, are entitled to indemnification. With the abolition of the military district administrative offices by the Directive of 13 June 2013, the competence for the processing of cases of damages in Germany was transferred to the Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services with effect from 1 July 2013.

In the subsequent period, there were massive problems relating to competences and coordination when it came to the handling of historic cases. The Federal Office of Bundeswehr Personnel Management declared it was not competent to do this work, while the Federal Office of Bundeswehr Infrastructure, Environmental Protection

and Services also refused to deal with the historic cases. In February 2014, the Federal Ministry of Defence decided historic cases that were still open would be settled immediately by the Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services. In September 2014, the relevant competences were then transferred once again and reformed by an organisational directive. It has been announced that the Federal Office of Bundeswehr Personnel Management will examine indemnification issues from the perspectives of personnel law and personnel management. On account of this dispute about competences, approximately 65 cases remained unprocessed for many months at the expense of the servicewomen and men in question. In one instance, the procedure lasted 21 months from its initiation to the petitioner's indemnification under military pay law. Some cases were only settled at the end of the year under review. Evidently, the reallocation of competences as part of the structural reform did not lead to an improvement that resolved all cases satisfactorily. Rather, avoidable delays occurred to the detriment of the individuals in question. Regardless of doubts about whether, in choosing the Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services, the Federal Ministry of Defence assigned the task to the body that was best suited in terms of its affinity with the matters to be dealt with, it should have intervened much earlier. It is unacceptable that the decision-making process about the competence for these matters lasted so long. On this issue, see also the case study in section 30.10.1.

14.13 Deficiencies in the processing of personnel matters, incomplete personnel files

Very many petitions during the year under review primarily or at least peripherally discussed errors that had been made in the processing of personnel matters. Depending on how serious the consequences have been for the servicewomen and men affected in individual cases, their trust in their superiors and the fair, objective working of the authorities that deal with personnel issues may have been permanently shattered. Given such a large body of personnel as that of the Federal Armed Forces and the millions of personnel documents that are generated each year, it will never be possible to eliminate errors entirely, but it is necessary to reduce them to a minimum.

One specific aspect of the unsatisfactory way in which personnel matters are dealt with was raised by several servicewomen and men whose personnel files had proved to be incomplete. They were requested by the Federal Office of Bundeswehr Personnel Management to furnish missing documents or give official declarations concerning the documents in question. This met with incomprehension and, occasionally, indignation because the individuals in question are not responsible for the administration of their personnel files and they felt the request that they give official declarations was tantamount to an attempt to blame them for the files being missing.

A servicewoman or man's personnel file is of particular significance for her or his training, promotion, assignment planning, pay, disciplinary matters and much more. It gives an account of the servicewoman or man's professional career and personality from which information can be extracted to ensure appropriate personnel management and effective personnel planning. Consequently, therefore, apart from the principles of truth, transparency and confidentiality, the personnel file is also subject to the principle of completeness. The decision that the personnel management activities previously performed by the now disbanded enlisted personnel offices should be merged within the Federal Office of Bundeswehr Personnel Management has resulted in 120,000 personnel files being gathered together. Random visual checks and auditable examinations of the master personnel files had found documents missing, and prompted the enquiries put to the servicewomen and men.

Being confronted with a request to give an official declaration because files are missing, even though the servicewoman or man bears no responsibility for their absence, may provoke understandable annoyance. In many cases, this can be prevented by adequate communication. However, it is also true that each servicewoman or man certainly has a duty to help ensure her or his personnel file is complete. Nevertheless, the core of the problem lay and lies in what has, in some cases, been overly negligent administration of the files in the subordinate agencies. This is why the personnel managers at bases and in units are under an onus to exercise the greatest care in the administration of these files in order to do justice to the significance the personnel file has for the individual's whole working life and beyond. However, the administration of the files is antiquated in the Federal Armed Forces. There is no system for the comprehensive electronic backing-up of the data pool.

15 Bundeswehr Medical Service in the focus of reorientation

During the year under review, there has been little change in the serious personnel problems within the Medical Service that have been highlighted in all the Annual Reports published in recent years. If massive use were not made of civilian health sector capacities, basic care for servicewomen and men would not be ensured. A sound, sustainable basis for the future of the Medical Service is also not assured under the new structure, particularly

as it is having to cope with 20 per cent fewer posts. The acceptance of considerable manpower bottlenecks that has been prevalent up until now is being perpetuated rather than being dealt with.

15.1 Medical officers

The personnel development among medical officers during the year under review has to be described in markedly more critical and differentiated terms than those of the overwhelmingly positive assessment given by the Federal Ministry of Defence.

The Federal Ministry of Defence's manpower forecast assumes that more than 90 per cent of specialist posts will be filled by 2015 in some fields, such as anaesthesia, intensive care medicine, radiology and otorhinolaryngology. The attractiveness measure of promising young medical officers a specialist training with more predictable career path prospects appears to be having an effect here. Apart from this, the increased number of lateral entrants recruited at an advanced stage of their specialist medical training since 2011 has had positive impacts. It is attributed to the allowance for medical officers in 'specialist and emergency medicine' that has been introduced.

However, the demand for personnel cannot be met in other specialisms, for instance among surgeons, ophthalmologists and psychiatrists. According to calculations from Medical Service Staff, despite generally improved staffing levels, about 300 medical officers are still needed to meet the standards set by the new personnel structure. Not least on account of the demographic transformation that is taking place, it is to be expected that not enough lateral entrants or assistant house physicians and supervised medical officer candidates will be available to close the gaps in staffing over the medium term.

In addition to this, more than ten per cent of the medical officers trained by the Federal Armed Forces each year cease to be available to the Armed Forces due to late conscientious objection. In the interests of guaranteeing the provision of medical care, this relatively constant rate should be allowed for early on under the approach taken to personnel management, i.e. when places to study medicine are being offered. Servicewomen and men depend on the support of a reliable health service.

The basic right to conscientious objection must not be violated. The high rate of applicants for conscientious objection suggests that, before they enlisted, many applicants for an officer's career in the Medical Service evidently failed to give enough thought to the exacting requirements this military career makes as a result of the tasks that have to be performed, in particular on deployments abroad. The selection process should therefore be focussed even more carefully on the applicants' aptitude for this career path.

The number of medical officers applying to be accepted into service as career soldiers was also insufficient during the year under review. The levels of recruitment required could only be met to a large extent in a few specialisms, general practice for example. According to the study *Berufliche Identität von Sanitätsoffizieren (The Professional Identity of Medical Officers)*, which was published in 2014 by the Bundeswehr Centre of Military History and Social Sciences, merely approximately one quarter of medical officers are prepared to enlist for longer. Above all, family reasons are mentioned as militating against the decision to become a career soldier, which underlines the necessity of considerable improvements in the compatibility of service and family/private life.

Positively, it is to be emphasised that in 2009 an allowance was introduced for 'specialist' and 'emergency medicine' officers in the Medical Service required on deployments abroad that has ensured them incomes comparable with those of civilian doctors. The extension of this allowance beyond 2014 is therefore to be advocated. It is still to be criticised, however, that dentists, maxillofacial surgeons, pharmacists and veterinary surgeons are not covered by this scheme, which is not fair because they too are sent on deployments abroad. In this respect, it should also be taken into consideration that this is just a small group of individuals.

15.2 Non-medical personnel

There continue to be considerable personnel bottlenecks in certain fields when it comes to staff sergeants in the Medical Service, in particular specialised medical assistants. Overall, approximately one fifth of these posts are unfilled, and the shortfall is even bigger in some fields. Despite an enlistment bonus, there are now also markedly fewer applicants for the specialised non-medical career paths for senior non-commissioned officers than just two years ago. The demand for these personnel can no longer be met fully today. The prospects even look considerably worse for the future.

Steps to close the gap between the incomes and weekly working times of Medical Service staff and those at civilian facilities could improve the replacement rate and counter the tendency for nursing personnel to move

on. The alignment of working times with those of civilian staff provided for in the Attractiveness Agenda will not take effect until 2016. In the opinion of the Parliamentary Commissioner for the Armed Forces, the extant allowances for anaesthesia and theatre nurses should be raised in order to eliminate the differences in income that are found. In addition to this, an allowance for nurses in ward management should be introduced. The remuneration of emergency and on-call duties for junior medical NCOs and medical sergeants in Bundeswehr hospitals still remains to be improved. Hitherto, it has only been incorporated into the new personnel strategy as an Attractiveness Agenda measure. The introduction of what is known as a personnel retention allowance for assignments in which there are shortfalls, including specialist nursing professionals, is included in the Draft Omnibus Act to Increase the Attractiveness of Service in the Federal Armed Forces. However, such an allowance would conflict with the principle of equal treatment. Staff sergeants in the Medical Service should be offered more posts that advance their career prospects in order to increase the attractiveness of their duties in the Armed Forces.

The KPMG study commissioned by the Bundeswehr Medical Service to evaluate what could be done to increase its attractiveness lists a total of 19 suitable measures on which there is a need for action. These measures will have to be implemented in a timely fashion, for example to improve personnel management, workplace IT support, and the compatibility of family and service. Otherwise, the attractiveness campaign for the Medical Service will be in danger of falling flat.

15.3 Restructuring of the Bundeswehr hospitals

The reorientation of the Bundeswehr hospitals is intended to integrate them into the civilian health system. On no account, however, must anything be done that calls into question the mission and functions of the Bundeswehr hospitals as an indispensable component in the central in-patient and out-patient provision for all servicewomen and men in Germany and abroad, and as the final link in the rescue chain for the curative care of servicewomen and men disabled on deployments.

15.3.1 Involvement of Bundeswehr hospitals in civilian emergency care

The involvement of Bundeswehr hospitals in civilian emergency care and emergency medicine may strengthen their capabilities for mission-oriented training and help them to retain the competences in emergency medicine they need. Nevertheless, their close integration into a health system that is increasingly oriented towards efficiency-based competition is questionable. There is a danger of their fundamental military role receding into the background compared to profitability aspects. For instance, the hospitals are now gradually moving away from all-round, ‘total’ medical provision for servicewomen and men, since they are specialising in acute and emergency care, as well as certain complex conditions. Only the two big Bundeswehr hospitals at Coblenz and Ulm will still be supposed to offer an all-round service in future – even though some cuts will be made. Given that only a limited body of personnel is available to the integrated system represented by the Bundeswehr hospitals as a whole, the priorities set under the new Bundeswehr Hospital Target Structure 2020 may mean that individual specialisms in basic clinical care, such as dermatology or surgical subspecialisms, will have to be reduced massively in size or even closed at some Bundeswehr hospitals.

This development has previously been criticised in earlier Annual Reports. Servicewomen and men are already being referred to civilian partner hospitals for the treatment of certain conditions. In the case of burns medicine, for instance, the whole integrated system of Bundeswehr hospitals has had no in-house competence to treat patients with critical burns for years, although burns medicine is especially relevant to military operations. It weakens the core of the duty of care if deployed personnel with critical burns exclusively have to rely on treatment at a specialist civilian hospital after they have been repatriated. Consideration should therefore be given to the (re)establishment of a ward for burns victims.

15.3.2 Inadequate staffing levels

The criticism of the goals for the reorientation of the Bundeswehr hospitals is also directed at their inadequate human resources. For instance, the levels of staffing for the facilities that have been newly created to permit involvement in the civilian ambulance service are far too low. In addition to this, there is the fact that the treatment of critically injured casualties in line with the relevant guidelines and the increasing numbers of patients with multiple conditions will require specialist medical and nursing personnel who have not been taken sufficiently into consideration in the staffing plans to date. Internally, it is believed that there is an overall shortage of more than 100 posts in the hospitals. In particular, there are not enough non-medical support personnel. Furthermore, despite performing a broader range of tasks since it took over the whole Medical Service provision for

the Ammerland Region in 2008, the Bundeswehr Hospital Westerstede is still operating with the old staff-patient ratio from the Bundeswehr Hospital Bad Zwischenahn, which was closed at that time. This cannot be right and must be changed.

The nursing emergency that has arisen in the Bundeswehr hospitals has also been caused by the closure of the nursing colleges that were attached to them. Consideration should therefore be given to the establishment of new, dedicated nursing colleges for military and civilian nurses. It is time for the personnel shortage to be tackled by converting the temporary employment contracts held by many civilian nursing staff into permanent contracts.

As a consequence of the staffing shortage, the operational capacities and bed numbers made available by the infrastructure in some fields cannot be used to the full. Apart from this, it makes it difficult to keep the specialist consultation centres and day clinics that are important for military patients open throughout the week.

The staffing situation also impairs the health of hospital staff, with some developing stress symptoms and increasing numbers suffering from burn-out. Admittedly, it has been possible to reduce the personnel bottlenecks among enlisted ancillary clinical personnel, for example in ward services, by establishing about 300 additional posts. Despite this, further staff have had to be recruited through temporary employment agencies. It has regrettably not yet been possible to put into practice the option of recruiting auxiliary staff from the Federal Voluntary Service or the Voluntary Social Year that was discussed in the previous Annual Report due to a lack of budgetary resources. Irrespective of this, it cannot represent a permanent solution for volunteers and temporary employment agencies to fill the staffing gaps that have been caused by the Personnel Structure Model. In this context, it is evident that the actual level of demand was not estimated accurately. This applies for the enlisted ranks, in particular.

15.3.3 Impacts of the European Working Time Directive in the Medical Service

The enormous strain on military hospital staff that has been discussed could, however, be reduced if working time models and duty hours arrangements that have already been tried and tested in the Federal Armed Forces were applied in the hospitals as well. The transposition of the European Working Time Directive would also reduce the pressures in the Medical Service. However, this would only happen if markedly more personnel were appointed, as model calculations carried out by the Medical Service show. Furthermore, increased use of specialist Medical Service staff from the field hospital regiments that are not involved in curative care would improve the manpower situation in the hospitals. In addition to this, it must be ensured that overtime is remunerated.

However, exceptions from the European Working Time Directive are required in individual cases in the Medical Service. For example, specialist medical training cannot be delivered within the maximum working time per day provided for in the legislation. Here, what is known as an opt-out arrangement is to be put in place that makes it possible to exceed the maximum daily working time set by the Directive.

15.3.4 Treatment of patients with multiresistant infections

The care and treatment of patients with multiresistant infections is a problem at all hospitals. However, it is a particular challenge in the Bundeswehr hospitals because they admit patients from regions with poor health provision. Their care and treatment require specific resources, and personnel are particularly tied up when doing this work. Furthermore, such patients have to be treated by specialists with knowledge of infectious diseases, who are only available in limited numbers. This places hospitals' daily operations under additional strain. If the hospitals have to adjust to increasing demand for such treatment on account of developments in security policy, they will need to be provided with the personnel resources and infrastructure this will require. As the Parliamentary Commissioner for the Armed Forces has argued in previous Annual Reports, action continues to be needed in this field.

At the Bundeswehr Hospital Berlin there is what is known as an 'S2 ward' with eight beds for the treatment of infectious patients. Additionally, as suggested by the Parliamentary Commissioner for the Armed Forces, it will have a treatment unit with three beds to look after highly contagious patients, individuals suffering from Ebola for example. This unit will be attached to the existing S2 ward and is expected to be ready in the spring of 2015. However, it will still be necessary to conduct the necessary training activities then, as well as tests to ensure that all the new systems and equipment are functioning.

15.3.5 Hospital information technology

The hospital information technology that is currently in use does not yet meet the hospitals' needs sufficiently. Hospital staff continue to complain about constraints on routine duties, for example due to shortages of computers, shortages of online access points and the need for the further development of software, which is to be done in the hospitals themselves. There is still no universal clinical-medical IT system for the Bundeswehr hospitals. By contrast, the information technology operated by a consortium formed by the Bundeswehr Hospital Westerstede and its civilian cooperation partner, the Ammerlandklinik, is exemplary. Consideration should be given to rolling it out on a broad basis, providing data protection is taken into consideration. The introduction of electronic medical records for servicewomen and men would make this process possible, something that is long overdue in any case. The fact that there are no electronic medical records for servicewomen and men also makes it difficult to involve civilian doctors in their care. Ultimately, it is the data and not the patients that should be moved about.

The use of telemedical methods by the Medical Service, in particular for deployments abroad, is to be welcomed. Intensive use of these methods in Germany too would optimise the provision for patients across the system, which is why the foundations required for their introduction should be laid. This will also result in the broadband connections needed for telemedicine being available in mission areas and seagoing units.

15.4 Restructuring of unit medical care

The comprehensive out-patient and in-patient care provided by unit physicians and medical specialists in Germany still causes concern. As in previous years, the 75-per-cent minimum staff attendance rate set in the medical centres could only be achieved throughout the system by factoring in all available personnel resources and averaging them over the whole of Germany. The decisive contribution to this was made once again by contracted civilian doctors.

The Federal Ministry of Defence expects the implementation of the new structure with markedly fewer regional medical facilities but increased staffing to deliver an improvement in the quality of care. In future, regional medical care will be provided under the motto 'Strong Care on Your Doorstep' and will be intended to stand 'for the continuous, fully comprehensive, reliable care of servicewomen and men by unit physicians and unit dentists'. It has not yet been possible to translate this aspiration into reality. On the contrary, on account of the delayed implementation of the stationing concept, medical facilities are having to be maintained for longer than planned without the personnel required for them being available.

The excessive workloads borne by the unit physicians have contributed to a worsening of doctor-patient relationships that is evident from the petitions that have been received. Apart from this, petitioners complained that unit physicians lacked knowledge of the rules and regulations that are in place, for example about referral to a civilian hospital or the assumption of expenses under the free medical care provided to military personnel. The aspiration to improve the unattractive image of unit physician assignments by offering opportunities for professional development that enable personnel to qualify as specialist general practitioners is to be welcomed.

During the year under review, there was also an at least 15-per-cent nationwide shortfall in emergency care assistants in the regional Medical Service facilities. In some individual medical facilities, more than half the posts for emergency care assistants were unfilled. The first measures by the Federal Ministry of Defence that are intended to counter this will only have an impact with some time lag. What makes this even more difficult is that suitable applicants are only available in limited numbers on the labour market.

A modern medical practice information system in the regional medical facilities, among other things for the administration of patient data and the generation of forms, cannot be made available before 2016. Until then, staff will continue to be tied to time-intensive manual data processing methods. Apart from this, such a system would prevent parts of the medical records getting lost when documents are circulated, as has sometimes happened.

Under the new structure, the Federal Ministry of Defence is planning to have 98 per cent of all servicewomen and men cared for comprehensively by a unit physician at a medical facility they will be able to reach within half an hour or with a drive of up to 30 kilometres. The remaining two per cent of military patients, about 3,000 servicewomen and men at 30 (very small) bases who no longer have a medical facility in their vicinity, will find it more difficult to access medical provision. Acute medical care should be available to them from a contracted civilian doctor. However, it cannot be ruled out that this service will be restricted by the shortages of doctors that are also affecting the civilian sector. In addition to this, civilian doctors have justified reservations about working with hand-written medical records.

It is pleasing that it is now finally possible for servicewomen and men to have themselves treated by the unit medical team closest to where they are living that is equipped to deal with their condition, even if it is not responsible for their locality.

As demanded by the Parliamentary Commissioner for the Armed Forces, the treatment of journeys to unit physicians was reformed during the year under review to the benefit of servicewomen and men. Previously, these journeys were only reimbursed in exceptional cases. This is inconsistent with the Federal Armed Forces' duty of care for servicewomen and men who have fallen ill. Since 1 January 2015, travel expenses have been reimbursed for essential journeys that cannot be made with official Federal Armed Forces vehicles as part of the free health care provided by unit medical teams, with the law of travel expenses being applied by analogy.

16 Progress on problems with radar radiation

The compensation of ex-radar technicians in the Federal Armed Forces and the former German Democratic Republic (GDR) National People's Army who have fallen ill has been a subject of administrative and judicial proceedings for more than 14 years and a topic in several Annual Reports. Only in just under one fifth of the cases has compensation been granted thanks to a reduction in the burden of proof for particular cancers. Non-carcinogenic conditions have remained disregarded.

As a result of the establishment of the Trust Foundation for the Support of Hardship Cases in the Bundeswehr and the former National People's Army (known as the Foundation for Hardship Cases), it has been possible for affected individuals to be granted financial support of between €1,000 and €50,000 since 2012 in about 80 cases in which standard benefits and pension proceedings had not led to them being awarded any compensation.

However, benefits and pension proceedings are still pending before the courts in over 50 cases, which the individuals affected will evidently have great difficulty coping with on account of their age and the severe cancers from which they are suffering. The reasons why such legal disputes sometimes drag on for more than ten years frequently lie in the approach to the proceedings taken by the Defence Administration or Land authorities that are responsible for these issues. This is true in particular of the refusal to recognise the judicial reversal of the burden of proof on the basis of Section 15 of the War Disability and Survivors' Pensions and Benefits Administrative Procedure Act.

During the year under review, higher social courts also criticised the lack of cooperation from the authorities in appellate proceedings for the first time and ruled that these delays are unbearable for the injured parties or their surviving dependents. This is to be concurred with, and the authorities will now have to settle the legal cases that are still pending without delay.

One victim of radar radiation, a former Navy Aviation servicing engineer, has now succeeded in winning a disability pension before the Federal Administrative Court after a process that lasted 21 years.

The Parliamentary Commissioner for the Armed Forces supports the proposals put to the Federal Ministry of Defence by the League for the Support of Radar Victims (Radar Radiation League) that a symposium be held or an expert commission established in the near future to resolve questions that are still open with regard to radar radiation, an audit be carried out to examine all the technical and scientific knowledge about this topic, and mediation be used to settle disputed cases.

The social security provision for children of radar technicians who have suffered genetic damage has still not been finalised. Hitherto, there has been a lack of well founded scientific data that demonstrated a connection between a parent's exposure to radiation and the disabilities suffered by their child. So far, the Foundation for Hardship Cases has been able to provide support in one case. The Radar Radiation League is now endeavouring to have a study conducted to investigate the impacts of radar radiation on genetic material.

17 Deployment-related mental illnesses

Despite the great efforts that have been made, both from a medical perspective and from the perspective of welfare provision, the treatment of deployment-related mental illnesses and their consequences is still not as good as it should be.

Although the mission contingents in Afghanistan have been declining, the number of participants with deployment-related mental conditions has continued to rise markedly. During the year under review, 284 new cases were reported up until September and therefore considerably more than in the previous year. Cases are increasingly being treated that have their origins in the Balkan deployment.

This development is explicable because the symptoms of a deployment-related mental illness frequently do not make themselves felt until years later, while some of the individuals affected are only prepared to admit to their illness after a long period of time. There is no strong evidence about the actual number of military personnel disabled as a result of these operations because no valid long-term studies have been carried out to date. Nor are retired servicewomen and men yet being systematically surveyed and provided with treatment.

It is not always completely clear what causes lie behind the mental illnesses suffered by servicewomen and men after a specific deployment abroad. For example, it cannot be ruled out that some of them were already suffering from some kind of condition when they embarked on their tour of duty. According to the prevalence study carried out by the Federal Armed Forces, 20 to 23 per cent of all servicewomen and men suffer from a mental illness following a deployment. It is to be assumed that the development of the illness had an immediate connection with the deployment in seven to eight per cent of the individuals with such conditions.

This study found that, at the time when the survey was carried out, only 55 per cent of mentally ill service personnel had sought counselling in any form one year after the end of their deployment. Only 10 to 20 per cent were already receiving professional therapy, which implies the proportion of unreported cases is either 45 per cent or 80 to 90 per cent, depending on the yardstick that is used. The reasons for this extraordinarily low treatment rate lay in various worries about stigmatisation among the servicewomen and men affected. Above all, there was a fear of suffering disadvantages in their personal and professional relationships with superiors and fellow soldiers. Education and training are called for here.

As far as the future is concerned, it can be assumed on the basis of the data from the prevalence study that the willingness to seek treatment will grow as increasing educational work is done within the Federal Armed Forces. More of the individuals affected will then have themselves treated. At the moment, patients with post-traumatic stress disorder who had traumatic experiences during the Kosovo mission in 1999/2000 are being treated again and again. The Federal Armed Forces will therefore have to adjust to the rising numbers of servicewomen and men being looked after and expand their treatment capacities accordingly.

This is also required because if the mental illnesses or post-traumatic stress disorders suffered by returnees become increasingly severe, their therapeutic treatment will take longer. For instance, more courses of interval therapy are being offered in which the individuals affected are treated as in-patients in blocks of treatment that last four to six weeks.

In addition to this, despite improved opportunities for civilian treatment and therapy, experience suggests that many mentally ill servicewomen and men still fall back on the limited services offered by the Bundeswehr hospitals. Firstly, they expect to meet with a better understanding of factors that are specific to the military in these institutions. Secondly, it has become evident that long waiting times are sometimes faced in the civilian institutions. Apart from this, demand is not being met in rural areas because civilian psychotherapists overwhelmingly have practices in the major conurbations.

While the number of cases treated has therefore risen about ten-fold overall since the beginning of the German deployments, the capacities for treatment at the Bundeswehr hospitals have remained almost the same. Quantatively, the body of personnel available is the same as ten years ago. As in previous years, not all posts for psychiatrists and therapists could be filled during the year under review.

Furthermore, the Bundeswehr hospitals now find themselves confronted with up to 20-per-cent bed overcrowding in their psychiatry and psychotherapy departments. Current staffing levels at the out-patient day clinics set up in Berlin and Hamburg also mean their treatment capacities are too small to meet demand. Waiting times of, on average, just under two months for a treatment place in the Bundeswehr hospitals are now the rule. This can lead to an existing mental condition becoming chronic. The numbers of in-patient beds and day clinic places for psychotraumatic illnesses at the Bundeswehr hospitals therefore have to be urgently increased and taken into consideration in the Target Structure 2020. The treatment of psychological wounds must not take second place to that of physical injuries.

This will also mean providing for acting staff to cover key positions. At one Bundeswehr Hospital, the absence of the head of the psychiatry and psychotherapy department for reasons of sickness resulted in the department practically no longer being capable of working at all during the year under review.

17.1 Alternative treatments for post-traumatic stress disorders

The alternative treatment of post-traumatic stress disorders by means of animal-assisted therapy is gaining in significance within the Federal Armed Forces. The few services that are already available are experiencing strong

demand. The Federal Ministry of Defence still wishes to conduct a number of studies with the aim of demonstrating the sustainable effectiveness of such treatments.

The assumption of the costs for these therapies has not hitherto been provided for as part of the free-of-charge care provided by unit medical teams. They are currently only financed externally, for example by the Colonel Schöttler War Invalids Foundation, the Evangelical Lutheran Chaplain Service or the Bundeswehr Association Soldiers and Veterans Foundation. This support is cheering. Should the effectiveness of these medical methods be proven, their costs should be paid as part of the free-of-charge provision offered by unit medical teams.

17.2 Education about deployment-related mental illnesses and their early detection

According to the research report *Afghanistan-Rückkehrer (Returnees from Afghanistan)*, which was completed in June 2013 and published in July 2014 by the Bundeswehr Centre of Military History and Social Sciences, the deployment participants surveyed for this study had an overwhelmingly negative view of the support they had received from their superiors or their own unit or formation to help them cope better with the period after their return from the deployment.

According to the ‘Underreporting Study’ published by Dresden Technical University in 2012, over 70 per cent of military personnel who have suffered mental disability due to a deployment are of the opinion that they can deal with their problems without professional help. The Federal Armed Forces are therefore called upon to do even more to raise servicewomen and men’s awareness of the fact that post-traumatic stress disorder is a sickness, and encourage them to accept offers of help. Apart from the numerous information materials published on the Internet, the Compendium ‘Handling of Mental Disabilities Suffered in Action, including Post-Traumatic Stress Disorder (PTSD), in the Federal Armed Forces’ issued by the Federal Ministry of Defence on 21 May 2014 is to be welcomed. The ‘Guide for Service Personnel Suffering from Mission Strain’ and ‘Guide for Relatives of Service Personnel Suffering from Mission Strain’, which were issued in the second quarter of 2014, have also contributed to the efforts to educate members of the forces about mental illnesses.

Regrettably, the Federal Ministry of Defence does not share the opinion of the Parliamentary Commissioner for the Armed Forces that servicewomen and men with previous mental conditions should not be sent on deployments. Not enough high-quality research has been done into prior mental conditions that could actually limit individuals’ fitness for operational assignments. In the interests of those who participate in deployments, however, the Armed Forces should ensure there is total certainty about the impacts of preexisting conditions on fitness for operational assignments.

The screening procedure that was developed during the implementation of the 2012 Framework Concept for Maintaining and Improving the Mental Health of Servicewomen and Men and is currently being trialled in the 21st Armoured Brigade does not contribute to the early detection of preexisting mental conditions – as expected in the last Annual Report –, but the preventive diagnosis of mental fitness and measures to strengthen the resilience of servicewomen and men who will be deployed in future.

The results of this pilot project are due to be evaluated in 2015. However, details of the screening concept’s implementation have still not been clarified, such as the important question of whether the diagnosis of a manifest mental disorder may be passed on to the competent unit physician so that it can be treated prior to the deployment without the consent of the individual concerned. From the perspective of the Parliamentary Commissioner for the Armed Forces, the aim of the predeployment screening procedure should be to ensure that only servicewomen and men whose state of mental fitness and resilience rule out the danger of their falling ill with a mental disorder as far as possible are sent on deployments. If a stress disorder nevertheless occurs, even though the individual was found to be fit in the screening procedure, it is to be demanded that the Armed Forces bear the risk from manifest preexisting mental damage that was disregarded and do not base their case on this in disability proceedings to the detriment of the servicewoman or man, as is currently the case. Someone whom the Armed Forces certified fit for foreign assignment before a deployment abroad ought to be treated as if they were healthy when they went on the deployment, should disability proceedings be conducted under welfare and pension law.

17.3 Care guide concept

The Federal Armed Forces’ project to offer servicewomen and men disabled in action low-threshold assistance with care guides at their bases, which has been mentioned in previous Annual Reports and some aspects of which have already been implemented, is the right approach and an important step. At present, more than 80 care guides are working at 66 of the roughly 300 bases in Germany, overwhelming acting in this role alongside other duties.

Only in the years to come will the Federal Ministry of Defence be able to secure the provision of across-the-board support from care guides. Since 2013, care guides have been trained during routine duties at the Federal Armed Forces' Leadership Development and Civic Education Centre. The Central Directive 'Care Guides for Service Personnel Disabled in Action' laid the legal and organisational foundations for this. As a matter of principle, care guides should have experience of deployments. This alone ensures that they will be taken seriously by service personnel disabled in action. Finally, care guides are to be provided with the best possible equipment at their duty locations (for example, their own offices with Internet access, service mobile telephones and official vehicles). During the 2014 budgetary deliberations, the Defence Committee of the German Bundestag asked the Federal Ministry of Defence to guarantee the requisite technical equipment and make budgetary resources available.

17.4 Treatment and welfare for relatives of servicemen disabled in action

Under the free-of-charge provision of care by troop physicians, therapeutic treatment is not foreseen for family members of servicewomen and men disabled in action who have themselves become mentally ill as a result of the strain on their families caused by their relatives' disabilities. Measures need to be taken in this context for, as part of their responsibility to care for service personnel under Section 31 of the Legal Status of Military Personnel Act, the Armed Forces also have to ensure the wellbeing of servicewomen and men's families. During the deliberations on the budget in 2014, the Defence Committee of the German Bundestag asked the Federal Ministry of Defence to initiate the necessary measures and make budgetary funds available. What is pleasing is that it has come to be accepted that the families of traumatised service personnel should be involved in their therapy as much as possible. In future, therefore, family members will be able to attend the new post-deployment workshops and psychological treatments intended to treat the psycho-reactive consequences of deployments. After a trial phase in 2015, these workshops are to be integrated into routine operations.

The Support and Care under One Roof workshops, which are run by members of the Bundeswehr Psychosocial Network and have also been offered for surviving dependents on a regular basis since 2013, met with a totally positive echo. It is therefore pleasing that the continuation and financing of the workshops are now assured until 2015.

It should also be emphasised that the couple therapy sessions provided as part of the Sports Therapy following Mission-Related Injury training course run by the Centre of Sports Medicine at Warendorf Sport College, which is open to relatives of affected servicewomen and men, and the family and relatives workshops organised by the Psychotrauma Centre at the Bundeswehr Hospital Berlin and the Chaplain Service can be continued until 2015 at least. It would appear necessary for these services to be continued beyond this date.

The Body, Soul and Spirit workshops run by the Land Command Bavaria since 2010 with the support of the Catholic Chaplain Service regrettably did not take place in 2014. As a consequence of the reorientation process that is taking place within the Federal Armed Forces, the regiments that used to be subordinated to the Land Command Bavaria have now become independent, since when they have been responsible for ensuring the workshops are held if there is demand for them. It is regrettable that this has not functioned straight away. For 2015, it has been determined that the military psychologist of the military police regiment in Munich should be responsible for organising the workshops. €20,000 of budgetary resources are available. This means the renewed conduct of the workshops is initially ensured for another year. The Federal Ministry of Defence remains under an onus to secure funding for these services.

Even if new post-deployment workshops and psychological treatments to address the psycho-reactive consequences of deployments are held in future, there will nevertheless be demand for separate, more extensive measures tailored to the specific nature of the duties performed by particular branches of the services or certain assignments. The continuation and, where applicable, even an expansion of the Body, Soul and Spirit workshops is therefore called for.

17.5 Steps to secure benefits and pensions for retired temporary-career volunteers and military service volunteers

In the opinion of the Parliamentary Commissioner for the Armed Forces, the duty of care provided for in Section 31 of the Legal Status of Military Personnel Act also has to encompass responsible, permanent arrangements for the treatment and welfare of retired servicewomen and men who have been disabled in action, which is why a corresponding benefits and pensions concept is required. Anything less would be a breach of trust towards deployment participants. This is why retired servicewomen and men should also be entitled to receive care free of charge from troop physicians. In-patient treatments at Medical Service facilities are only possible when beds are

available for civilian patients with statutory health insurance, as for instance at the trauma out-patient department in the Psychotrauma Centre of the Bundeswehr Hospital Berlin or at the Bundeswehr Central Hospital Coblenz. By contrast, out-patient psychotherapies are not provided for former servicewomen and men who are being treated as statutory health insurance patients at the Bundeswehr hospitals. They can merely be counselled free of charge on request at the trauma out-patient department in the Psychotrauma Centre of the Bundeswehr Hospital Berlin.

Apart from this, since individual post-traumatic stress disorders can still occur many years after an injury is sustained on a deployment, it is to be ensured that all former deployment participants can be contacted and are socially integrated. The Parliamentary Commissioner for the Armed Forces has already raised these demands repeatedly without any progress being apparent to date.

The Parliamentary Commissioner for the Armed Forces is grateful that the former Federal Minister of Defence, Dr. de Maizière, declared the treatment of veterans would be a priority for his term of office. He is convinced that Federal Minister Dr. von der Leyen will continue to travel resolutely along the path that has been embarked upon.

18 Disability benefits and pensions

The provision of disability benefits and pensions ‘from a single source’ that has been suggested in the past by, among others, the Parliamentary Commissioner for the Armed Forces has finally been implemented now with effect from 1 January 2015. Hitherto, the procedures for the recognition of a military service-related disability have frequently lasted for more than two years, which is far too long. Often, the individuals affected have had to cope with numerous appointments with doctors, medical specialists and expert assessors, and then wait for the subsequent administrative decision. In not a few cases, this decision has contradicted the expert opinion, so that the individuals affected have gone through stressful administrative appeal proceedings and law suits, which they frequently find overwhelming. Servicewomen and men therefore understandably doubt the point of the proceedings or come to be of the opinion that decisions have been taken arbitrarily. Finally, some servicewomen and men also gain the impression that their employer is trying to evade its responsibility for their welfare.

Furthermore, the long duration of the proceedings is essentially attributable to the lack of social medicine practitioners at the Federal Office of Bundeswehr Personnel Management. Although the demand made by the Parliamentary Commissioner for the Armed Forces has been acted on, and it has been decided to increase the number of posts to nine, only four of them have been filled to date. Four further posts are to be filled in the course of 2015, of which two will be psychiatrists with specialist training in ‘social medicine’. In addition to this, eleven former recruiting organisation physicians will be assigned to the Office to strengthen its manpower. It remains to be seen whether these measures will bring down the processing times. It is already obvious today that merging the processing work done on the administrative side and the work of drawing up expert medical opinions on the care of people disabled and bereaved by armed conflicts within the Federal Office of Bundeswehr Personnel Management has not yet had a positive impact on the duration of the procedures.

If these procedures are not going to become any quicker in the foreseeable future, consideration should be given to the introduction of an appropriate time limit set on a statutory basis, within which the disability procedure would have to be concluded. If this time limit were to be passed, the entitlement would then have to be regarded as having been granted.

19 Benefits and pensions for special foreign assignments

Regrettably, the removal of the cut-off date for the consideration of entitlements to benefits and pensions for special foreign assignments also demanded by the Parliamentary Commissioner for the Armed Forces has not been implemented to date. Nevertheless, the Draft Omnibus Act to Increase the Attractiveness of Service in the Federal Armed Forces provides for benefits and pensions for special foreign assignments to be backdated from 1 December 2002 to 1 July 1992. This is a success for servicewomen and men disabled during the deployments in the former Yugoslavia. Disabled individuals whose earning capacity has been reduced by at least 50 per cent and who have no entitlement to a civil service pension will receive both the one-off compensation and the other compensation benefits.

However, this cut-off date rule does not cover all the individuals affected, such as servicewomen and men who took part in the UNTAC (United Nations Transitional Authority in Cambodia) mission from 1991 to 1993 and UNOSOM I (United Nations Operation in Somalia I) from April 1992. They should definitely be taken into

consideration in the deliberations on the Omnibus Act to Increase the Attractiveness of Service in the Federal Armed Forces, as is already noted in the government bill.

However, the entitlement to the payment of one-off compensation is dependent on whether the disability caused by an accident during a deployment is ‘permanent’. Diagnosing permanent disability is difficult when it comes to psychological wounds because the course of these illnesses is usually many times longer than that of conditions caused by physical wounds. It would be beneficial for soldiers disabled in action therefore if any diagnosis of mental disability were to be accepted as permanent with legally binding force once an appropriate period had elapsed.

According to the Act on the Continued Employment of Personnel for Operations, members of the forces are entitled to take up their previous duties (again), continue to be assigned in the Federal Armed Forces or be integrated in some other way into working life. However, these benefits are still dependent on the conclusions arrived at during the parallel service-related disability procedure, in particular concerning causal connections between the health damage suffered and the deployment abroad. The examination of such causal connections should not be a precondition for entitlements to benefits. As explained above, the principle must apply that anyone whose fitness for a foreign assignment has been affirmed by the Armed Forces prior to her or his deployment abroad is to be treated as if she or he had been healthy when she or he embarked on the deployment in the disability procedure conducted under benefits and pensions law.

Furthermore, it is difficult to establish a causal connection between a deployment abroad and a mental disability. On account of the long-winded nature of the disability procedure, the benefits for the individual affected are therefore not available in a timely fashion either. Despite this, the Federal Ministry of Defence is upholding this conditionality, which is inappropriate and cannot be reconciled with servicewomen and men’s statutory entitlement to care.

The Deployment-Related Accident Ordinance of 24 September 2012 could help to speed up the procedures followed when benefits and pensions are granted for special foreign assignments during which more than merely minor mental damage has been suffered. It contains a presumption rule. According to this, it is necessary for the disabled person to have taken part in specific armed engagements, which will also be documented in the ‘incident file’ kept for each member of the forces in future. The time required to process these cases is ten weeks on average. However, individuals who have been involved in other stressful events, such as the investigation or opening of mass graves in former Yugoslavia should also be taken into consideration under this Ordinance. The same applies for individuals who have been threatened with armed force. The thinking here is that this would cover cases in which, for example, an individual has been forced to get out of a vehicle at gunpoint by someone with a cocked gun when passing through a checkpoint and felt their life was under immediate threat.

At present, mental illnesses that occur more than five years after the ending of a special foreign assignment are not covered by the presumption rule in the Deployment-Related Accident Ordinance. This five-year period is too short.

19.1 Changes to civilian and military service pensions and benefits

There is a need for improvements to the entitlements enjoyed by temporary-career volunteers, military service volunteers and reservists who have returned as invalids from deployments. Temporary-career volunteers bemoan that they are only granted bonus earning points in the statutory pension insurance scheme for periods they have spent on special foreign assignments as of the enactment of the Special Foreign Assignments Benefits and Pensions Improvement Act, i.e. 13 December 2011 and not 1 December 2002, when the Special Foreign Assignments Benefits and Pensions Act came into force. This lack of retroactivity is not at all plausible and leads to an unjustifiable disadvantage compared to career soldiers, particularly as cut-off dates much further back in the past apply for other entitlements to special foreign assignments benefits and pensions. The Parliamentary Commissioner for the Armed Forces has taken up this unsatisfactory cut-off date and raised it as a problem on several occasions.

After the end of their term of military service, temporary-career volunteers and military service volunteers who have been disabled in action receive a basic pension under the Federal War Victims’ Compensation Act that is noticeably lower than the pensions and other benefits for career soldiers disabled in action. From a care perspective, this unequal treatment should be eliminated by an allowance paid on top of the basic pension.

Accidents that occur and damage caused by vaccinations administered during the preparations for a deployment are not regarded as deployment-related accidents for the purposes of the benefits and pensions paid for special assignments. However, since they are connected with a deployment, the legal situation should be adjusted to

take account of them. Irrespective of this, the Armed Forces could also assume the responsibility they nonetheless bear for the care of the servicewomen and men in question without a change to the law on the basis of *ad hoc* decisions, for example by offering opportunities for continued employment in the services.

The situation is also unsatisfactory for individuals disabled in action who, on account of the severity of their disability, will not be able to take up their previous duties (again), continue to be assigned to duties within the Federal Armed Forces or integrate in any other way into working life within the five-to-eight-year periods for which they are protected under the Act on the Continued Employment of Personnel Injured on Operations. Once these periods have expired, disabled individuals' social security benefits are at risk. They merely have entitlements under the Federal War Victims' Compensation Act in conjunction with the War Disability and Survivors' Pensions and Benefits Act, which are markedly lower than the entitlements for career soldiers who have been declared unfit for service. As a matter of principle, these career soldiers receive 80 per cent of the pay due to personnel two pay grades higher than themselves. Equal treatment should be ensured on care grounds; at the least, better *ad hoc* arrangements should be facilitated.

19.2 'Service provision from a single source'

Following a revision of the legislation, all competences in the field of pensions and benefits for servicewomen and men who have suffered a service-related disability during their duties, and their surviving dependents are gradually to become the responsibility of the Federal Defence Administration as of 1 January 2015. Up until now, the competences in this field have been shared between the Federal Defence Administration and the pensions and benefits authorities of the individual Länder. To enable it to cope with the competences allocated to it and the approximately 16,000 benefit and pension recipients, about 150 posts have been created at the Federal Office of Bundeswehr Personnel Management, although it is proving difficult to fill them with personnel experienced in this field of expertise.

Other problems that are being prioritised are the timely introduction of an electronic processing system for the automatic payment of benefits and the transportation of the extant files that need to be moved to the Federal Office of Bundeswehr Personnel Management. Apart from this, certain medical benefits, in particular the provision of orthopaedic services, are to be transferred and continued without delay. However, it was not possible to recruit the specialist doctors required for this in sufficient numbers by the end of 2014. Not all the Länder have complied with the request made that they continue the medical services they have been providing to date for a limited period, until the end of 2015 at the latest. This means difficulties in the implementation of the new arrangements are already predictable now.

Especially in a field as sensitive as pensions and other benefits for servicewomen and men, it is necessary to provide such benefits continuously and reliably without disruption. This will have to be ensured by the Federal Ministry of Defence. However, the duty of care for the affected individuals that is to be expected from the Länder in the territories for which they are responsible demands that they provide the necessary support.

20 Pay and military service benefits

The Draft Omnibus Act to Increase the Attractiveness of Service in the Federal Armed Forces now finally provides for an allowance for duties in bunker installations as one of the austere conditions allowances.

Apart from this, it is to be welcomed that the raising of the limit on additional earnings for retired career soldiers, temporary-career volunteers who are drawing transition allowances and former members of the National People's Army foreseen in the coalition agreement has been included in this draft legislation.

Furthermore, a demand that has been raised for many years and also articulated by the Parliamentary Commissioner for the Armed Forces has been satisfied to a certain extent: The beginning of the divorce-related reduction in the benefit and pension payments to career soldiers who divorced while in active service will be delayed to the age limit applicable for police officers with life tenure (60 plus rising to 62). It remains unsatisfactory that the age limit that generally applies for civil servants (65 plus rising to 67) is not to apply here, as was originally envisaged. Nevertheless, the disproportionate reduction of this group's lifetime income seen to date will be eliminated at least to some degree in the future. This is also true for retired servicewomen and men who have not yet reached the age limit of 62 years, and whose benefits and pensions have been reduced in line with the current legal situation. However, previous reductions in these payments will not be reimbursed. This arrangement does not apply for servicewomen and men who retired prematurely under the Personnel Early Retirement Act because they left the forces before reaching the special age limit at which these entitlements were gained.

The individuals who will not benefit from this reform feel deceived by the authorities. This group should be covered by the changes.

Pleasingly, the old-age pensions for temporary-career volunteers will also be improved by the Omnibus Act to Increase the Attractiveness of Service in the Federal Armed Forces. In future, as compensation for the lack of a supplementary occupational pension, they will receive increased retroactive insurance coverage in the statutory pension insurance system, which will be based on the principles of the supplementary pension scheme for public sector employees. The 15-per-cent increase in the contribution assessment basis that is envisaged will be equivalent to an approximately 2.83-per-cent increase in temporary-career volunteers' pension insurance contributions. This is due to take effect as of 1 January 2016. Apart from this, however, it should also be made possible for pension rights accrued in a public sector service relationship to be carried over into the statutory pension insurance system ('portability').

21 Assumption of costs for artificial insemination

The assumption of costs for artificial insemination (*in vitro* fertilisation) as part of the free-of-charge provision of care by troop physicians, something that has repeatedly been called for by the Parliamentary Commissioner for the Armed Forces, is now governed transitionally by Federal Ministry of Defence Central Directive B-1455/1 of 4 February 2014 until the provisions in this field are standardised with new legislation, as demanded by the Federal Administrative Court. However, the costs from the large number of historic cases in which a course of treatment was concluded during the period from 2004 to October 2013 will not be assumed. The Federal Ministry of Defence rejects the assumption of these costs on the grounds that the individuals in question were able to submit an application for the assumption of costs and take legal action if it was turned down, even though the administrative regulation in place at the time explicitly ruled out the assumption of such costs! This is inexplicable because, after all, it is a question of the objective legal situation in the past. There is an urgent need for improvements here.

22 Problems faced by commuters

Previous Annual Reports have discussed at length the problems with the provision of affordable residential accommodation for servicewomen and men who do not receive a separation allowance because they have been assured their relocation costs will be reimbursed, but are unable to move house for family reasons. They incur additional financial outgoings renting commuter apartments at their duty locations. The solution called for by the Parliamentary Commissioner for the Armed Forces has not been put into practice by the Federal Ministry of Defence to date. The problem is that, under the law as it stands, commuters who have received an assurance concerning their removal expenses have no additional basis on which to claim for the assumption of costs due to the renting of a commuter apartment. This is why it is impermissible for budgetary funds to be spent on, for instance, accommodation owned by the Federal Armed Forces or financial stakes in private providers. The Federal Ministry of Defence has now initiated several studies and surveys intended to help in the creation of a database and further decision-making on the issue. Their evaluation has not yet been concluded.

It is still uncertain whether anything will be done to implement the demand for properties owned by the German Federation in urban areas that are no longer in use to be placed at the disposal of the Federal Armed Forces.

For all the understanding that can be shown for the need to create a robust database, this must not result in concrete approaches to the resolution of the matter being delayed until further in the future. Since it is likely to be common to all such approaches that they demand additional budgetary funds, the Bundestag is also called upon to act, as the legislative body responsible for the federal budget. Finally, the number of properties that come into question is not so great that there would be any danger of demand being too low, in particular in the major conurbations.

A reduction in the financial burdens on commuters could also be achieved by an amendment to the law concerning separation allowances that was announced years ago, and for which a draft bill has already been published. However, the implementation of this reform has been blocked so far by the need for agreement between the Federal Ministry of Defence and the Federal Ministry of Finance. The core of the reform is a right to choose between an assurance that removal costs will be reimbursed and drawing a separation allowance. In this respect, what is controversial is, above all, whether a time limit should be placed on this right to choose. The Federal Ministry of Defence is urged to continue to advocate a right to choose that is not subject to any time limitations, as is expressly foreseen in the coalition agreement signed on 16 December 2013. In addition to this, the extension of the Directive Governing the Reimbursement of Removal Costs in Connection with Personnel Measures Taken

in the Course of the Structural Reform and Reorientation of the Federal Armed Forces (Structural Directive), which practically anticipates the introduction of freedom of choice, until the end of 2018 is to be welcomed.

23 The law of removal costs and separation allowances

23.1 Use of a route planner to calculate separation allowance entitlements

Implementing a judgement delivered by the Federal Administrative Court in 2012, the Federal Defence Administration grants servicewomen and men who commute between their duty location and place of residence a limited separation allowance if they are absent from their residence for more than twelve hours when modes of transport with regular services are used or the time required to travel there and back between the residence and the workplace is longer than three hours. The background is that covering what is actually an unreasonable distance should not be particularly encouraged. To date, one specific route planner has been used by the Federal Defence Administration to calculate the journey times. Servicewomen and men who were judged to have journeys just under the three-hour travelling time found themselves treated unfavourably, and objected that this route planner produced results that differed from those of other route planners and were often disadvantageous for the individuals concerned.

After reviewing the route planner, the Federal Ministry of Defence ordered that a different route planner should be used as of 12 June 2014. The Parliamentary Commissioner for the Armed Forces will observe whether this results in the alleged disadvantages being permanently eliminated to the benefit of the servicewomen and men in question.

23.2 Disadvantages of the separation allowance for personnel returning from abroad

On several occasions, servicewomen and men objected to the fact that the Federal Armed Forces gave them a compulsory assurance concerning the reimbursement of relocation costs to their new duty location following the ending of a foreign assignment. This had the consequence that they were not entitled to a separation allowance if their family returned to their previous place of residence. It was argued they were disadvantaged in this way compared to servicewomen and men deployed in Germany, who did not have to give up their current place of residence, but were able to draw a separation allowance.

In the Ministry's opinion, the solution suggested by the Parliamentary Commissioner for the Armed Forces, an interim assignment to the previous place of residence, would conflict with the systematic principles of the law of separation allowances. The Ministry claims they only provide for the reimbursement of costs that have been incurred due to measures taken by the Armed Forces, but not costs that result from personal decisions – such as somebody's return to their previous place of residence despite their assignment to a different duty location.

This means servicewomen and men who are prepared to go on a special foreign assignment find themselves practically being punished for doing so. This legal situation conflicts with the aspiration to make the services an attractive organisation within which to work and fails to acknowledge the realities confronted by many servicewomen and men, who mostly do not perform their duties where they live. The Attractiveness Agenda should therefore be used to examine a revision of the rules that are in place.

23.3 Home leave journeys on deployments abroad in special cases

If a servicewoman or man has to travel home due to a family emergency during a deployment abroad, she or he can encounter problems having their costs reimbursed. Under the Foreign Separation Allowance Directive, an entitlement to the reimbursement of such expenses for normal journeys on home leave is only acquired after a waiting period of one month. If this period has not yet expired or the entitlement has already been used, the General Administrative Regulation on Travel Grants for Officials Abroad for Journeys Needed in Cases of Sickness and Death only allows expenses to be reimbursed for journeys made when a close family member is suffering from a life-threatening sickness or has died; other emergencies are not considered. It is merely possible for special leave to be granted 'for personal reasons' under the Leave Regulations for Military Personnel.

In view of the operations in which the Federal Armed Forces are involved, the Federal Ministry of Defence proposed an amendment of the General Administrative Regulations on Travel Grants to the Federal Ministry of the Interior in 2011. This amendment would have been intended to enable service personnel on deployments to have the costs of journeys home due to family emergencies reimbursed as of their first day abroad. Regrettably, the Federal Ministry of the Interior rejected this in 2011 and when a renewed enquiry was made in 2014 on the

grounds that the applicable rules took sufficient account of servicewomen and men's need for care on deployments, and an extension of their scope would be unjustifiable given the desire to preserve the Regulation's cost neutrality and avoid problems of definition. In view of the special strains of deployments abroad, this attitude cannot be the last word.

24 Processing of applications for assistance and allowances

The times taken to deal with applications for assistance and allowances came to be markedly too long in the past year as a result of the transfer of the processing of applications for assistance and allowances from the Federal Ministry of Defence to the jurisdiction of the Federal Ministry of the Interior and the Federal Ministry of Finance. Pleasingly, a bundle of measures supported jointly by the Federal Ministry of Defence, the Federal Ministry of Finance and the Federal Ministry of the Interior have now made it possible for such applications to be dealt with within the specified maximum target time of 15 working days at all authorities that administer assistance and allowances, some of which have even been able to complete the processing of these cases within the target time of nine working days that has been defined as an aspiration. However, the administration should not be satisfied with this result, but also analyse the reasons why the performance of the bodies that process assistance and allowance applications was so appalling for months on end last year, and take suitable measures to prevent staffing problems escalating into such a near-disaster again.

25 Development of vocational advancement

The processing times for applications for the reimbursement of costs for vocational advancement measures still gave grounds for clear criticism in 2013, but it has now been possible for them to be reduced to a justifiable length again. However, this has evidently not been done with equal success everywhere. Consequently, on account of excessively long processing times, there were repeated complaints within the province of individual organisational elements during the period under review.

There is a need for improvement with regard to the entitlements to vocational advancement held by servicewomen and men who retire from the Federal Armed Forces after a four-year term of enlistment. They are merely entitled to up to seven months of vocational advancement service. This is not sufficient for a retraining course under the Vocational Training Act, which usually lasts 24 months. Only servicewomen and men who already have relevant vocational experience can acquire another vocational qualification, for example as a safety and security specialist, by taking a compressed course that lasts less than six months. In order to make reintegration into civilian working life easier, opportunities for advancement should therefore be created with the aim that no temporary-career volunteer leaves the Federal Armed Forces without a vocational qualification, or is able to acquire such a qualification. This would enhance the Federal Armed Forces' attractiveness as an employer.

26 Registration of unmarried servicewomen and men

Under the provisions of German registration law, unmarried servicewomen and men are obliged to register their principle place of residence at their duty location or the location of their ship's home port, although in the majority of cases the individuals in question do not consider it to be their home. Registration law was transferred from the Länder to the Federation as part of the reform of Germany's federal structure. The Federal Act on Registration, which has now been passed by the German Bundestag, is due to enter into force on 1 May 2015. During the deliberations on this legislation, the Parliamentary Commissioner for the Armed Forces argued for unmarried servicewomen and men to be exempted from the obligation described above. The specification of their primary residence has impacts on individuals' basic rights. It represents a serious intervention in their rights to vote and stand for office in local authority elections. In addition to this, there are clear financial implications. For instance, unmarried servicewomen and men who wish to acquire a residential property can only make use of the credit balance from a 'home ownership pension plan' if the property is located at their main place of residence. Further disadvantages are potentially higher vehicle insurance, having to pay a second set of television and radio licence fees, becoming liable for second home tax at their actual home, the risk that they will not be able to set off their journeys home against tax, practical issues such as the loss of their entitlement to a child daycare place in their home area and, certainly, additional dealings with the authorities, for instance when registering a change of residence or change of the address at which a vehicle is kept.

Although the original draft bill provided for a solution that would have been beneficial to servicewomen and men, this was discarded again in the course of the deliberations on the legislation, and precedence given to the financial interests of the local authorities where garrisons are based. Servicewomen and men are merely exempt from registering a change of principle residence if they are given a temporary assignment for a maximum of

twelve months. In practice, however, this exemption is of hardly any significance for the individuals in question because temporary and permanent assignments usually last longer than a year.

The Parliamentary Commissioner for the Armed Forces stands by his opinion, and has once again asked the Federal Minister of Defence and the competent parliamentary bodies to find a way of eliminating the disadvantages for servicewomen and men that have been described.

27 Anonymous and anonymised petitions

Section 8 of the Act on the Parliamentary Commissioner for the Armed Forces stipulates that anonymous petitions will not be processed. Nevertheless, such petitions reach the Commissioner every year, with a slightly rising trend. Frequently, they are concerned with misconduct by superiors or fellow soldiers towards third persons. An anonymous petition may be motivated by a desire for confidentiality. However, submitting a petition anonymously is the wrong way of ensuring such protection. The Commissioner can deal with any petition confidentially at his own discretion, i.e. anonymise information passed on to third parties and initiate investigations without mentioning the petitioner's name. As a rule, cases that relate to the petitioners' personal affairs, are not suited for this, by contrast to which cases that deal with facts of wider import than the individual case certainly are. All servicewomen and men who feel they have been treated unfavourably have to be aware that the Commissioner is unable to process anonymous petitions as petitions. In rare cases, he may make use of information from such petitions, but this must remain an exception. Servicewomen and men are urged to always be completely confident about giving their name when sending petitions to the Commissioner. They can be sure that the Commissioner takes the prohibition on discrimination extraordinarily seriously. Having the courage to draw attention to deficiencies or misconduct in cases where this is justified is also part of leadership development and civic education.

28 Suicides and attempted suicides

Reports about special incidents due to successful and attempted suicides within the Armed Forces are taken up by the Parliamentary Commissioner for the Armed Forces and the causes of such incidents reviewed. In 2014, the Federal Armed Forces reported 24 successful suicides and 43 attempted suicides by military personnel. Although the Federal Ministry of Defence points out that, comparatively, the number of suicides within the Federal Armed Forces is below the suicide rate for the male half of the German population, this does not allow for the fact that approximately 35 per cent of all suicides in Germany are committed by people over the age of 65. The Federal Ministry of Defence did not have a statistically precise, age-group specific analysis at its disposal. No information is available about suicides and attempted suicides by former service personnel.

Over the past few years and during the period under review, it was exclusively men in the Federal Armed Forces who took their own lives. Non-commissioned officers are most heavily affected, but they are also the most numerous rank category.

In so far as they are known, the reasons for successful suicides are quite overwhelmingly to be sought in the private lives of the deceased. However, tours of duty, a duty location far away from home and the commuting this demands are pressures imposed by their jobs that inevitably have repercussions on individuals' private lives as well. During the year under review, a battalion commander commenting on a suicide did not rule out an indirect link between the operational strain on the soldier in question and his marital problems. The serviceman had been on five deployments altogether, of which four had been in the previous four years. Nor can it be ruled out objectively that operational strains have an impact on the depression that is testified to play a part in some suicides. Although the Federal Office of Bundeswehr Personnel Management conducts a service-related disability procedure after every suicide by an active servicewoman or man and seeks to identify issues related to her or his duties that may have motivated her or his actions, it is the impression of the Parliamentary Commissioner for the Armed Forces that no institutionalised, systematic analysis of soldiers' suicides is carried out that looks wider than the individual case. In the Commissioner's opinion, it is just as necessary to do this as it is to look at suicides by servicewomen and men who have previously left the Federal Armed Forces.

29 Chaplain Service

The Chaplain Service is the responsibility of the churches. It is the churches' contribution to the efforts to ensure servicewomen and men are able to practice their religion freely and benefit from pastoral care, a contribution that is desired and supported by the state. The clergy appointed as military chaplains join the public service and are employees of the Federal Ministry of Defence. Their role is to ensure servicewomen and men enjoy their

entitlements to pastoral care, and the undisturbed exercise of their religion, which are formulated in Section 36 of the Legal Status of Military Personnel Act. Section 36 is an expression of the individual freedom of faith enshrined in Article 4(1) of the Basic Law. Just like the activities undertaken by the Chaplain Service, this guarantee benefits the members of all religions and faith communities. Servicewomen and men's entitlement to practise their religion is lived out, for example, in the opportunities for worship they have at bases, in barracks, at training areas and on board ships. However, military chaplains do far more: They give character guidance classes, they go on deployments abroad with servicewomen and men, and they are points of contact and sources of companionship for servicewomen and men and their relatives, in particular before and after stressful experiences. Finally, the welfare work done for soldiers by the Christian churches encompasses a comprehensive programme of educational, family and welfare events, all of which support the work of the Chaplain Service. The last Annual Report addressed the growing demands that relatives of servicewomen and men should be enabled to attend such welfare events, for example events that relate to deployments. It is therefore to be welcomed that, since 1 January 2015, the Federal Ministry of Defence has been cooperating with the associations responsible for the Evangelical Lutheran and Catholic working groups that provide pastoral care to military personnel to expand the services delivered in this way, within the constraints of the budgetary funds that are available. These services are also a manifestation of the Federal Armed Forces' obligation to care for their servicewomen and men. In addition to this, the Parliamentary Commissioner for the Armed Forces is advocating that the funds allocated to the Chaplain Service's budget be increased.

In July 2014, the former Provost of Southern Nassau, Dr. Sigurd Rink, took over the office of the Evangelical Lutheran Military Bishop on a full-time basis from Dr. Martin Dutzmann, who is now the Plenipotentiary Representative of the Council of the Lutheran Evangelical Church in Germany to the Federal Republic of Germany and the European Union. It is, among other things, thanks to the commitment of these two Evangelical Lutheran Military Bishops and the Catholic Military Bishop, Dr. Franz-Josef Overbeck, that the work of the Chaplain Service was rightly held in such high esteem during the year under review. In 2014, well over 100 chaplains were on foreign deployments. They and all the military priests and staff of the Chaplain Service deserve gratitude and respect for their hard work.

30 Exemplary cases illustrating the Annual Report 2014

30.1 Leadership behaviour

30.1.1 Exemplary function of superiors

A petty officer 1st class on a deployment was rightly given a severe reprimand by his captain due to a contravention of the walking-out policy. Three weeks previously, however, the captain himself had failed to return on board until after the stipulated end of shore leave. The captain had therefore failed to fulfil the statutory requirement that he set an example in terms of his attitude and the performance of duties. This misconduct was only punished by the competent disciplinary superior with a severe reprimand as a result of a petition submitted to the Parliamentary Commissioner for the Armed Forces.

30.1.2 Incorrect exercise of disciplinary powers

A senior officer on a deployment abroad gave orders for his office to be cleaned by subordinates. The office was filthy with cigarette smoke, as well as toenail and fingernail cuttings. The Federal Ministry of Defence rightly regarded the order as unlawful and devoid of binding force because the superior was himself responsible for the state the room was in, partly because he had been smoking there against orders, and it was abnormally dirty. Following the conclusion of the disciplinary investigations, the competent disciplinary superior ruled in his decision not to impose a disciplinary measure that this was a disciplinary offence on account of the repeated contravention of the smoking ban, but – despite the unmistakable guidance the senior officer had previously received about compliance with the smoking ban in offices – refrained from imposing a simple disciplinary measure and instead made disapprobatory remarks to him. In the opinion of the Parliamentary Commissioner for the Armed Forces, it is not subordinates' job to clean up the mess caused by a senior officer's private habits. The soldier's special foreign assignment was ended prematurely due to the loss of trust and authority he had suffered.

30.1.3 Misconduct of superiors

A staff sergeant who was the second-in-command of his platoon made a sergeant complete a written essay, which had been rightly ordered by the platoon commander, in the corridor outside the platoon commander's office. In

doing so, the superior failed to pay attention to the fact that, as a rule, educational measures taken as a consequence of an error should not be applied in front of other soldiers and made public. Although the platoon commander realised the situation was understandably disagreeable for the petitioner, the sergeant had to finish writing the essay in the corridor, which was contrary to the current regulations. When he ruled a disciplinary offence had been committed, the competent disciplinary superior decided not to impose a disciplinary measure on the staff sergeant and gave him advice. The platoon commander was also given advice. This is insufficient because the sergeant's authority had been undermined.

30.1.4 Disregard of an exemption from duties ordered by a doctor

A first lieutenant made a serviceman who had been exempted from marching, physical education and field exercises because of a knee injury take part in predeployment conflict prevention and crisis management (CPCM) training without having consulted the company commander responsible for the implementation of the troop physician's recommendation. When this happened, the serviceman completed training segments that were not permitted under the exemption from duties ordered by the doctor and injured his knee again. The unit physician who was consulted exempted the serviceman from further participation in the CPCM training. After the original unit physician was consulted again, he recommended that the serviceman should be allowed to do no more than light indoor duties until his next doctor's appointment. The company commander failed to follow this medical recommendation as well. This proven misconduct was punished with a heavy disciplinary fine. In addition to this, deficiencies in the leadership of the company were also identified. For instance, the company staff sergeant was informed at all times about the serviceman's medical status, but not the company commander or his second-in-command.

30.1.5 Degrading treatment

The second-in-command of a battery and the battery staff sergeant attended a party for non-commissioned officers in the course of which, according to the petitioner, servicemen who were due to join the NCO corps had to pass various tests. Among other things, they had to consume food and drink that had been mixed together in a disgusting way. In addition to this, the petitioner was repeatedly the target of abusive jeering and insults because he had 'failed' various stages. Despite knowing about the petitioner's stomach problems, his superiors did not intervene. The competent disciplinary and complaints court reduced the battery second-in-command's pay for 15 months. The battery staff sergeant was debarred from promotion and had his pay reduced for twelve months. The competent criminal court stopped the criminal proceedings against the two servicemen due to the trivial nature of the offences.

30.1.6 Tone

A master sergeant described a soldier in his unit as, among other things, 'a pest', 'lazy' and 'stupid'. Furthermore, the serviceman asked a servicewoman who had been promoted to staff sergeant whether she had been promoted under the commander's table. What is remarkable is that this proven uncomradely behaviour was not subjected to disciplinary punishment, and the serviceman was merely given 'strong' advice. The same master sergeant was debarred from promotion and had his pay reduced for other reasons as part of judicial disciplinary proceedings that were conducted at approximately the same time.

30.1.7 Manners

Immediately after his retirement from the Federal Armed Forces, a reserve captain complained about the leadership behaviour of a sergeant major at his last agency. The petitioner had noticed misconduct on the part of the soldier towards his subordinates and had been approached by them about it. The commander tasked with reviewing the matter at divisional level testified that the senior non-commissioned officer did not 'have a grip' on his behaviour, and suffered from a 'compulsion to control others'. In addition to this, he viewed the sergeant major's leadership behaviour as 'manipulative', and 'despotic'. He had used tasteless remarks as an instrument of leadership. The general picture that was painted disqualified the soldier from having personnel entrusted to him in future. As a first consequence, the serviceman was removed from his previous tasks and was to be deployed in a different agency in future by mutual agreement. A proven disciplinary offence that was not yet time-barred under Section 17(2) of the Military Discipline Code was punished with a simple disciplinary measure. Early intervention might have resulted in the serviceman being persuaded to make the changes in his behaviour that were essentially required, and so prevented from committing further misconduct.

30.1.8 Formal commendation during ongoing disciplinary proceedings

A senior officer was given a formal commendation during ongoing disciplinary proceedings – contrary to the current regulations and without consultation with the disciplinary attorney's office. The disciplinary proceedings had been instituted because, according to witness statements, the senior officer had been attracting attention with massively inappropriate behaviour for a long period of time. Among other things, he was accused of having demanded that subordinate personnel call themselves 'worm crawling up itself' when they reported to him and were dismissed. On another occasion, according to witness statements, the senior officer is claimed to have called members of the NCO corps who were present 'poofs' several times. Furthermore, he is alleged to have told third parties that a servicewoman who had fallen sick was a 'stupid butcher's daughter who is taking it easy at the Federal Armed Forces' expense.' The disciplinary review of the accusations that have been mentioned and a large number of others has still not been completed. Following extensive and protracted investigations, a written charge that covers twelve individual points has been drawn up. The decision to grant the formal commendation prior to the conclusion of the proceedings is rightly regarded as an affront by the petitioners concerned.

30.2 Careless handling of weapons and ammunition

30.2.1 Disregard for regulations

A staff sergeant had himself issued with an MP7 submachine gun and ammunition for a weapons transport. After the weapons transport had been completed, the loaded weapon initially remained in the vehicle. It was found there later by a sergeant and stored in the arms room without any prior safety checks to ascertain whether the gun was loaded. A couple of days later, without any operational reasons for doing so, another staff sergeant picked up the MP7 in the arms room, pulled the breech back and pushed it forward again. Subsequently, the serviceman aimed at a window and pulled the trigger without further safety checks. The shot that was fired went through the window, damaged a grille and finally hit a third serviceman's private car. Disciplinary fines of varying levels were imposed on the personnel involved. In addition to this, the local court sentenced the serviceman who had fired the shot to a fine for reckless failure to follow orders. The competent divisional commander has expressed in clear terms his concern about the shortcomings in the handling of weapons and ammunition that are met with again and again.

30.2.2 Modification of weapons contrary to regulations

When a vehicle's weapons system was being unloaded at the unloading point in a country of deployment, 154 shots were unintentionally fired from a mounted machine gun. The cause for the discharge of the shots was identified as the attachment of a roughly 20-cm-long cord between the bolt assembly and the searchlight in contravention of regulations. This improvised 'modification' of the weapon followed a recommendation from the Bundeswehr United Nations Training Centre in Hammelburg. As a result, it would be possible to carry on firing the weapon uninterrupted if the recoil spring of the bolt assembly wore out. In this case, lifting the weapons system had pulled the cord so tight that the machine gun discharged. The use of the cord has now been forbidden. It was purely good fortune that neither injuries nor damage to property were suffered.

30.2.3 Thoughtless handling of weapons

A sergeant with a supply convoy initially placed an MP7 submachine gun on the bonnet of a Wolf four-wheel drive vehicle while he loaded material into the vehicle. The serviceman forgot the weapon, which then presumably slipped off the bonnet during the journey. He only noticed the weapon was missing after he had returned to barracks. When a search was carried out later, nothing but the weapon's sighting system could be found at the side of the road. The serviceman, who was otherwise regarded as highly reliable and conscientious, was given a suspended disciplinary fine of €1,500. This incident shows once again the sometimes thoughtless and casual way servicewomen and men handle firearms.

30.2.4 Incorrect approval and conduct of a live-fire exercise

A shooting accident occurred during a live-fire exercise on an advanced close protection training course. The task for the close protection personnel was to evacuate a protected person after an attack. During the evacuation, one last target popped up just before the shoot house was left. One serviceman shot three rounds of ammunition at this target from a G36 rifle at a range of approximately one and a half metres. As a result of this, a supervising officer was hit and suffered a shotgun wound. One round went through another officer's trouser leg without

injuring him. Both officers had previously left the shoot house, but – without realising this – still found themselves within the shooting exercise danger area on account of the changed exercise scenario. According to the investigations, the live-fire exercise should not have been approved and conducted as it had been. The inner and outer walls of the shoot house were not bulletproof, the danger area was not large enough and the shots were fired from considerably less than the minimum range to be complied with of ten metres. This example shows how important it is for live fire exercises to be prepared and conducted carefully.

30.3 Right-wing extremism

30.3.1 Dissemination of extreme right-wing ideas

A corporal who was a member of a WhatsApp group that consisted of numerous servicewomen and men, as well as civilians outside the Federal Armed Forces, disseminated an image with extreme right-wing content in the group's chat room. The image, a collage, purports to show a beer advert from the period of the Third Reich with unambiguous, extreme right-wing references to, among other things, the Nazis' racial legislation. In the foreground, a serviceman is depicted who has taken off his tunic, and sits in an armchair, drinking beer and smoking a pipe. In the background, four men can be seen hanging from a gallows. Over the whole scene is written in Gothic letters the heading 'Just letting things hang.' When investigations were conducted against the corporal, his private car was searched at the military facility and a home-burned CD found with various songs on it by a music group that is to be regarded as belonging to the extreme right-wing scene. A heavy disciplinary fine was imposed on the soldier in question. A short time later, he left the Federal Armed Forces on standard terms. In addition to this, the file was passed on to the public prosecutor's office.

30.3.2 Extreme right-wing comments

A military police station was informed by a police headquarters that a lance corporal had not complied with a restraining order issued by the police in front of a bar. Following verbal exchanges between the lance corporal, who had consumed a considerable amount of alcohol, the police officers who were attending the incident, the military police patrol who had been called to the scene and other persons in the vicinity, the serviceman bid them farewell with the words, 'I'm addicted to cocaine.' In addition to this, he raised his right arm in a 'Hitler salute' and shouted '*Heil Hitler*' audibly for everyone present. Furthermore, the police patrol informed the military police officers that when the serviceman had been searched in a bar the day before 0.8 grams of cocaine had been found in his purse. The lance corporal was summarily dismissed from the Federal Armed Forces.

30.4 Compatibility of family and service

30.4.1 Teleworking

A captain urgently needed an option for teleworking because his wife was severely disabled following a stroke and required comprehensive care. The serviceman's application to have his term of service reduced could not be approved. Nonetheless, it was possible to reconcile his official duties and the requirements of his family life by allowing him to telework. When his division was disbanded, however, the serviceman's post ceased to exist. He was transferred and deployed in a 'non-established post' at his new base. A 'non-established post' is a notional post to which a servicewoman or man is deployed as if it actually existed. Here, teleworking was not possible because the relevant directive ruled out teleworking in a 'non-established post' as a matter of principle. Seeking help, the serviceman contacted the Parliamentary Commissioner for the Armed Forces, who suggested the directive be amended. The directive in question has now been changed so that in future it will only be relevant whether the duties performed are suitable for teleworking. This arrangement is to be welcomed. It is also pleasing that the competent disciplinary superior found a transitional solution that was beneficial for the serviceman until the situation had been clarified.

30.4.2 Exemption from attendance at civic education course due to family duties

A staff sergeant was refused an exemption from attendance at a three-day civic education course. This meant he was denied the opportunity to accompany his two-year-old daughter when she had an operation on an inguinal hernia. Although the serviceman had not presented a medical note, he had used a comprehensive brochure given out by the hospital to explain that both parents had to be present, above all for the journey home. The serviceman was prepared to request leave. According to the relevant provisions, however, special leave ought to have been granted in this case. Air Force Operational Forces Command, which was responsible for the matter, made plain

its disapproval of the approach taken by the superior and expressed its regret. It was necessary to raise the awareness of the competent superior in the formation so that he would administer the requirements of the Leave Regulations with greater assurance, and this has been done in the mean time.

30.4.3 Family-friendly assignment planning

A petty officer 1st class with three children moved 700 kilometres with his family from his previous place of residence to a new base. He had been assured that, in order to qualify for his new duties, he would merely have to take a six-week refresher course to retain his pyrotechnician's licence. After he had moved house, however, the serviceman was then assigned to his old base for a full, 18-month training course. He rightly criticised what had happened and complained about the long periods of time for which he would be away from his family. It proved to be the case that there had been misunderstandings and failures of communication within the competent authorities when the serviceman was reemployed and assigned. The far-reaching consequences for the family were mitigated by rescheduling the training segments, which minimised the periods for which the serviceman would be absent and was therefore to be welcomed. However, more careful planning should have been done in advance.

30.5 Strains on families due to deployments abroad

30.5.1 Behavioural problems exhibited by a serviceman's child

A sergeant 1st class in Army Aviation wrote to the Parliamentary Commissioner for the Armed Forces with concerns about his son. His frequent absences on training courses and deployments abroad had resulted in the child displaying major behavioural problems. Medicines prescribed to stabilise the child sometimes had to be given at double the normal dose. This case illustrates once more the serious impacts of a heavy burden of operations.

30.5.2 Predictability of deployments abroad

A sergeant 1st class reported that, even six weeks before the beginning of his special foreign assignment with the 32nd German ISAF mission contingent, it was still not possible for him to be given any exact description of the post he would be taking up. He said the uncertainties this was creating had had negative impacts on both his whole predeployment training and his private plans. Even the inviolable time reserved for his family immediately before the deployment seemed to be in jeopardy. Investigations revealed the unpredictability of the situation had been caused by an unusual accumulation of absences on the part of competent superiors due to sickness or deployments. The personnel entrusted with standing in for them had not succeeded in arranging the plans satisfactorily. Against this background, it is to be criticised that the company commander too had neglected to request regular reports about the situation so he could ensure personnel were being cared for and take suitable action as necessary. It was at least possible for the serviceman's wish for more time with his family between his last predeployment training course and his redeployment to be met when the petition was dealt with.

30.6 Bullying, sexual harassment

30.6.1 Sexual harassment by superiors

One female petitioner complained she had been massively sexually harassed by a superior during a deployment abroad at the German camp in Kabul. A fellow servicewoman had told her about similar incidents with the same superior. The harassment had begun with sexually suggestive remarks, for example that the servicewoman 'could come to his room later.' A similar suggestive comment with a sexual background was made when he said that, 'the servicewoman should go for a shower' with him. The harassment eventually reached a head in physical attacks in which, for instance, she was hugged against her will and had her battle dress blouse ripped open. A fellow servicewoman had also reported suggestive remarks such as 'What big hooters you have,' and incidents in which he grabbed her breasts while saying something to the effect of 'I can't remember what they feel like, what are these things here?' This servicewoman too had had her battle dress blouse ripped open.

Although the petitioner had passed on the cases to her superiors while she was still in Kabul and the accused had been repatriated as a result, when she returned from the deployment she discovered that the accused was continuing to serve in her own unit. His presence meant she was constantly reminded of the incidents. On top of this,

it was suggested to her that she should transfer elsewhere. In consequence, she justifiably felt unfairly treated and humiliated.

Only after the Parliamentary Commissioner for the Armed Forces had contacted Army Headquarters to clarify the matter further were investigations started by the public prosecutor's office and judicial disciplinary proceedings instituted. Army Headquarters now also admitted that, under the 'perpetrator pays' principle, the accused superior should have been moved after the end of the deployment with a 'transfer to reduce tensions in the unit', and that the petitioner had generally been treated 'insensitively' in her parent unit. It is only possible to concur with this. However, behaviour of this kind is not merely insensitive, but extremely inappropriate.

30.6.2 Sexual harassment, superior's failure to investigate and inaction

A servicewoman reported she had been sexually harassed by a fellow soldier under the influence of alcohol after a company Christmas party. He had come into her room against her will, shut the door behind him, turned out the light, pestered her and tried to kiss her with the words, 'You want it too.' The servicewoman was able to escape from this situation. The company commander, who had been informed about the incident via the unit leader, initially did not carry out any investigations, but placated the petitioner by making the point that, 'nothing serious had happened because she had thrown him out anyway.' Only when the female petitioner made contact with the regimental leadership was the company commander instructed by it to conduct investigations. A disciplinary measure was imposed on the accused in the form of a disciplinary fine of €1,000. Previously, a disciplinary measure had already been imposed on him for a similar incident. Furthermore, it was rightly found that the company commander had committed a disciplinary offence by failing to act and subsequently delaying the action that was taken. Due to the amount of time that had passed since the offences were committed, more than six months, it was no longer possible for a simple disciplinary penalty to be imposed on the company commander. A grave disciplinary offence that could have been punished was not recognised as such. This example shows the great responsibility superiors bear and the ignominious consequences if this responsibility is not discharged.

30.7 Women in the Federal Armed Forces

30.7.1 Discriminatory behaviour by superiors

One servicewoman complained about the discriminatory behaviour of several superiors towards her. However, it was not possible to substantiate every one of the large number of incidents of discriminatory and humiliating comments and conduct that she raised. Nonetheless, certain accusations against a particular superior were well founded. For instance, this superior had thrown a bread roll at the female petitioner during a meeting because he had been annoyed that she was not paying attention. Apart from this, he had accused her of 'not being able to follow a conversation between a man and a woman.' He had therefore instructed a male sergeant to try to talk to her 'with his feminine manner' because communication 'from woman to woman' would work better. The claims made by the accused that he had merely wanted to support the female petitioner in the performance of her functions and had not intended to insult anyone had little credibility. Rather, his conduct was insulting, disparaging and degrading towards the two personnel under his command. Overall, his conduct ran counter to all the principles of leadership development and civic education, and breached a series of duties for superiors anchored in the Legal Status of Military Personnel Act, in particular the duty to display exemplary conduct. He was removed from his post. The judicial disciplinary proceedings instituted against him have not yet been concluded.

30.8 Reservists

30.8.1 Reimbursement of expenses for travel to reserve duty training, taxation of maintenance payments

A reserve lieutenant colonel in the Medical Corps complained that when he used a vehicle to travel to reserve duty training he was only reimbursed 20 cents per kilometre of the distance covered under the Federal Travel Expenses Act up to a maximum of €130. This sum was nowhere near enough to meet the costs incurred so that he was 'sponsoring' his journey to the base out of his 'private assets'.

Furthermore, he objected to the fact that maintenance payments – although already calculated on the basis of the reservist's net income and subject to an upper limit – were taxed under the exemption with progression rule. Outgoings that were incurred during reserve duty training, such as additional home leave journeys, travel expenses within the barracks or the costs of privately purchased items of equipment, were neither reimbursed by

the Federal Armed Forces nor recognised as work-related expenses by the tax office. This was demoralising for reservists.

The review found that the department with lead responsibility for this issue – the Federal Ministry of the Interior – had no plans to top up the basic rate from 20 cents per kilometre of the distance travelled due to the additional costs this would cause. Nonetheless, account is to be taken of the generally rising costs of running a vehicle and the mileage allowance raised from the current €130 to a maximum of €150 in future. The ministries concerned are under an onus to arrive at an arrangement that prevents losses of income and reimburse actual expenditure. With regard to the questions raised by the petitioner about the exemption with progression rule applied to benefits under the Conscripts and Dependents Maintenance Act, and the recognition of additional travel expenses and privately purchased items of equipment as work-related expenses, the Federal Ministry of Defence stated that several discussions with the Federal Ministry of Finance had failed to settle the matter so far. The Federal Ministry of Finance is urged not to stand in the way of a solution that is favourable to reservists.

30.9 Voluntary military service

30.9.1 Option for military service volunteers to become reserve officers

Two military service volunteers who had already served for long periods sought reenlistment as temporary-career volunteers for the purpose of gaining acceptance onto a reserve officer's career path. They objected to the fact that they had been rejected for reenlistment on these terms because they had served for too long previously and it would now no longer be possible for them to be approved for the reserve officer's career path. They had been given different advice both at the Federal Armed Forces Leadership Personnel Assessment Centre in Cologne and in their units. In so far as this was the case, they felt disadvantaged in comparison to applicants who had submitted their applications for acceptance onto the reserve officer's career path at the beginning of their military service.

The review of the matter found that Army Headquarters had issued a relevant order on personnel management at Army Training Command, according to which the cumulative period of prior service in such a case was supposed to be a maximum of twelve months and applicants with longer terms of service were therefore to be rejected.

Regardless of the current orders, when the petitions were processed Army Headquarters gave a one-off, exceptional authorisation on the basis of an *ad hoc* examination of the matter in one case, so that the male military service volunteer was able to join the career path as a reserve officer he wished to pursue after all. In the other case, the servicewoman's term of service had already expired.

However, Army Headquarters declared its intention to make the rules on time restrictions more flexible when it issued its 2015 Personnel Management Order, which meant that, although they had already served for long periods, this servicewoman and others too would have had the option to apply for admission to the training to become a reserve officer as of 1 July 2015. This is to be welcomed as a meaningful personnel development measure because the current arrangements have led to the Federal Armed Forces losing suitable applicants in the past. Furthermore, it will also help to increase the attractiveness of voluntary service.

30.10 Personnel matters

30.10.1 Delays in indemnification

In a case that goes back to the beginning of 2011, a servicewoman complained that she had been incorrectly advised when she was recruited in 2008 and had suffered disadvantages both under the law governing career paths and from a financial perspective. Since there had evidently been an option to appoint her at a higher rank – sergeant –, the Federal Ministry of Defence stated in April 2012 that indemnification would be examined for the petitioner. In March 2013, what was then the Bundeswehr Enlisted Personnel Office came to the conclusion that such indemnification was to be rejected because the petitioner's civilian job could not have been taken into consideration when she was recruited. In August 2013, the Federal Ministry of Defence, which had been asked once again to clarify the matter by the Parliamentary Commissioner for the Armed Forces, announced that the Federal Office of Bundeswehr Personnel Management would arrange the petitioner's indemnification through the Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services (BAIUD). BAIUD finally assessed the petitioner's indemnification and ordered the corresponding retrospective payment of earnings in October 2014, almost four years after the matter was first raised.

30.10.2 Discrepancies in the selection process for career soldiers

Like numerous other servicewomen and men, a 30-year-old petty officer 2nd class was unable to participate in the selection process for acceptance into service as a career soldier in 2013 because the selection process for that year had been deferred on account of a judgement handed down by the Federal Administrative Court. Furthermore, his personnel management section informed him he could no longer take part in the 2014 selection process because his term of service would be ending on 31 March 2014 but, as a matter of principle, he could make an application for the extension of his term of service because there was demand for personnel. However, the application submitted in response to this by the serviceman for his term of service to be extended by three months, which was intended to enable him to participate in the selection process for acceptance into service as a career soldier in 2014, was rejected by the personnel management section. In its statement of grounds, it explained that, although the services would have an interest in his reenlistment for a further three years due to the structural demand for personnel in his assignment series, reenlistment for three months in order to take part in the selection process to become a career soldier was not possible. Even though the deferment of the 2013 selection process was not to be blamed on the applicant, it could not be concluded from this that there was any obligation to enable him to take part in a selection process once again.

Evidently, the Navy serviceman, who had been discharged by this point, had spent almost seven years at sea and had got to know the Federal Armed Forces from various perspectives on account of two career path changes, also had good chances of being successful in a selection process, in the opinion of the authorities. Thanks to the rule that had been adopted, he has been lost to the forces. Even though there is no entitlement to participate in a selection process for acceptance into service as a career soldier, this case shows that the Federal Armed Forces have been failing to exploit opportunities by sticking to rigid rules and are not doing justice to their aspiration to be an attractive employer.

30.10.3 Dubious rejection of application for reduction in term of service

A sergeant who had been enlisted as a temporary-career volunteer for eight years applied to have his term of service reduced to six years and five months because he had an opportunity to take up a permanent job with a major automotive company. There would be four months between the new term of service he was seeking and the beginning of his entitlement to vocational advancement service. It had already been decided who was to succeed him in his post. He backed up his application by pointing to the difficulties military personnel faced getting a toehold in civilian working life after their time in the Federal Armed Forces and the short period until his successor would take over his role. His disciplinary superior showed understanding for the petitioner and supported his application because a successor had already been assigned to the post. By contrast, the Federal Office of Bundeswehr Personnel Management rejected the application on the grounds that personnel were needed in the petitioner's speciality and assignment series, and it would not be possible to fill the vacancy that his premature retirement would create.

Here, as in other isolated cases, a solution beneficial to the serviceman ought to have been sought.

30.10.4 Repetition of candidate staff sergeant/NCO training course on reenlistment

After five years in a civilian job, a soldier returned to the Federal Armed Forces at the beginning of 2014 as a reemployed serviceman with the rank of sergeant 1st class. In a petition to the Parliamentary Commissioner for the Armed Forces, he gave expression to his dissatisfaction and bemusement that, after his reenlistment, he was having to attend all three segments of the candidate staff sergeant/NCO training course even though he had previously completed his training to become a staff sergeant. The agencies asked to comment on the matter described the petitioner's statement as accurate and his dissatisfaction as comprehensible. At the same time, it was emphasised that the action taken by the authorities involved was in line with the current instructions. However, it was admitted that the case revealed a need for action with regard to reenlisted servicewomen and men with relevant previous qualifications. Accordingly, the instructions are to be amended so that superfluous and demoralising repetitions of training courses and examinations for reemployed personnel will be avoided in future.

30.11 Time off *in lieu*

30.11.1 Time off *in lieu* during tightly scheduled reserve service

A reservist was refused compensation in the form of financial remuneration for time off *in lieu* owed for overtime he had done. The reason given for this was that, due to the precedence given to time off *in lieu*, financial compensation was only permissible if at least one day a month was compensated for with time off *in lieu*. It was explained this had not been possible due to the shortness and tight scheduling of his reserve service. The Federal Ministry of Defence was asked to comment and stated clearly that the purpose of the Directive on Overtime Compensation was to compensate servicewomen and men for the overtime they frequently work with time off *in lieu*. This was to be granted for at least one day a month, which also applied for reservists. It was the task of the superior at each level to ensure a caring approach was taken to time management and routine duties were scheduled sensibly. Where applicable, the fundamentals of an organisational element's organisation were to be interrogated if staffing levels were permanently insufficient for it to perform its functions. Safeguarding servicewomen and men's health was to be given greater weight than the dictates of moneysaving and economic efficiency. Since time off *in lieu* could not be granted retroactively, the Federal Ministry of Defence decided exceptionally to pay financial compensation retrospectively in this case. This decision and the unambiguous clarification of the situation by the Ministry concerning the handling of time off *in lieu* were expressly welcomed.

30.12 Pay and allowances

30.12.1 Lower pay despite promotion

One petitioner complained that his net pay had gone down by €6.96 a month following his promotion from specialist to lance corporal. The background to this financial loss is the value placed on the communal living quarters in which single enlisted servicewomen and men are obliged to live. According to the information provided by the Federal Ministry of the Interior when it was asked to comment on the matter, the loss would only be short-lived and would be made up when the serviceman rose to a higher level of basic pay. Irrespective of this, the current legal situation, which affects numerous servicewomen and men, is unsatisfactory. The incomprehension felt by those who receive less pay after they are promoted is understandable. The legal situation must be reviewed.

30.12.2 Tropical allowance on assignment to Sheppard, USA

Servicewomen and men who are stationed in Sheppard do not receive what is known as the tropical allowance, although there are dangers from mosquitoes there that have been confirmed by the US administration, and cases of West Nile Virus have occurred. This allowance is an arrangement under which the assignment of service personnel to countries in which they are exposed to health-damaging climatic influences can be taken into consideration by multiplying the pensionable employment period for which they earn entitlements by a factor of up to two. When it examined the facts of the matter, the Federal Ministry of Defence made the point that the doubling of the pensionable employment period was exclusively justified by 'health-damaging climatic influences'. Other factors, such as a higher risk of particular infectious diseases, could not be taken into consideration. This is inexplicable. Given the Federal Armed Forces' responsibility to care for their employees, it should be weighed up whether the present danger of an infectious disease or potential disease vectors, such as mosquitos, might not qualify as indirect consequences of health-damaging climatic influences and be taken into account in a discretionary decision.

Hellmut Königshaus

Parliamentary Commissioner for the
Armed Forces

31 Annexes

31.1 Statutory foundations of the office and tasks of the Parliamentary Commissioner for the Armed Forces and of service personnel's right of petition

Excerpt from the Basic Law for the Federal Republic of Germany of 23 May 1949 (*Federal Law Gazette I*, p. 1), most recently amended by the Act of 11 July 2012 (*Federal Law Gazette I*, p. 1478)

Article 17

Right of petition

Every person shall have the right individually or jointly with others to address written requests or complaints to competent authorities and to the legislature.

Article 17a

Restriction of basic rights in specific instances

(1) Laws regarding military and alternative service may provide that the basic right of members of the Armed Forces and of alternative service freely to express and disseminate their opinions in speech, writing and pictures (first clause of paragraph (1) of Article 5), the basic right of assembly (Article 8), and the right of petition (Article 17) insofar as it permits the submission of requests or complaints jointly with others, be restricted during their period of military or alternative service.

(2) Laws regarding defence, including protection of the civilian population, may provide for restriction of the basic rights of freedom of movement (Article 11) and inviolability of the home (Article 13).

Article 45b

Parliamentary Commissioner for the Armed Forces

A Parliamentary Commissioner for the Armed Forces shall be appointed to safeguard basic rights and to assist the Bundestag in exercising parliamentary oversight over the Armed Forces. Details shall be regulated by a federal law.

Act on the Parliamentary Commissioner for the Armed Forces

(Act pursuant to Article 45b of the Basic Law – WBeauftrG)

in the version of the Announcement of 16 June 1982 (*Federal Law Gazette I*, p. 677), most recently amended by Article 15(68) of the Act to Restructure Civil Service Law of 5 February 2009 (*Federal Law Gazette I*, p. 160)

Section 1

Constitutional Status; Tasks

(1) In the exercise of parliamentary oversight, the Commissioner shall perform his or her duties as an auxiliary organ of the Bundestag.

(2) The Commissioner shall investigate specific matters upon instructions from the Bundestag or the Defence Committee. Instructions can only be issued if the Defence Committee does not make the matter a subject of its own deliberations. The Commissioner may request that the Defence Committee issue instructions to investigate specific matters.

(3) The Commissioner shall, on his or her own initiative and at his or her due discretion, take action when, in the exercise of his or her right pursuant to Section 3(4), through information received from Members of the Bundestag, through petitions pursuant to Section 7 or in any other way, circumstances come to his or her attention that suggest a violation of the basic rights of service personnel or of the principles of leadership development and civic education. The Commissioner shall not take action under the first sentence of this paragraph if the Defence Committee has made the matter the subject of its own deliberations.

Section 2

Reporting Duties

- (1) The Commissioner shall submit to the Bundestag a written overall report for the calendar year (Annual Report).
- (2) He or she may, at any time, submit individual reports to the Bundestag or the Defence Committee.
- (3) When the Commissioner acts upon instructions, he or she shall, upon request, submit an individual report on the results of his or her investigation.

Section 3

Official Powers

In performing the tasks assigned to him or her, the Commissioner shall have the following powers:

1. He or she may demand information and access to records from the Federal Minister of Defence and all the Minister's subordinate agencies and personnel. These rights can only be denied to him or her when this is required for compelling reasons of secrecy. The decision to deny these rights shall be taken by the Federal Minister of Defence personally or his or her permanent official deputy; the Federal Minister of Defence shall state the reasons for any such decision before the Defence Committee. On the basis of instructions pursuant to Section 1(2) and in the case of a petition based on a complaint by the petitioner, the Commissioner shall have the right to hear the petitioner as well as witnesses and experts. These persons shall be reimbursed pursuant to the Judicial Remuneration and Compensation Act.
2. He or she may give the agencies concerned the opportunity to settle a matter.
3. He or she may refer a matter to the authority competent for the institution of criminal or disciplinary proceedings.
4. He or she may, at any time, visit any units, headquarters, agencies and authorities of the Federal Armed Forces and their installations even without prior announcement. This right shall be vested exclusively in the person of the Commissioner. The second and third sentences of paragraph (1) of this section shall apply *mutatis mutandis*.
5. He or she may request both summary reports from the Federal Minister of Defence on the exercise of disciplinary power in the armed forces and statistical reports from the competent federal and Land authorities on the administration of criminal justice whenever the armed forces or their service personnel are affected.
6. In the case of criminal or disciplinary proceedings, he or she may attend court proceedings even when the public is excluded. He or she shall be given access to records to the same extent as the public prosecutor or the representative of the initiating authority. The right pursuant to the first sentence of this paragraph shall also apply in matters of request and complaint proceedings under the Military Discipline Code and the Military Complaints Regulations before courts that have jurisdiction over military disciplinary offences and in proceedings before administrative courts that relate to his or her area of responsibility; in such proceedings, he or she shall have the same right of access to records as a party to the proceedings.

Section 4

Administrative Assistance

Courts and administrative authorities of the Federation, the Länder and the municipalities shall be obliged to render the Commissioner administrative assistance in the conduct of necessary investigations.

Section 5

General Guidelines; Exemption from Instructions

- (1) The Bundestag and the Defence Committee may issue general guidelines for the work of the Commissioner.
- (2) Notwithstanding Section 1(2), the Commissioner shall not be subject to instructions.

Section 6

Obligation of Presence

The Bundestag and the Defence Committee may at any time demand the presence of the Commissioner.

Section 7

Service Personnel's Right of Petition

Every member of the armed forces shall have the right to contact the Commissioner directly without going through official channels. He or she shall not be disciplined or discriminated against because of his or her petition to the Commissioner.

Section 8

Anonymous Petitions

Anonymous petitions shall not be dealt with.

Section 9

Confidentiality of Petitions

Where the Commissioner takes action in response to a petition, it shall be left to his or her discretion to disclose the fact of a petition and the name of the petitioner. He or she shall refrain from their disclosure if the petitioner so wishes and compliance with this wish is not barred by legal duties.

Section 10

Obligation of Secrecy

(1) The Commissioner is obliged, even once his or her term of office has ended, to maintain secrecy regarding matters that have come to his or her official knowledge. This does not apply to official communications or to matters that are known to the general public or that do not require secrecy in view of the level of importance accorded to them.

(2) The Commissioner shall not, even once his or her term of office has ended, give any evidence on such matters before a court or out of court, or make statements without permission. This permission shall be given by the President of the Bundestag in agreement with the Defence Committee.

(3) Permission to give evidence as a witness shall not be denied unless it would be to the detriment of the public good of the Federation or of one of the German Länder, or it would severely jeopardise or considerably impede the performance of public duties.

(4) This shall not affect the statutory obligation to report criminal offences and to advocate the preservation of the free democratic basic order where it is jeopardised.

Section 11

(repealed)

Section 12

Obligation of Federal and Land Authorities to Inform the Commissioner

The judicial and administrative authorities of the Federation and the Länder shall be obliged to inform the Commissioner about the institution of proceedings, the preferment of a public charge, any investigations ordered in disciplinary proceedings and the outcome of such proceedings, when the matter has been referred to one of these authorities by the Commissioner.

Section 13

Election of the Commissioner

The Bundestag shall elect the Commissioner by secret ballot with a majority of its Members. Candidates may be put forward by the Defence Committee, by the parliamentary groups and by as many Members of the Bundestag as are required for the formation of a parliamentary group pursuant to the Rules of Procedure. No debate shall take place.

Section 14

Eligibility; Term of Office; Ban on Practice of Another Profession; Oath; Exemption from Military Service

- (1) Every German who is entitled to be elected to the Bundestag and has attained the age of 35 shall be eligible for the office of Commissioner.
- (2) The term of office of the Commissioner shall be five years. Reelection shall be admissible.
- (3) The Commissioner may not hold any other salaried office, engage in any trade, practise any profession, belong to the management or the supervisory board of any enterprise carried on for profit, or be a member of a government or a legislative body of the Federation or a Land.
- (4) On assuming office, the Commissioner shall take the oath of office provided for in Article 56 of the Basic Law before the Bundestag.
- (5) For the duration of his or her term of office, the Commissioner shall be exempt from military service.

Section 15

Legal Status of the Commissioner; Beginning and End of Term of Office

- (1) Pursuant to the provisions of this Act, the Commissioner holds an office under public law. The President of the Bundestag shall appoint the person elected.
- (2) The Commissioner's term of office shall begin when his or her letter of appointment is handed over or, should the oath be taken at an earlier date (Section 14(4)), at the time when the oath is taken.
- (3) The Commissioner's term of office shall end, apart from the termination of his or her tenure pursuant to Section 14(2) or through death,
 1. upon his or her dismissal,
 2. upon his or her resignation.
- (4) Upon the request of the Defence Committee, the Bundestag may instruct its President to dismiss the Commissioner. This decision shall require the approval of the majority of the Members of the Bundestag.
- (5) The Commissioner may resign at any time. The President of the Bundestag shall announce the resignation.

Section 16

Seat of the Commissioner; Chief Administrator; Staff; Budget

- (1) The seat of the Commissioner shall be attached to the Bundestag.
- (2) The Commissioner shall be supported by a Chief Administrator. Additional personnel shall assist the Commissioner in the execution of his or her duties. The civil servants attached to the Commissioner shall be civil servants of the Bundestag pursuant to Section 176 of the Act on Federal Civil Servants of 3 January 1977 (*Federal Law Gazette I*, pp. 1, 795, 842), most recently amended by Section 27 of the Act of 26 June 1981 (*Federal Law Gazette I*, p. 553). The Commissioner shall be the superior of the personnel assigned to him or her.
- (3) The necessary personnel and equipment made available to the Commissioner for the performance of his or her functions shall be detailed in a separate section of the Bundestag budget.

Section 17

Representation of the Commissioner

- (1) If the Commissioner is prevented from performing his or her functions, and from the end of his or her term of office to the beginning of the term of office of his or her successor, the Chief Administrator shall exercise the rights of the Commissioner except for the right pursuant to Section 3(4). Section 5(2) shall apply *mutatis mutandis*.
- (2) If the Commissioner is prevented from exercising his or her office for more than three months, or when more than three months have elapsed after the end of the Commissioner's term of office without the term of office of a successor having commenced, the Defence Committee may authorise the Chief Administrator to exercise the right pursuant to Section 3(4).

Section 18

Official Emoluments; Other Payments

(1) From the beginning of the calendar month in which he or she takes office to the end of the calendar month in which his or her term of office ends, the Commissioner shall be paid official emoluments. Section 11(1)(a) and (b) of the Federal Ministers Act shall apply *mutatis mutandis* with the proviso that the Commissioner's salary and local allowance shall be 75 per cent of the salary and local allowance of a federal minister. The emoluments shall be paid monthly in advance.

(2) In all other respects, Section 11(2) and (4) and Sections 13 to 20 and 21a of the Federal Ministers Act shall apply *mutatis mutandis* with the proviso that, instead of a two-year term of office (Section 15(1) of the Federal Ministers Act), a five-year term of office shall apply. The first sentence of this paragraph shall apply *mutatis mutandis* to a career soldier or temporary-career volunteer who has been appointed Commissioner with the proviso that, in the case of temporary-career volunteers where Section 18(2) of the Federal Ministers Act applies, the date of retirement shall be replaced by the termination of service.

(3) The provisions of the Federal Travel Expenses Act as published in the Notification of 13 November 1973 (*Federal Law Gazette I*, p. 1621), most recently amended by the Ordinance of 31 May 1979 (*Federal Law Gazette I*, p. 618), regarding the highest travel expense category, and the provisions of the Federal Removal Expenses Act in the version of 13 November 1973 (*Federal Law Gazette I*, p. 1628), most recently amended by Article VII of the Act of 20 December 1974 (*Federal Law Gazette I*, p. 3716), regarding removals necessary as a result of appointment or termination of office, shall apply *mutatis mutandis*.

Section 19

(repealed)

Section 20

(Entry into Force)

Excerpt from the Rules of Procedure**Of the German Bundestag in the version of the****Announcement of 2 July 1980 (*Federal Law Gazette I*, p. 1237),****most recently amended by the Announcement of 23 April 2014 (*Federal Law Gazette I*, p. 534)**

Rule 113

Election of the Parliamentary Commissioner for the Armed Forces

The Parliamentary Commissioner for the Armed Forces shall be elected by secret ballot (Rule 49).

Rule 114

Reports of the Parliamentary Commissioner for the Armed Forces

(1) The President shall refer the reports of the Parliamentary Commissioner for the Armed Forces to the Defence Committee unless a parliamentary group or five per cent of the Members of the Bundestag demand that they be placed on the agenda.

(2) The Defence Committee shall report to the Bundestag.

Rule 115

Debates on reports of the Parliamentary Commissioner for the Armed Forces

(1) The President shall grant leave to speak to the Parliamentary Commissioner for the Armed Forces in the debate on reports submitted by the Commissioner if a parliamentary group so demands or five per cent of the Members of the Bundestag, who shall be present, so demand.

(2) Upon the demand of a parliamentary group or the demand of five per cent of the Members of the Bundestag, who shall be present, the Parliamentary Commissioner for the Armed Forces shall be summoned to attend sittings of the Bundestag; paragraph (1) shall apply *mutatis mutandis*.

Procedural principles**for cooperation between the Petitions Committee and the****Parliamentary Commissioner for the Armed Forces**

1. The Petitions Committee shall notify the Parliamentary Commissioner for the Armed Forces of a petition if it relates to service personnel of the Bundeswehr. The Parliamentary Commissioner for the Armed Forces shall inform the Petitions Committee whether he or she has opened a case file in the same matter and whether he or she will be taking action.
2. The Parliamentary Commissioner for the Armed Forces shall notify the Petitions Committee of a case if the Petitions Committee has recognisably received a petition in the same matter.
3. If the Petitions Committee and the Parliamentary Commissioner for the Armed Forces both deal with the same matter, the case shall generally first be processed by the Parliamentary Commissioner for the Armed Forces. If the Petitions Committee takes action, it shall notify the Parliamentary Commissioner for the Armed Forces of such. The Parliamentary Commissioner for the Armed Forces and the Petitions Committee shall regularly notify each other in writing of the progress of processing and its outcome.

31.2 Central Service Regulation A-2600/2 – Matters concerning the Parliamentary Commissioner for the Armed Forces

Purpose of the legal instrument:	Processing of petitions and matters concerning the Parliamentary Commissioner for the Armed Forces, legal provisions, procedural rules and powers.
Issued by:	Federal Ministry of Defence (BMVg)
Interest groups consulted:	General Spokespersons' Committee (GVPA)
Approved by:	State Secretary, Directorate-General for Planning (Plg), Directorate-General for Forces Policy (FüSK), Directorate-General for Strategy and Operations (SE), and Directorate-General for Equipment, Information Technology and In-Service Support (AIN)
Issuing authority:	Division FüSK II 3
Scope:	Jurisdiction of the Federal Ministry of Defence (BMVg)
Classification:	Unclassified
Operational relevance:	Yes
Reporting duties	No
Valid as of:	21 August 2014
Review by date:	31 July 2019
Version:	1
Replaces/revokes:	Central Directive B-2600/2 Processing of Matters concerning the Parliamentary Commissioner for the Armed Forces of 5 May 2014
File reference number:	39-20-01
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1 Principles

1.1 Constitutional position of the Parliamentary Commissioner for the Armed Forces

The Parliamentary Commissioner for the Armed Forces is appointed by the German Bundestag to safeguard basic rights and act as an auxiliary organ of the Bundestag in the exercise of parliamentary oversight. The details are regulated in the Act on the Parliamentary Commissioner for the Armed Forces (Act pursuant to Article 45b of the Basic Law) in the version of the Announcement of 16 June 1982 (*Federal Law Gazette I*, p. 677), most recently amended by Article 15(68) of the Act to Restructure Civil Service Law of 5 February 2009 (*Federal Law Gazette I*, p. 160).

2 Tasks and powers of the Parliamentary Commissioner for the Armed Forces

2.1 Tasks

201. The Parliamentary Commissioner for the Armed Forces shall take action

- upon instructions from the Bundestag or the Defence Committee to examine certain matters,
- on her or his own initiative and at her or his due discretion if matters come to her or his attention that suggest a violation of the basic rights of service personnel or of the principles of leadership development and civic education
 - as a result of her or his visits pursuant to Section 3(4) of the Act on the Parliamentary Commissioner for the Armed Forces (WBeauftrG),
 - as a result of communications from Members of the German Bundestag,
 - as a result of petitions pursuant to Section 7 of the Act on the Parliamentary Commissioner for the Armed Forces or
 - in any other way.

2.2 Powers

202. In performing the tasks assigned to her or him, the Parliamentary Commissioner for the Armed Forces shall have the following powers:

She or he may demand information and access to records from the Federal Minister of Defence and all the Minister's subordinate agencies and personnel. These rights may only be denied for compelling reasons of secrecy. The decision to deny these rights shall be taken by the Federal Minister of Defence.

203. If instructed by the German Bundestag or the Defence Committee and in response to a petition that is based on a complaint from the petitioner, she or he may hear the petitioner as well as witnesses and experts.
204. She or he shall have the right to visit units, headquarters, agencies and authorities of the Federal Armed Forces and their installations at any time, even without prior notice. The right to make such visits shall be vested exclusively in the person of the Parliamentary Commissioner for the Armed Forces. This right shall also be held by the Chief Administrator if she or he is authorised to do so by the Defence Committee. The exercise of this right may only be denied for compelling reasons of secrecy. To this end, the decision of the Federal Minister of Defence is to be obtained immediately through Division FüSK II 3).
205. She or he may also attend closed sessions of criminal courts or administrative courts that are concerned with her or his area of jurisdiction, and military service courts. In such proceedings, she or he shall have the same right of access to records as the parties to the proceedings.
206. She or he may give the authorities concerned an opportunity to settle the matter.
207. She or he may refer a matter to the authority responsible for the institution of criminal or disciplinary proceedings.
208. With the exception of the right to make unannounced visits pursuant to paragraph 204, the powers of the Parliamentary Commissioner for the Armed Forces may be exercised by her or his staff. Fact-finding visits by her or his staff shall be announced in advance.

3 Procedural arrangements

3.1 General remarks

Matters concerning the Parliamentary Commissioner for the Armed Forces shall be dealt with as matters of urgency. Should an extended period of time be required to deal with such matters, the Parliamentary Commissioner for the Armed Forces shall be informed of the progress made at appropriate intervals by the agency that has to comment on the matter.

Should doubts arise as to whether compelling reasons of secrecy demand the denial of a request when the Parliamentary Commissioner for the Armed Forces requests information or access to records, or during a visit, a decision of the Federal Minister of Defence is to be obtained immediately through Division FüSK II 3. The Parliamentary Commissioner for the Armed Forces shall be informed of the decision reached.

3.2 Processing

The following arrangements shall apply for the processing of requests submitted by the Parliamentary Commissioner for the Armed Forces:

302. If the Parliamentary Commissioner for the Armed Forces has written personally to members of the Federal Armed Forces, the individual to whom the letter has been addressed shall reply. If the Commissioner has written to an agency, the head of the agency shall reply. As a matter of principle, final comments shall be signed by the agency management.
303. Investigations that are required shall be conducted by the disciplinary superior competent to do so in each case. Any deficiencies identified shall be remedied. The same shall apply if an agency of the Federal Armed Forces is tasked by the Federal Ministry of Defence with answering a request from the Parliamentary Commissioner for the Armed Forces.
304. The processing of matters concerning the Parliamentary Commissioner for the Armed Forces within the Federal Ministry of Defence shall be guided by the relevant provisions of the Supplementary Rules of Procedure of the Federal Ministry of Defence (GO-BMVg).
305. Should higher superiors be asked to comment, they shall arrange for the facts of the matter to be reviewed and shall convey the results of the investigation, together with their own comments, to the Parliamentary Commissioner for the Armed Forces.
306. Should agencies subordinate to the Federal Ministry of Defence be immediately concerned with cases raised by the Parliamentary Commissioner for the Armed Forces, i.e. without the involvement of the Ministry, the Central Service Regulation ‘Cooperation of the Federal Ministry of Defence with its Subordinate Agencies’ (A-500/1) shall apply as a matter of principle. With regard to cases with significance for the management of the Federal Ministry of Defence, the relevant specialist authority within the BMVg is

to be notified for information only. In cases of outstanding fundamental or strategic significance, the authority within the Ministry responsible for this specialist area is to be notified through official channels prior to the dispatch of the comments. Division FüSK II 3 is to be notified for information only in both cases.

307. Comments from agencies of the Federal Armed Forces that have been submitted following requests from the Parliamentary Commissioner for the Armed Forces made in response to reports pursuant to Joint Service Regulation 10/13, ‘Special Incidents’, in the cases specified below or in response to petitions, shall be forwarded immediately to Division FüSK II 3, with the main case files that have been compiled, following their dispatch via the Leadership Development and Civic Education Centre, Internal and Social Affairs Unit. This applies to
- petitions or reports concerning suspicions of ‘criminal acts under the Military Criminal Code’ pursuant to Annex 6/1 (0601 – 0606) and Annex 7/1 (0701 – 0703),
 - petitions or reports concerning ‘suspicions of offences against sexual self-determination’ (Annex 8/1; 0801),
 - petitions or reports concerning ‘suspicions of crimes against peace, high treason and jeopardising the democratic state under the rule of law’ (Annex 9/1; 0901), ‘activities directed against the liberal democratic basic order by servicemen and women’ and ‘disruption of the community of the services due to activities for the benefit/to the detriment of a particular political movement by servicemen and women’ (Annex 15/1; 1501, 1502).
308. In addition to this, all comments submitted by agencies of the Federal Armed Forces are to be forwarded on request, with the main case files that have been compiled, to the Federal Ministry of Defence following their dispatch through official channels if the matter is to be assigned political or public/media significance, or judicial disciplinary proceedings or criminal proceedings have been instituted in the case in question or their institution is to be expected.
309. In so far as servicewomen or men release the doctors who have treated them or medical assessors from the duty of medical confidentiality in connection with their petitions to the Parliamentary Commissioner for the Armed Forces, this shall, in case of doubt, relate exclusively to comments made directly to the Commissioner.
- Copies of these comments and annexes attached to them that are to be forwarded to other agencies – including the Federal Ministry of Defence – through official channels must not contain any facts or assessments that are subject to medical confidentiality.
310. Comments addressed to the Parliamentary Commissioner for the Armed Forces shall, where applicable, be drafted in such a way that statements subject to medical confidentiality are summarised in a separate annex and shall be conveyed only to the Commissioner directly together with the original copy of the letter.
311. With regard to petitions, their contents and the comments on them, all concerned shall also have a duty to observe confidentiality in their dealings with one another pursuant to the provisions of the relevant legislation or collective agreements (e.g. Section 14 of the Legal Status of Military Personnel Act, Section 67 of the Federal Civil Service Act, Section 37 of the Act on the Status of Civil Servants and Section 3(1) of the Collective Agreement for the Public Service), in so far as they do not concern the immediate processing of the petition.
312. It shall only be permissible to evaluate the case to examine whether advice should be issued following the conclusion of the proceedings. The names of the individuals concerned may not be published when this is done.
- In particular, when servicewomen and men or witnesses are interviewed, they shall only be given knowledge of the part of a petition that relates to themselves or concerning which they are being interviewed.
313. As a matter of principle, proceedings shall only be concluded by a letter from the Parliamentary Commissioner for the Armed Forces. Should the Commissioner give notification of the conclusion of proceedings, this is to be made known to the agencies involved and the individuals affected by the petition along with its result.
314. Petitions that the Parliamentary Commissioner for the Armed Forces forwards to agencies of the Federal Armed Forces for their comments may only be dealt with as complaints under the Military Complaints

Regulations (WBO) when construing them in this fashion is consistent with the express will of the petitioner.

3.3 Hearings

315. Should the Parliamentary Commissioner for the Armed Forces exercise her or his rights to information and access to records (paragraph 202), this is to be supported in every respect. In so far as this is required for a hearing, administrative or special leave shall be granted pursuant to Section 9 of the Leave Regulations for Military Personnel (SUV) in conjunction with paragraph 72 of the Implementing Provisions to the SUV (ZDv 14/5 F 511).
316. In so far as matters are to be dealt with at a hearing that are subject to mandatory confidentiality, persons to be heard may give evidence on matters up to the classification level ‘restricted’ (VS-NfD). In the case of matters with a higher security classification, the person to be heard shall have to obtain permission to give evidence through the competent disciplinary superior. Should the persons to be heard be employees, the regulations set out in civil service law are to be applied accordingly.
317. Should the competent disciplinary superiors not be able to grant permission, they shall obtain a decision from their superiors. The right to refuse permission shall remain reserved to Division FÜSK II 3.
318. The persons heard shall be reimbursed in accordance with the Judicial Remuneration and Compensation Act of 5 May 2004 (*Federal Law Gazette I*, pp. 718, 776), most recently amended by Article 13 of the Act of 5 December 2012 (*Federal Law Gazette I*, p. 2418). This shall be done upon application by the Office of the Parliamentary Commissioner for the Armed Forces.

3.4 Processing of requests when a complaint has been made concurrently

319. Should a complaint have been submitted under the Military Complaints Regulations (WBO), including a disciplinary complaint under Section 42 of the Military Discipline Code (WDO), and should action be taken in response to a petition on the same matter, the Parliamentary Commissioner for the Armed Forces shall be informed about the current status and progress of the complaint case. A copy of the decision shall be forwarded to her or him immediately. She or he shall be informed separately of any recourse to legal remedies or of the non-appealability of the ruling delivered on a complaint.
320. Should a matter raised by a petition have import wider than a complaint submitted under the Military Complaints Regulations, this part of the petition shall be dealt with in the same way as other petitions.
321. Should disciplinary investigations be instituted on account of the matters raised in a petition, the Parliamentary Commissioner for the Armed Forces shall be informed of this. Following the completion of the proceedings, the Commissioner shall be informed of the decision reached. Should judicial disciplinary proceedings be conducted, she or he shall also be informed of any significant interim rulings by the authority that instituted the proceedings or the disciplinary attorney’s office that is acting on its behalf.
322. The legal remedies available under the Military Complaints Regulations and Military Discipline Code shall not be replaced by a petition to the Parliamentary Commissioner for the Armed Forces. Even if a petition to the Parliamentary Commissioner for the Armed Forces is to be regarded as a complaint or application under the Military Complaints Regulations or Military Discipline Code, the time limits set in the Military Complaints Regulations and Military Discipline Code shall only be observed if the petition has been received by the authority competent to accept the complaint or application within this time limit.

3.5 Further arrangements

The following arrangements shall apply for the processing of cases that the Parliamentary Commissioner for the Armed Forces refers to agencies of the Federal Armed Forces for them to settle within their own jurisdiction:

323. Should the case be directed against a servicewoman or man, it shall be forwarded to the immediate disciplinary superior who is competent to deal with it. Other cases shall be forwarded to the authority that has to judge on the subject matter of the case.
324. The authority referred to in paragraph 323 shall have to deliver a decision to the petitioner through official channels, but it may also be communicated orally by the competent disciplinary superiors.

3.6 Visits conducted by the Parliamentary Commissioner for the Armed Forces

325. Visits conducted by the Parliamentary Commissioner for the Armed Forces on special grounds (e.g. in connection with special incidents, or should several identical or similar petitions have been submitted

from the same unit or agency), shall be reported by the heads of the agency concerned to the BMVg by fax/email using the following template:

Federal Ministry of Defence
Division FüSK II 3
Stauffenbergstraße 18
10785 Berlin
(Email: BMVgFueSKII3@BMVg.Bund.de)

For information only through official channels:

Higher commands and higher federal authorities of all major organisational elements or military agencies immediately subordinated to the Federal Ministry of Defence

(Army Headquarters (Kdo H), Air Force Headquarters (Kdo Lw), Navy Headquarters (MarKdo), Joint Support Service Command (KdoSKB), Bundeswehr Medical Service Staff (KdoSanDstBw), Bundeswehr Operations Command (EinsFüKdoBw), Bundeswehr Planning Office (PlgABw), German Military Aviation Authority (LufABw), Federal Office of Bundeswehr Personnel Management (BAPersBw), Federal Office of Bundeswehr Equipment, Information Technology and In-Service Support (BAAINBw), Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services (BAIUDBw), Federal Office of Languages (BSprA), Bundeswehr Education Management Centre (BiZBw), Bundeswehr University Hamburg/Munich (UniBw HH/M), Office of the Evangelical Lutheran Church for the Bundeswehr (EKA), Catholic Military Episcopal Office (KMBA), Disciplinary Attorney General for the Armed Forces at the Federal Administrative Court (BWDA))

Subject:

Re: Field visit by the Parliamentary Commissioner for the Armed Forces on special grounds

- Date and time
- Unit/agency
- Location and living quarters
- Grounds

4 Notification of servicewomen and men

All servicewomen and men shall be notified of the functions and powers of the Parliamentary Commissioner for the Armed Forces by their disciplinary superior at the beginning of their basic training and, once again, following their posting to their parent units. In particular, their attention shall be drawn to the following points:

401. Every member of the Armed Forces has the right to submit petitions to the Parliamentary Commissioner for the Armed Forces directly without having to go through official channels.
402. The Commissioner's address is:

Parliamentary Commissioner for the Armed Forces
Platz der Republik 1
11011 Berlin
(Email: wehrbeauftragter@bundestag.de)

Pursuant to paragraph 230 of Joint Service Regulation 10/5, 'Life in the Military Community', this address shall be displayed on the information board or information portal of the unit/agency.

403. Petitions/letters from members of the Federal Armed Forces to the Parliamentary Commissioner for the Armed Forces shall be conveyed by the internal postal service. They may be posted in the unit/agency.
404. Servicewomen and men may only submit petitions to the Parliamentary Commissioner for the Armed Forces individually.
405. Anonymous petitions shall not be dealt with (Section 8 of the WBeauftrG).

406. Should a servicewoman or man contact her or his disciplinary superior before writing a petition, she or he shall be given advice and assistance. It shall be a disciplinary offence and simultaneously a criminal offence under Section 35 of the Military Criminal Code for superiors to use orders, threats, promises or gifts, or any other means that run counter to service regulations to persuade subordinates not to submit petitions to the Parliamentary Commissioner for the Armed Forces or suppress such petitions. Any attempt to do so shall also be prosecutable and may be punished as a disciplinary offence.
407. A servicewoman or man may not be disciplined or discriminated against because she or he has submitted a petition to the Parliamentary Commissioner for the Armed Forces. Compliance with the prohibition of discrimination pursuant to the second sentence of Section 7 of the Act on the Parliamentary Commissioner for the Armed Forces is to be ensured. Should the petition contain breaches of official duties or criminal acts, e.g. insulting or libellous remarks, this may be punished through disciplinary channels or prosecuted in the criminal courts as a disciplinary offence (cf. ZDv 14/3, B 129).
408. Servicewomen and men may not enclose documents with security classifications higher than ‘restricted’ with their petitions to the Parliamentary Commissioner for the Armed Forces. This prohibition also extends to the detailing of individual facts that, to their knowledge, are subject to security classifications higher than ‘restricted’. Should the communication of such circumstances seem necessary from the point of view of the petitioner, a reference to this may be included in the petition, or the petitioner shall make contact directly with the Office of the Parliamentary Commissioner for the Armed Forces in order to present her or his concerns while abiding by the provisions on confidentiality.
409. On request, the Parliamentary Commissioner for the Armed Forces shall, as a matter of principle, be provided with information about the documents and facts specified in paragraph 408, and allowed to consult documents that have security classifications higher than ‘restricted’. An enquiry to this effect may only be denied for compelling reasons of secrecy by the Federal Minister of Defence in person, or her or his permanent official deputy (cf. Section 3(1) of the WBeauftrG). Enquiries from agencies concerning the decision reached shall be submitted through Division FüSK II 3.

In this respect, the instructions given in paragraphs 202, 204, 301, 315 and 316 are to be complied with.

5 Data protection

501. The Federal Data Protection Act (BDSG) and the Implementing Provisions to the Federal Data Protection Act within the Jurisdiction of the Federal Ministry of Defence (DB-BDSG BMVg) enacted on the basis of the Act shall be complied with when matters concerning the Parliamentary Commissioner for the Armed Forces (obtaining of comments, drafting of reports/briefing notes, forwarding of reply letters, etc.) are dealt with. In this respect, the safeguards foreseen in the Implementing Provisions to the Federal Data Protection Act within the Jurisdiction of the Federal Ministry of Defence shall be taken into consideration – up to level 3 data (personal data).

6 Final remarks

601. It shall be expected of all superiors that they cooperate in a spirit of trust with the Parliamentary Commissioner for the Armed Forces and therefore give her or him the opportunity to gather information quickly and thoroughly.
- This will make it possible to significantly promote servicewomen and men’s understanding of our country’s constitutional and legal systems, as well as their confidence both in democracy and in the Federal Armed Forces.
602. All disciplinary superiors are called upon to report their experience of the application of this directive through official channels to Division FüSK II 3.

31.3 Statistical overviews

Overview of cases processed in 2014

In total, **4,645** cases were recorded in the period under review. 229 cases did not relate to the jurisdiction of the Parliamentary Commissioner for the Armed Forces, were received anonymously, were not pursued owing to their subject matter, or were enquiries concerning the statutory mandate of the Parliamentary Commissioner for the Armed Forces. Accordingly, **4,416** processed cases remain for the period under review.

Cases recorded in the period under review	4,645
Cases not relating to the jurisdiction of the Parliamentary Commissioner for the Armed Forces	98
Anonymous cases	38
Cases not pursued further owing to their subject matter	8
Enquiries concerning the statutory mandate of the Parliamentary Commissioner for the Armed Forces	85
	229 *
Processed cases	4,416
Cases not yet finalised	1,716
Number of finalised cases from the period under review	2,700

* Petitions for which the Commissioner was not responsible were either forwarded to the competent authorities or the sender was informed that the Commissioner could not take action in her or his matter.

Finalised cases from previous years (backlogs) **	
2000	1
2002	1
2004	2
2006	1
2007	3
2008	4
2009	10
2010	26
2011	62
2012	127
2013	1,338
Total	1,575

** In these cases, judicial proceedings in the same matter were often pending and were only finally concluded in the course of the year under review.

Total number of cases finalised	4,275
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Breakdown of processed cases by subject matter

Subject matter	Number	%
Fundamental issues relating to leadership development and civic education, the Federal Armed Forces in state and society, restructuring	64	1.45
Comments and remarks on the work of the Parliamentary Commissioner	24	0.54
Military personnel deployed abroad	227 *	5.14
Leadership/military discipline	940	21.29
Women in the Armed Forces	172	3.89
Compatibility of family and service	513	11.62
Establishment and modification of service relationships	436	9.87
Assignment planning/deficiencies in personnel management/leave	489	11.07
Promotion	143	3.24
Admission to career paths	24	0.54
Security screening/personnel organisation	45	1.02
Personnel issues relating to military service volunteers	86	1.95
Matters relating to reservists/reserve duty training	185	4.19
Free medical care	244	5.53
Accommodation/catering/clothing/welfare	148	3.35
Pay and subsidiary areas of pay law	524	11.87
Social affairs/pensions and benefits	152	3.44
Total	4,416	100.00

* Apart from servicewomen and men deployed abroad on mandated deployments, 99 servicewomen and men stationed abroad contacted the Parliamentary Commissioner for the Armed Forces.

**Breakdown of processed cases
by categories of petitioner and other sources of information**

Categories of petitioner, sources of information	Servicemen	Servicewomen	Relatives of service personnel	Former service personnel	Members of the German Bundestag	Private individuals outside the services	Organisations, associations, etc.	Field visits	Press reports	Special incidents	Other sources of information	Total
Fundamental issues relating to leadership and civic education, the Federal Armed Forces in state and society, restructuring	20	2	2	10	0	10	1	3	3	0	13	64
Comments and remarks on the Commissioner's work	7	1	0	1	0	10	0	0	0	0	5	24
Service personnel deployed abroad	110	6	5	6	0	4	0	54	4	11	27	227
Leadership/military discipline	313	22	11	7	1	23	0	52	8	465	38	940
Women in the Armed Forces	41	102	4	3	0	11	0	2	0	0	9	172
Compatibility of family and service	298	122	33	4	2	13	0	9	0	0	32	513
Establishment and modification of service relationships	291	38	13	25	0	54	0	10	0	0	5	436
Assignment planning/deficiencies in personnel management/leave	393	52	4	12	0	9	0	14	0	0	5	489
Promotion	129	9	1	2	0	2	0	0	0	0	0	143
Admission to career paths	19	5	0	0	0	0	0	0	0	0	0	24
Security screening/personnel organisation	34	1	0	0	0	1	0	4	0	0	5	45
Personnel issues relating to military service volunteers (EVSCs)	46	8	10	5	0	14	0	0	0	0	3	86
Matters relating to reservists/reserve duty training	5	4	0	158	0	14	1	2	0	0	1	185
Free medical care	137	40	12	9	0	32	0	8	0	2	4	244
Accommodation/catering/clothing	93	13	1	4	0	3	0	22	2	1	9	148
Pay and subsidiary fields of pay law	333	32	13	60	0	58	0	20	1	0	7	524
Social affairs/pensions and benefits	85	13	3	15	0	30	0	2	0	3	1	152
Total	2,354	470	112	321	3	288	2	202	18	482	164	4,416

**Breakdown of processed cases
by major organisational elements of the Federal Armed Forces**

Major organisational elements	Federal Ministry of Defence	Army	Air Force	Navy	Joint Support Service	Central Medical Services	Federal Defence Administration	Not identifiable or not within the Federal Armed Forces	Total
Fundamental issues relating to leadership and civic education, the Federal Armed Forces in state and society, restructuring	0	9	1	3	5	0	4	42	64
Comments and remarks on the Commissioner's work	0	0	2	1	2	0	1	18	24
Service personnel deployed abroad	0	28	21	18	105	7	5	43	227
Leadership/military discipline	1	373	145	60	178	71	37	75	940
Women in the Armed Forces	0	39	16	11	27	40	5	34	172
Compatibility of family and service	0	116	83	24	102	79	18	91	513
Establishment and modification of service relationships	0	111	78	20	64	41	18	104	436
Assignment planning/deficiencies in personnel management/leave	2	141	70	29	108	74	27	38	489
Promotion	0	32	27	9	36	19	11	9	143
Admission to career paths	0	4	2	4	4	4	0	6	24
Security screening/personnel organisation	0	7	12	6	9	1	2	8	45
Personnel issues relating to military service volunteers (EVSCs)	0	27	5	9	5	6	4	30	86
Matters relating to reservists/reserve duty training	0	11	11	2	18	6	8	129	185
Free medical care	0	38	34	17	41	47	9	58	244
Accommodation/catering/clothing	1	35	17	20	16	11	23	25	148
Pay and subsidiary fields of pay law	0	93	54	35	88	54	23	177	524
Social affairs/pensions and benefits	0	28	14	6	19	12	10	63	152
Total	4	1,092	592	274	827	472	205	950	4,416

Breakdown of processed cases by rank categories

Rank categories, incl. reservists	Generals	Senior officers	Captains	Lieutenants	Senior NCOs	Junior NCOs	Enlisted personnel	Unknown rank or outside the Federal Armed Forces	Total
Fundamental issues relating to leadership and civic education, the Federal Armed Forces in state and society, restructuring	0	9	5	4	9	3	1	33	64
Comments and remarks on the Commissioner's work	0	4	1	2	0	1	1	15	24
Service personnel deployed abroad	1	17	10	8	76	15	7	93	227
Leadership/military discipline	0	37	44	39	226	132	256	206	940
Women in the Armed Forces	0	4	4	8	62	27	39	28	172
Compatibility of family and service	1	18	25	26	271	69	43	60	513
Establishment and modification of service relationships	0	17	17	22	164	58	81	77	436
Assignment planning/deficiencies in personnel management/leave	0	26	46	25	254	65	54	19	489
Promotion	0	8	12	18	83	11	9	2	143
Admission to career paths	0	0	2	1	6	4	11	0	24
Security screening/personnel organisation	0	3	6	4	16	5	3	8	45
Personnel issues relating to military service volunteers (EVSCs)	0	1	3	8	4	1	44	25	86
Matters relating to reservists/reserve duty training	0	29	18	16	65	8	27	22	185
Free medical care	0	24	10	10	75	35	41	49	244
Accommodation/catering/clothing	0	10	11	13	53	10	15	36	148
Pay and subsidiary fields of pay law	1	43	33	28	206	58	59	96	524
Social affairs/pensions and benefits	0	4	16	3	58	24	13	34	152
Total	3	254	263	235	1,628	526	704	803	4,416

The petitions break down between the different categories of personnel as follows

Career soldiers	997
Temporary-career volunteers	2,192
Reserve duty trainees, reservists	325
Unknown or no specification possible	820
Military service volunteers	82
Total	4,416

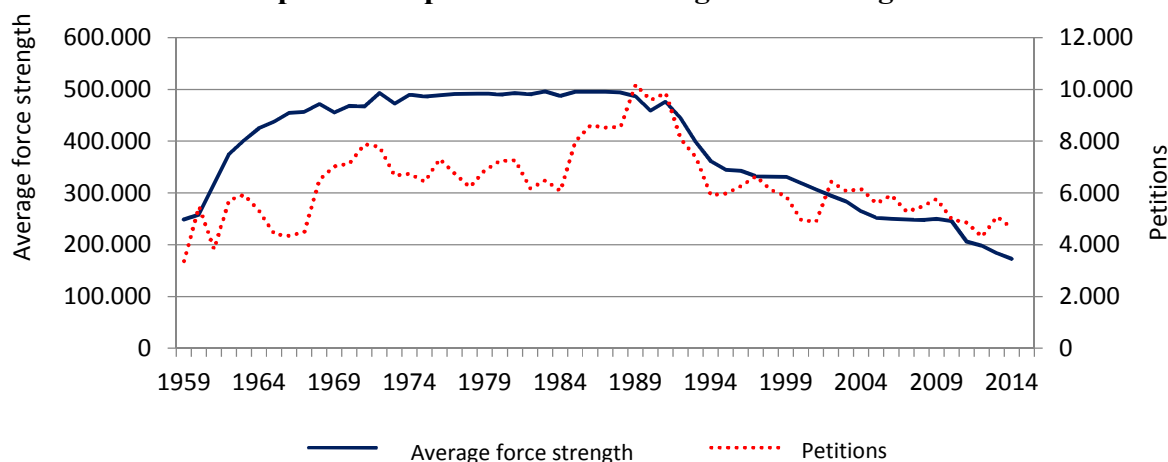
**Development of the number of petitions and other cases
between 1959 and 2014**

Year under review	Total number of petitions received	Submissions outside the jurisdiction of the Parliamentary Commissioner for the Armed Forces	Collective petitions	Anonymous petitions	Petitions within the jurisdiction of the Parliamentary Commissioner for the Armed Forces	Other cases	Average force strength	Petitions per thousand personnel
1959	3.368	336	4	3	3.025	0	248.800	13.5
1960	5.471	254	17	10	5.190	0	258.080	21.2
1961	3.829	250	11	13	3.555	0	316.090	12.1
1962	5.736	170	16	13	5.537	0	374.766	15.3
1963	5.938	502	0	34	4.736	666	401.337	14.8
1964	5.322	597	0	26	4.047	652	424.869	12.5
1965	4.408	400	0	18	3.424	566	437.236	10.1
1966	4.353	519	0	24	3.810	0	454.569	9.6
1967	4.503	487	0	19	3.997	0	456.764	9.9
1968	6.517	484	0	16	6.017	0	472.070	13.8
1969	7.033	606	0	22	6.405	0	455.114	15.5
1970	7.142	550	0	16	6.576	0	468.484	15.2
1971	7.891	501	0	9	7.381	0	466.889	16.9
1972	7.789	344	12	21	7.412	0	492.828	15.8
1973	6.673	264	6	8	6.395	0	472.943	14.1
1974	6.748	249	4	4	6.491	0	490.053	13.8

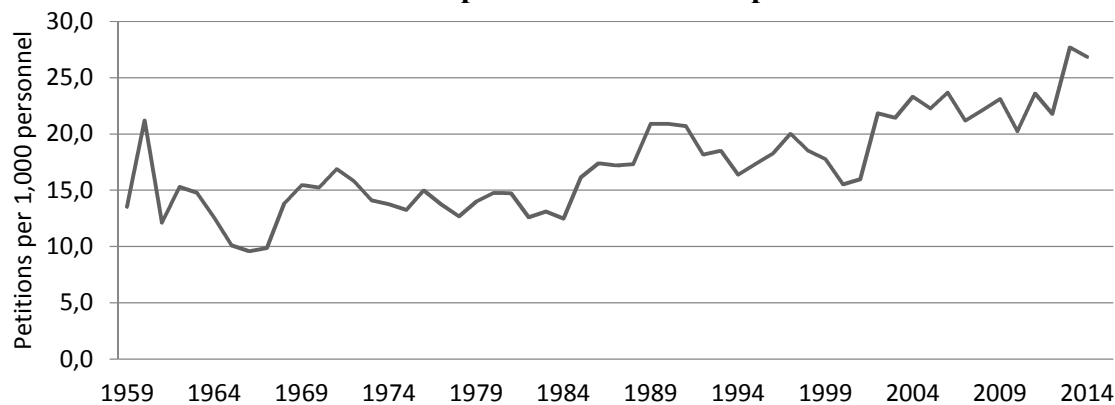
Year under review	Total number of petitions received	Submissions outside the jurisdiction of the Parliamentary Commissioner for the Armed Forces	Collective petitions	Anonymous petitions	Petitions within the jurisdiction of the Parliamentary Commissioner for the Armed Forces	Other cases	Average force strength	Petitions per thousand people
1975	6.439	341	0	9	6.089	0	486.206	13.2
1976	7.319	354	0	3	6.962	0	488.616	15.0
1977	6.753	347	0	3	6.403	0	491.424	13.7
1978	6.234	259	0	10	5.965	0	491.481	12.7
1979	6.884	276	0	13	6.595	0	492.344	14.0
1980	7.244	278	0	23	6.943	0	490.243	14.8
1981	7.265	307	0	15	6.943	0	493.089	14.7
1982	6.184	334	0	9	5.841	0	490.729	12.6
1983	6.493	397	0	49	6.047	0	495.875	13.1
1984	6.086	301	0	16	5.755	14	487.669	12.5
1985	8.002	487	0	28	7.467	20	495.361	16.2
1986	8.619	191	0	22	8.384	22	495.639	17.4
1987	8.531	80	0	22	8.419	10	495.649	17.2
1988	8.563	62	0	38	8.441	22	494.592	17.3
1989	10.190	67	0	9	10.088	26	486.825	20.9
1990	9.590	89	0	26	9.449	26	458.752	20.9
1991	9.864	183	0	24	9.644	13	476.288	20.7
1992	8.084	69	0	13	7.973	29	445.019	18.2
1993	7.391	49	0	18	7.309	15	399.216	18.5
1994	5.916	66	0	21	5.810	19	361.177	16.4
1995	5.979	94	0	23	5.493	369	344.690	17.3
1996	6.264	63	0	20	6.112	69	342.870	18.3
1997	6.647	80	0	14	6.509	44	332.013	20.0
1998	6.122	84	0	11	5.985	42	330.914	18.5
1999	5.885	66	0	20	5.769	30	331.148	17.8
2000	4.952	58	0	8	4.856	30	318.713	15.5
2001	4.891	115	0	12	4.741	23	306.087	16.0
2002	6.436	110	0	13	6.270	43	294.800	21.8
2003	6.082	124	0	6	5.958	85	283.723	21.4
2004	6.154	134	0	16	6.020	80	263.990	23.3
2005	5.601	49	0	12	5.436	0	251.722	22.3
2006	5.918	67	0	16	5.727	108	249.964	23.7
2007	5.276	81	0	25	5.052	118	248.995	21.2

Year under review	Total number of petitions received	Submissions outside the jurisdiction of the Parliamentary Commissioner for the Armed Forces	Collective petitions	Anonymous petitions	Petitions within the jurisdiction of the Parliamentary Commissioner for the Armed Forces	Other cases	Average force strength	Petitions per thousand personnel
2008	5.474	67	0	27	5.190	186	247.619	22.1
2009	5.779	80	0	46	5.454	247	249.900	23.1
2010	4.993	81	0	43	4.748	121	245.823	20.3
2011	4.926	60	0	62	4.612	192	206.091	23.9
2012	4.309	83	0	37	4.105	84	197.880	21.8
2013	5.095	128	0	56	4.842	69	184.012	27.7
2014	4.645	98	0	38	4.416	93	173.002	26.8
Total	355,800	12,772	70	1,132	337,820	4,133		

Comparison of petitions with average force strength



Petitions per thousand service personnel



Visits, meetings and discussions conducted by the Parliamentary Commissioner for the Armed Forces and his staff

1. Field visits conducted by the Parliamentary Commissioner for the Armed Forces

Location	Agency
Ämari, Estonia	German Baltic Air Policing contingent
Bamako, Mali	German EUTM mission contingent
Beirut, Lebanon	German UNIFIL mission contingent
Bogen	Armoured Engineer Battalion 4
Büchel	Tactical Air Force Wing 33
Donauwörth	NH90/Tiger System Support Centre
Dresden	Army Officer School
Eckernförde	Navy Specialised Deployment Forces, Navy Special Forces Command
Eckernförde	1st Submarine Squadron
Erfurt	Command Support Battalion 383
Frankfurt am Main	Bundeswehr Air Traffic Service Office
Greding	Technical Centre 81
Hanover	Hanover Careers Centre
Hardheim	Security Battalion 12
Jounieh, Lebanon	German UNIFIL mission contingent
Kaufbeuren	Air Force Engineering Training Centre, Southern Division
Cologne	Bundeswehr Leadership Personnel Assessment Centre
Cologne	Army Development Office
Limassol, Beirut	German UNIFIL mission contingent
Manching	Technical Centre 61
Meppen	Technical Centre 91
Mittenwald	Mountain Infantry Battalion 233
Munich	Bundeswehr Medical Academy
Naquora, Lebanon	German UNIFIL mission contingent
Neckarzimmern	Neckarzimmern Material Storage Site
Neuburg an der Donau	Tactical Air Force Wing 74
Nordholz	Navy Aviation Command, Naval Air Wing 3, Naval Air Wing 5
Seedorf	Parachute Regiment 31
Weißenfels	Operational Medical Support Command
Westerstede	Bundeswehr Hospital Westerstede
Wilhelmshaven	Flotilla 2

2. Meetings and discussions conducted by the Parliamentary Commissioner for the Armed Forces

The Parliamentary Commissioner for the Armed Forces had opportunities for exchanges of information and experience in the **96** meetings he conducted with, among others, the German Federal President, the Federal Minister of Defence, the Diplomatic Corps, the chiefs of staff, commanders, military chaplains and presidents of supreme federal authorities.

In addition to this, he attended **112** conferences, panel discussions and other events connected with his statutory mandate.

3. Field and fact-finding visits conducted by staff of the Parliamentary Commissioner for the Armed Forces

During the year under review, staff of the Parliamentary Commissioner for the Armed Forces conducted a total of **36** fact-finding visits. They visited units, headquarters, agencies and authorities of the individual services and major organisational elements.

Date	Location	
January 2014		
22.01.	Coblenz	Presentation to a commanders' training course, Leadership Development and Civic Education Centre
22.-23.01.	Georgsmarienhütte	Presentation and discussion at the Conference of Enlisted Personnel Spokespersons at the invitation of Action Barracks (an initiative of German Catholic youth associations that supports and represents military service volunteers)
February 2014		
26.-27.02.	Damp	Attendance at the 12th Workshop of Medical Service Officers in the North
March 2014		
06.-08.03.	Oberwiesenthal	Attendance at a professional counselling workshop on care and welfare
12.03.	Garlstedt	Attendance at the Armed Forces Office Legal Advisors' Conference
20.03.	Berlin	Attendance at a lecture by Lieutenant General, Medical Corps Dr. med. Patschke, German Council on Foreign Relations
April 2014		
09.-10.04.	Georgsmarienhütte	Presentation and discussion at the Conference of Enlisted Personnel Spokespersons at the invitation of Action Barracks
May 2014		
26.-28.05.	Ulm	Fact-finding visit, Bundeswehr Hospital Ulm
June 2014		
04.06.	Coblenz	Presentation on leadership and civic education for commanders, Leadership Development and Civic Education Centre
04.-05.06.	Eschweiler	2014 Defence Materiel Evaluation Meeting, School of Land Systems Engineering and Army School of Engineering (TSL/FSHT)

04.-05.06.	Duderstadt	Attendance at a meeting of the Advisory Board of the Evangelical Lutheran Chaplain Service
19.-21.06.	Göhren	Attendance at a professional counselling workshop on care and welfare
25.06.	Panker	Fact-finding visit, Todendorf Training Area
30.06.	Coblenz	Presentation to an orientation course for legal advisors
July 2014		
02.07.	Weißenfels	Transfer of command, Operational Medical Support Command
06.-12.07.	Hammelburg	Attendance at an event held by Hammelburg Infantry School
10.-11.07.	Hamburg	Attendance and presentation at the Servicewomen in the Federal Armed Forces Symposium, Bundeswehr Command and Staff College
23.07.	Berlin	Fact-finding talks with the Special Representative for Surviving Dependents, Ms Heidinger, Federal Ministry of Defence
24.07.	Berlin	Fact-finding talks with the Special Representative on PTSD, Brigadier General von Heimendahl, Federal Ministry of Defence
August 2014		
25.08.	Cologne	Attendance at a selection conference for acceptance into service as a career soldier
September 2014		
10.-11.09.	Neuwied-Engers	Attendance and presentation at a staff briefing for legal advisors/law lecturers in the Navy and Bundeswehr Medical Service
15.09.	Weißenfels	Visit to the Operational Medical Support Command, Medical Regiment 32
15.-17.09.	Pfronten/Allgäu	Attendance at a professional counselling workshop on Support and Care under One Roof
17.09.	Bonn	Attendance and presentation at an advanced training event for officers/non-commissioned officers, Armed Forces Office
23.-24.09.	Coblenz	Presentation at a training course for commanders, Leadership Development and Civic Education Centre
24.09.	Berlin	Working discussions with the Special Representative for the Compatibility of Family and Career/Service in the Federal Armed Forces, Federal Ministry of Defence
28.-29.09.	Bamberg	Attendance at the Regional Conference of Former Soldiers, Reservists and Surviving Dependents in the South Germany Bundeswehr Association
October 2014		
01.10.	Strausberg	Attendance and presentation at a staff briefing for Army legal advisors/law lecturers
06.-07.10.	Speyer	Attendance at the Conference of the German Society for Military Law and International Humanitarian Law

14.-15.10.	Berlin	Attendance at the 9th General Conference of Military Gender Equality Officers
20.-21.10.	Cologne	Attendance and presentation at a staff briefing for Air Force legal advisors/law lecturers
November 2014		
04.11.	Bonn	Attendance at a meeting of the Federal Ministry of Defence PTSD Working Group
06.11.	Hanover	Presentation at the 1st Armoured Division Major Commanders' Conference
19.11.	Coblenz	Presentation at a training course for commanders, Leadership Development and Civic Education Centre
25.-26.11.	Brühl	Attendance at a leadership development, and civic education and personnel management conference
December 2014		
10.-11.12.	Teisendorf	Presentation and discussion at the Conference of Enlisted Personnel Spokespersons at the invitation of Action Barracks

4. Visitor groups

107 groups visited the offices of the Parliamentary Commissioner for the Armed Forces, where they were informed by the Commissioner or his staff about his constitutional status, his tasks and the priorities of his work.

Date	Visitor group	Number of participants
January 2014		
13.01.	Catholic priests from the Diocese of Münster	30
13.01.	Delegation from Japan	20
15.01.	Military personnel from the Working Group on State and Society	33
15.01.	German-British delegation	50
22.01.	Military personnel from Delitzsch Non-Commissioned Officer School	24
29.01.	German-Macedonian delegation	15
29.01.	German-Pakistani delegation	11
February 2014		
06.02.	German-Latvian delegation	22
06.02.	Board of Trustees of the Molinari Foundation	7
13.02.	Karl-Theodor Molinari Foundation, Educational Institution of the Bundeswehr Association	4
19.02.	Military personnel from the Army Non-Commissioned Officer School	17
20.02.	German-Lithuanian delegation	25
20.02.	Military personnel from the Petty Officer School, Berlin	19
20.02.	Military personnel from the Naval Academy, Mürwik	60

26.02.	Students from the German Section of the SHAPE International School, NATO, Belgium	20
26.02.	Military personnel from the Hermann Ehlers Foundation	15
March 2014		
06.03.	German-US delegation	25
12.03.	Personnel from the Federal Office of Bundeswehr Personnel Management	12
19.03.	Military personnel from the Army Non-Commissioned Officer School	25
20.03.	German-Dutch delegation	25
21.03.	German-Chilean delegation	10
25.03.	Military personnel from the Hermann Ehlers Foundation	30
27.03.	German-Kosovar delegation	13
April 2014		
01.04.	Officers	30
01.04.	Lutheran Evangelical military chaplains	12
02.04.	Military personnel from the Army Non-Commissioned Officer School	25
03.04.	Military personnel from the 2nd Company of Logistic Battalion 172	27
03.04.	Military personnel from the Leadership Development and Civic Education Centre	25
04.04.	Members of Berlin Family Service Centre	22
10.04.	German-Estonian delegation	25
16.04.	Military personnel from the Army Non-Commissioned Officer School	25
16.04.	Military personnel from the Petty Officer School, Berlin	25
24.04.	Military personnel from the ISR Corps Reconnaissance Centre	64
May 2014		
06.05.	Seminar on historical and civic education for members of the Federal Armed Forces from Operational Section B of the Explosive Ordnance Disposal Centre	22
08.05.	German-French delegation	25
13.05.	Students from the Bundeswehr Academy for Information and Communication	37
14.05.	German-Montenegrin delegation	13
21.05.	Military personnel from the Army Non-Commissioned Officer School	25
22.05.	German-Belgian delegation	25
22.05.	French delegation	14
30.05.	Police officers	25
June 2014		
04.06.	Military personnel from the Petty Officer School, Berlin	18
04.06.	Military personnel from the Leadership Development and Civic Education Centre	9
11.06.	Military personnel from the Army Non-Commissioned Officer School	25

11.06.	Executive Committee of the General Spokespersons' Committee	20
18.06.	Military personnel from the Hermann Ehlers Foundation	18
19.06.	German-Armenian delegation	15
20.06.	Nigerian delegation	15
25.06.	Military personnel from the Army Non-Commissioned Officer School	16
26.06.	Military personnel from Soldiers' Self-Help against Addiction	35
26.06.	German-British delegation	25
30.06.	Military personnel from the NCO Corps of the Helmut Schmidt University Hamburg	30
July 2014		
01.07.	Military personnel from the Emmich-Cambrai Barracks	30
07.07.	Military personnel from the Air Force Officer School	11
08.07.	Military personnel from the Bundeswehr Strategic Reconnaissance School	19
11.07.	Military personnel from the Federal Ministry of Defence	53
15.07.	Military personnel from the Petty Officer School, Berlin	25
16.07.	Military personnel from the Army Non-Commissioned Officer School	25
16.07.	Delegation of human rights ombudspeople from Russia	12
29.07.	Military personnel from the Working Group on State and Society – West	24
August 2014		
05.08.	Military personnel from the Petty Officer School, Berlin	25
07.08.	German Polish delegation	30
13.08.	German-Uzbek delegation	5
20.08.	Military personnel from the Working Group on State and Society – North	19
21.08.	German-Czech delegation	25
27.08.	Military personnel from the Army Non-Commissioned Officer School	20
28.08.	Military personnel from the Hermann Ehlers Foundation	10
28.08.	Military personnel from the Petty Officer School, Berlin	25
September 2014		
01.09.	Parliamentarians from the Standing Committee on Scrutiny and Constitutional Affairs of the Norwegian Storting (Norwegian Embassy)	20
03.09.	German-Hungarian delegation	25
04.09.	Military personnel from the Petty Officer School, Berlin	25
16.09.	Students from the University of Applied Sciences for Public Administration, Mayen	34
18.09.	German-Dutch delegation	25
24.09.	Military personnel from the Academy for Politics, Economics and Culture in Mecklenburg-Western Pomerania	25

25.09.	Military personnel from the Petty Officer School, Berlin	25
29.09.	Military personnel from the Bundeswehr Hospital Ulm	30
30.09.	Military personnel from the Hermann Ehlers Foundation	18
October 2014		
01.10.	Military personnel, visit arranged by Norbert Schindler, Member of the German Bundestag	25
06.10.	Representatives of the Myanmar Armed Forces, visit arranged by the Konrad Adenauer Foundation	15
08.10.	Military personnel from Repair Centre 13	12
08.10.	Military personnel from the Bundeswehr Medical Academy	13
09.10.	Military personnel from the Electronic Warfare Centre for Flying Weapon Systems and the German Element at the Provincial Coordination Centre, Afghanistan	25
13.10.	Teachers' workshop from the Fridtjof Nansen Academy	20
14.10.	German-British delegation	23
14.10.	Mongolian senior officers	3
15.10.	Military personnel from the Petty Officer School, Berlin	18
22.10.	Military personnel from Special Engineer Battalion 164, Husum	18
28.10.	Military personnel from the European Academy North Rhine-Westphalia	27
28.10.	Members of the 60 Plus Working Group, Social Democratic Party of Germany (SPD) Wunstorf local branch	50
29.10.	Military personnel from the Petty Officer School, Berlin	25
November 2014		
05.11.	Federal Ministry of Defence, Office of the Chief of Staff of the Federal Armed Forces	9
12.11.	Jordanian senior officers	9
13.11.	Military personnel from the Petty Officer School, Berlin	22
17.11.	Eurofighter pilots	15
17.11.	Military personnel from the Air Force Officer School	20
18.11.	Military personnel from the Joint Operations Command Headquarters and Signal Battalion	16
20.11.	Military personnel from the Bundeswehr Academy for Information and Communication	33
20.11.	German-French delegation	25
24.11.	Advanced staff and command course	80
25.11.	Military personnel from the Hermann Ehlers Foundation	22
28.11.	Legal advisors from Navy Headquarters	12
December 2014		

01.12.	Defence Committee of the Dutch House of Representatives	15
03.12.	Military personnel from the Hermann Ehlers Foundation	9
04.12.	Military personnel from the Air Force Installation Protection Regiment	12
05.12.	Military personnel on a training course for future commanders in the Medical Service	25
10.12.	German-Chinese delegation	10
12.12.	Korean delegation from the Embassy of the Republic of Korea	9

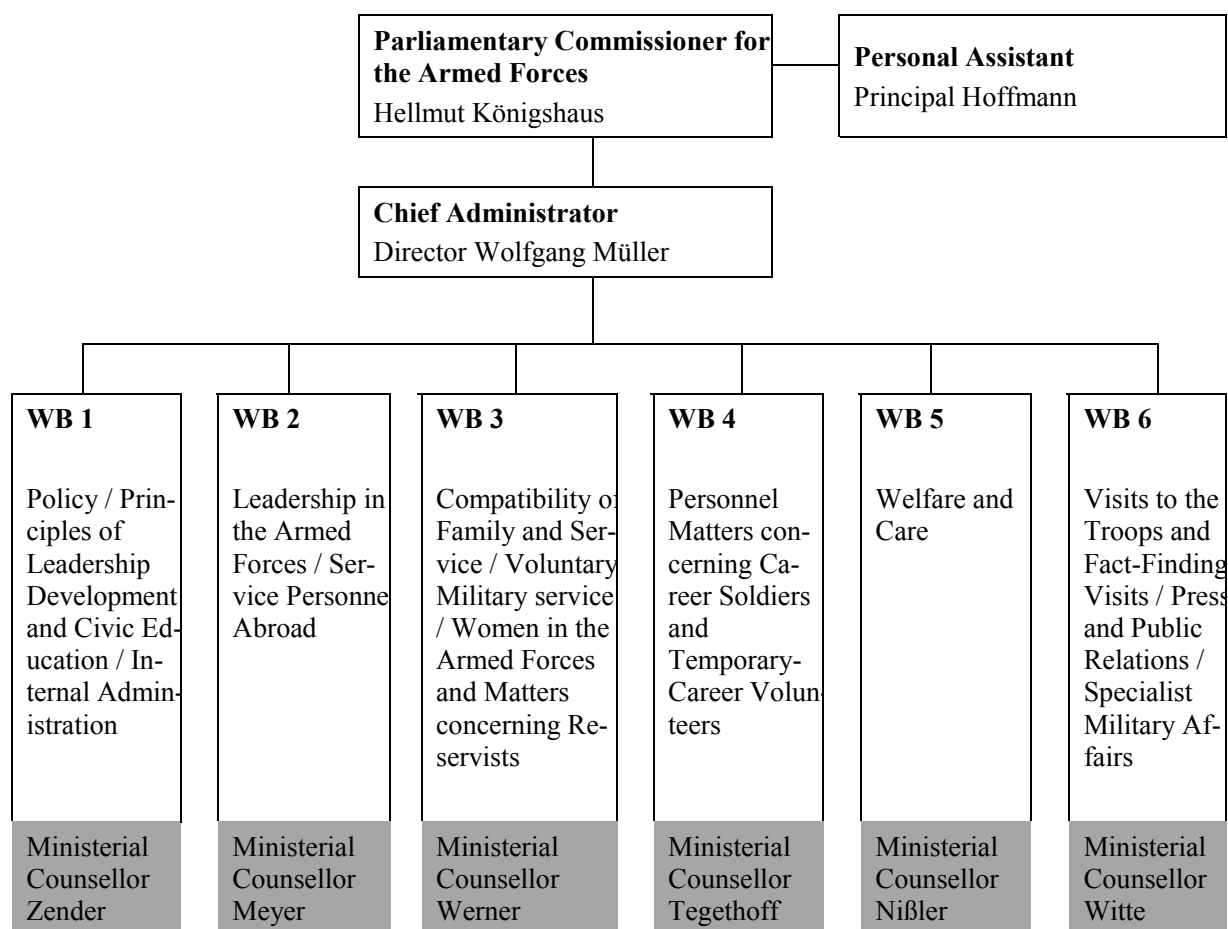
31.4 Overview of the Annual Reports from 1959 to 2014 and the deliberations on them conducted by the German Bundestag

Annual Report			Deliberations by the Bundestag			
Year under review	Submission date	Number of Bundestag Printed Paper	Recommendation for a decision and report of the Defence Committee (Bundestag Printed Paper)	Date	Plenary Session No.	Source reference in the Stenographic Report
1959	8 April 1960	1796 3. WP	2937 3. WP	29 June 1961	16	pp. 9670 ff.
1960	14 April 1961	2666 3. WP	2937 3. WP	29 June 1961	16	pp. 9670 ff.
1961	27 April 1962	IV/371	IV/477	27 June 1962	3	pp. 1555 ff.
1962	11 April 1963	IV/1183	IV/1377	21 February 1964	11	pp. 5359 ff.
1963	4 June 1964	IV/2305	IV/2795	11 December 1964 and 21 January 1965	15	pp. 7585 ff.
1964	4 June 1965	IV/3524	V/1641	11 May 1967	10	pp. 5179 ff.
1965	7 July 1966	V/820	V/1641	11 May 1967	10	pp. 5179 ff.
1966	31 May 1967	V/1825	V/1926	29 June 1967	11	pp. 5903 ff.
1967	22 May 1968	V/2948	V/3422	15 January 1969	20	pp. 11207 ff.
1968	19 February 1969	V/3912	V/4425	27 June 1969	24	pp. 13603 ff.
1969	26 February 1970	VI/453	VI/800	11 March 1970 and 2 June 1970	3 5	pp. 1743 ff. pp. 2813 ff.
1970	1 March 1971	VI/1942	VI/2168	12 May 1971	12	pp. 7073 ff.
1971	9 February 1972	VI/3232	VI/3499	14 April 1972 and 23 June 1972	18 19	pp. 10522 ff. pp. 11511 ff.
1972	15 March 1973	7/334	7/1208	29 November 1973	6	pp. 3997 ff.
1973	7 March 1974	7/1765	7/2726	5 December 1974	13	pp. 9160 ff.
1974	13 February 1975	7/3228	7/3762	18 April 1975 and 8 April 1976	16 23	pp. 11555 ff. pp. 16487 ff.
1975	27 February 1976	7/4812	7/5342	8 April 1976 and 25 June 1976	23 25	pp. 16487 ff. pp. 18102 ff.
1976	3 March 1977	8/153	8/968	20 October 1977	5	pp. 3765 ff.
1977	6 March 1978	8/1581	8/2224	17 November 1978 and 7 December 1978	11 12	pp. 9184 ff. pp. 9591 ff.
1978	6 March 1979	8/2625	8/2986	18 May 1979 and 27 June 1979	15 16	pp. 12391 ff. pp. 12968 ff.
1979	18 March 1980	8/3800	8/4374	26 June 1980 and 3 July 1980	22 22	pp. 18309 ff. pp. 18676 ff.
1980	17 March 1981	9/240	9/1399	14 May 1981 and 12 March 1982	3 9	pp. 1864 ff. pp. 5552 ff.
1981	3 March 1982	9/1406	9/1695	9 June 1982	10	pp. 6317 ff.
1982	3 March 1983	9/2425	10/136	29 September 1983	2	pp. 1714 ff.
1983	24 February 1984	10/1061	10/1611	4 October 1984	8	pp. 6473 ff.
1984	28 February 1985	10/2946	10/3779	14 March 1985 and 27 September 1985	12 16	pp. 9261 ff. pp. 11983 ff.

Annual Report			Deliberations by the Bundestag			
Year under review	Submission date	Number of Bundestag Printed Paper	Recommendation for a decision and report of the Defence Committee (Bundestag Printed Paper)	Date	Plenary Session No.	Source reference in the Stenographic Report
1985	28 February 1986	10/5132	10/5722	15 May 1986 and 25 June 1986	21 22	p. 16669 pp. 17405 ff.
1986	9 March 1987	11/42	11/1131	10 December 1987	4	pp. 3491 ff.
1987	21 March 1988	11/2034	11/2528	21 April 1988 and 23 June 1988	7 8	p. 5015 pp. 5935 ff. pp. 5943 ff.
1988	15 February 1989	11/3998	11/4809	22 June 1989	15	pp. 11426 ff.
1989	14 February 1990	11/6522	11/7798	13 September 1990	22	pp. 17731 ff.
1990	21 March 1991	12/230	12/1073	19 September 1991	4	pp. 3359 ff.
1991	12 March 1992	12/2200	12/2782	8 October 1992	11	pp. 9418 ff.
1992	23 March 1993	12/4600	12/6322	18 June 1993 and 15 April 1994	16 22	pp. 14110 ff. pp. 19068 ff.
1993	8 March 1994	12/6950	12/8465	21 September 1994	24	p. 21690
1994	7 March 1995	13/700	13/2649	29 February 1996	8	pp. 7876 ff.
1995	5 March 1996	13/3900	13/5400	7 November 1996	13	pp. 12139 ff.
1996	11 March 1997	13/7100	13/8468	30 October 1997	20	pp. 18021 ff.
1997	3 March 1998	13/10000	13/11067	24 June 1998	24	pp. 22740 ff.
1998	16 March 1999	14/500	14/1807	21 January 2000	8	pp. 7595 ff.
1999	14 March 2000	14/2900	14/4204	6 April 2000 and 26 October 2000	9 12	p. 9117 pp. 12186 ff.
2000	13 March 2001	14/5400	14/7111	31 May 2001 and 15 November 2001	17 20	pp. 16995 ff. pp. 19734 ff.
2001	12 March 2002	14/8330	--	19 April 2002	23	pp. 23000 ff.
2002	11 March 2003	15/500	15/1837	3 April 2003 and 13 November 2003	3 7	pp. 3055 ff. pp. 6506 ff.
2003	9 March 2004	15/2600	15/4475	6 May 2004 and 16 December 2004	10 14	pp. 9837 ff. pp. 13808 ff.
2004	15 March 2005	15/5000		20 January 2006	1	pp. 825 ff.
2005	14 March 2006	16/850	16/3561	30 June 2006 and 14 December 2006	4 7	pp. 4298 ff. pp. 7300 b ff.
2006	20 March 2007	16/4700	16/6700	21 June 2007 and 13 December 2007	10 13	pp. 10812 ff. pp. 13953 ff.
2007	4 March 2008	16/8200	16/10990	19 June 2008 and 4 December 2008	16 19	pp. 17923 D ff. pp. 20818 A ff.
2008	24 March 2009	16/12200 17/591 No. 1.6	17/713	23 April 2009 and 26 February 2010	21 2	pp. 23552 D ff. pp. 2221 ff.
2009	16 March 2010	17/900	17/3738	6 May 2010	4	pp. 3891 A ff.
2010	25 January 2011	17/4400	17/6170	24 February 2011 and 22 September 2011	9 12	pp. 10546 A ff. pp. 15048 A ff.

Annual Report				Deliberations by the Bundestag		
Year under review	Submission date	Number of Bundestag Printed Paper	Recommendation for a decision and report of the Defence Committee (Bundestag Printed Paper)	Date	Plenary Session No.	Source reference in the Stenographic Report
2011	24 January 2012	17/8400	17/11215	27 September 2012 and 16 January 2013	195 216	pp. 23439 A ff. pp. 26693 B ff.
2012	29 January 2013	17/12050	18/297	19 April 2013 and 16 January 2014	235 8	pp. 29550 C ff. pp. 415 B ff.
2013	28 January 2014	18/300	18/1917	20 March 2014 and 25 September 2014	23 54	pp. 1780 A ff. pp. 5001 B ff.
2014	27 January 2015	18/3750				

31.5 Organisational chart

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