

Information

from the Parliamentary Commissioner for the Armed Forces

Annual Report 2015 (57th Report)

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Foreword

We live in troubled times. From the point of view of security policy, a very great deal is happening in Europe and around the world. Our German servicewomen and men are increasingly being required to perform their core function, which is to ensure Germany's external security. This means participating in multinational, 'out of area' missions and having a strong presence in the structures of collective defence. Not only that, during the year under review they provided civilian administrative assistance to the authorities that are dealing with the refugee crisis in Germany. They have had to take on a great many tasks, far more than were foreseeable at the beginning of 2015. The Bundeswehr, Germany's Federal Armed Forces, has been, and is, able to cope with all these demands. However, it has also become clear that it has now reached its limits, both personnel and materiel, in some areas. Adjustments to policy are urgently necessary here.

For the first visit I conducted in my new position, I very deliberately went to see the reinforced Armoured Infantry Battalion 371 at the Munster-South Training Area, where it was being trained for its role as the German battle group for what is known as the 'spearhead' of the NATO Response Force. 2015 was regarded as a trial phase, and the analysis of errors was integral to the activities that were being carried out. What I was told there in a dispassionate, precise manner constitutes highly impressive evidence of a major problem for our armed forces today: Too much is lacking. The battalion was having to 'borrow' 15,000 items of equipment – small and large – from other formations in its brigade, its division, the Army and the rest of the Bundeswehr so as to be fully equipped for its NATO role. This materiel is now missing from those other units. Such a system of managing scarce resources is now totally inappropriate to the increased requirements that are being placed on Germany's Armed Forces. It endangers their operational preparedness, exercises and training – and, in the worst-case scenario, it endangers the lives and health of personnel on active service. Not only that, it undermines our servicewomen and men's motivation, and weakens the attractiveness of the Bundeswehr.

There have been many field visits and discussions during which service spokespeople, first sergeants, company commanders and senior officers told me about what were, in some cases, vital gaps in equipment, whether it was a lack of armoured self-propelled howitzers in an artillery battalion or night vision goggles and body armour or transport aircraft or helicopters or frigates or weapons and munitions for high-tech new weapons systems such as the Eurofighter or the Tiger. Too much is lacking because old equipment has knowingly been phased out more rapidly than the new equipment has come on stream, because spare parts have not been procured, because structures resourced at 70 per cent of their capacity cannot meet 100 per cent of the demands made on them or because maintenance by the private sector takes too long and the forces' own in-house servicing capacities were broken up long ago.

At least no one in the forces feels compelled to hush up or trivialise the shortages that undeniably exist today any longer. The topic of full resourcing is on the agenda of both Germany's parliament and its government. The news that some piece of equipment is missing is no longer accepted with a shrug of the shoulders. Instructions adopted recently in the Army are intended to secure the assets that are now available until new systems actually come on stream and are fully functional. The Ministry of Defence's concept for the structurally appropriate resourcing of the Bundeswehr, a concept that had been requested by the Defence Committee of the German Bundestag, may be anticipated with some excitement. It should also clearly highlight the additional funding that is needed.

Apart from the management of scarce materiel resources, which particularly occupied me in my first six months as Parliamentary Commissioner for the Armed Forces, the topic of personnel shortages is now becoming increasingly highly

charged – not least on account of the burden of administrative assistance that has been borne over the last few months. In view of the large number of petitions about it that have been received, the present Annual Report contains many systematic reflections on this topic, as well as statistics and examples. Never in its history has the Bundeswehr been as small as it is today. It is necessary to start a debate about the Bundeswehr's (military and civilian) personnel structures, functions and size. Without targeted adjustments, there is a threat of overstretch in important areas. This means individual servicewomen or men in Germany having to do the work of two or three comrades. Or personnel repeatedly having to set out on missions abroad after excessively short tour intervals, something experienced in recent times by many of the surface-to-air missile specialists deployed on Active Fence Turkey.

At times of turbulence, at times when they are really needed, it is important that, despite all the difficulties they face, Germany's Armed Forces perform their functions comprehensively. This is exactly what they are doing. However, it is my observation that some things have only worked out in the end because, when the need has arisen, servicewomen and men have slaved away night and day, and because they have improvised and found informal ways of reaching their goals when sticking to the rules would have got them nowhere. Incidentally, this too is a good example of leadership and civic education in practice.

During the year under review, I enjoyed excellent, agreeable discussions and cooperation with many service personnel and civilian employees in the forces and their agencies, the bodies that represent spokespersons and staff councils, the Bundeswehr Association and the Armed Forces Reservists Association, gender equality commissioners and officers, the Catholic Military Episcopal Office and the Evangelical Lutheran Church for the Federal Armed Forces, the Defence Committee of the German Bundestag and the political leadership of the Federal Ministry of Defence.

Change for the better begins when people say the truth about the situation in which they find themselves. This is one of the purposes of the present report.

The year under review in brief

Never before in the 60 years of its existence has the Bundeswehr had such a multitude of different tasks and deployments to cope with as in 2015: the revival of the Taliban in post-ISAF Afghanistan, the continuation of the Russia-Ukraine crisis, the conflicts in Syria, Iraq and Mali, the totalitarian terror of IS, to which Europe is no longer immune, the flows of refugees to Germany – the security situation is making greater demands on the Bundeswehr than ever. All this has also played a significant role in the white paper process launched in 2015, with which the guidelines of German security policy for the years ahead are to be formulated. The results will be interesting.

At the end of the year, Bundeswehr personnel were serving on 17 international deployments. In contributing 980 servicewomen and men to NATO's Resolute Support Mission in Afghanistan and what will in future be up to 650 servicewomen and men to the UN's MINUSMA mission in Mali, the Bundeswehr is taking part in particularly hazardous missions. The German Bundestag approved the expansion of the contingent in Afghanistan at the end of the year, as well as the deployment of up to 1,200 servicewomen and men to participate in the international anti-IS operations over Syria and Iraq.

In this context, it is to be welcomed that in June 2015 the Bundestag's Commission on the Review and Safeguarding of Parliamentary Rights regarding Mandates for Bundeswehr Missions Abroad ('Rühe Commission') concluded its report with the recommendation that the German parliament's right to be involved in decision-making about Bundeswehr missions abroad be retained in full. The Bundeswehr is a parliamentary army – a structure that has proved its worth throughout the 60 years of its existence.

Apart from its mandated missions, the Bundeswehr was involved in quasi-operational commitments. For instance, 4,600 servicewomen and men were kept on standby for the NATO Response Force. Further German forces are continuously engaged in NATO's Reassurance Programme. In addition to this, approximately 8,000 servicewomen and men were deployed at the end of the year providing assistance to refugees in Germany. These challenges have, among other things, mercilessly revealed the lamentable state of the Bundeswehr's materiel and personnel readiness, and underline more than ever the necessity of resourcing it fully.

It has only been possible to remedy a small proportion of the defects and deficiencies in major end items identified in previous years, as was revealed by the latest report on the operational status of the forces' major weapon systems, which the Federal Ministry of

Defence presented to the Defence Committee of the German Bundestag in December 2015. Furthermore, just as in the previous year, no assurances could be given that the demand for spare parts for old equipment would be met. Apart from this, there were shortages of some items of equipment for individual service personnel. It was, above all, training in routine operations, predeployment training and, not least, German servicewomen and men's motivation that suffered as a result of this situation.

In this respect, in view of the major challenges that have been described, the Bundeswehr needs servicewomen and men who are highly motivated and resilient, especially at this time. However, resilience comes up against its limits when the forces are permanently overstretched. Once again, it was to be noted during the year under review that the workload of military operations is unequally distributed within the Bundeswehr. Greater demands than are proper were made of servicewomen and men in certain individual organisational elements, particularly in assignments where there are manpower shortages. In the mean time, the lack of skilled workers is affecting some whole career paths, such as the general specialist service sergeant career path, technical and information technology NCO specialists, and medical assignments.

Despite the difficulties that are being encountered filling the available posts with qualified personnel and actually achieving the force strength of 185,000 servicewomen and men, it has to be asked whether this force strength is still adequate in view of the extended range of tasks that are being performed by the Bundeswehr. The ideas about this issue put forward by Federal Minister von der Leyen are welcomed by the Parliamentary Commissioner for the Armed Forces.

Suitable and committed personnel are to be recruited and retained over the long term with the action being taken to 'increase the attractiveness of service in the Federal Armed Forces'. The Bundeswehr wishes to become one of Germany's most attractive employers. In 2015, it mapped out the direction of travel towards this goal. Following the publication of the Attractiveness Agenda (Bundeswehr in the Lead – Active. Attractive. Different.) on 30 May 2014, which contains 29 sublegislative measures, an omnibus act with 25 measures was adopted by the German Bundestag on 26 February 2015. Taken together, the new sublegislative arrangements set out in the Agenda and the Omnibus Act form a package that will increase the forces' attractiveness and is intended to have impacts over the short and medium terms. Improvements to the old-age provision for temporary-career volunteers, amendments to pensions and benefits law relating to career soldiers, and the raising

of hardship and post allowances have entered into force. Sublegislative measures such as coaching for top officers, roaming workplaces and steps to make servicewomen and men's career pathways more flexible have been set in train.

Some of the attractiveness measures are helping to improve the work-life balance in the forces. This topic continues to be of particular significance for many servicewomen and men. In consequence, it is necessary to carry on along the path that has been embarked upon. The Commissioner discussed suggestions for this at an event held jointly with the Catholic Military Episcopal Office and the Evangelical Lutheran Church for the Federal Armed Forces on 4 November 2015 that was attended by, among others, representatives from the Federal Ministry of Defence, the offices responsible for these issues within the Bundeswehr, academics, the Military Commissioners for Gender Equality/Officers for Gender Equality Group, the bodies that represent personnel spokespersons and staff councils, the Bundeswehr Association, trade unions, the Armed Forces Reservists Association, and the Catholic and Evangelical Lutheran chaplain services. It was clearly brought out that career planning (including training and courses), and the temporary assignments and transfers that are associated with it should be oriented more than in the past towards the needs of the individuals in question, depending on the life phases in which they find themselves. No matter what topic was being debated, there were a few key issues that ran through the discussion: inadequate communication, transparency and predictability.

An employer's attractiveness depends in part on their offering an appealingly designed working environment and in part on how pleasant their premises are, all the more so if the work done makes it necessary to live temporarily in accommodation provided by the employer. During the year under review, servicewomen and men were still unable to 'feel at home' in many barracks and other military buildings. Apart from the Bundeswehr's materiel and personnel readiness, the dilapidated infrastructure of the forces' properties is the third major topic that dominated the year under review. The topping-up of the budgetary funds for this area, a clear acceleration in the pace with which maintenance measures are implemented and more effective cooperation with the Land building authorities that are responsible in many instances must therefore be the aims.

Rampant bureaucracy and a lack of flexibility are problems that are to be found in many areas and at all levels of the Bundeswehr. They not only entail massive losses of efficiency, but sap servicewomen and men's motivation, and sometimes cause considerable frustration. This is also closely

connected with the leadership style that is sometimes practised and a decline in the Bundeswehr's no-blame culture. To a large extent, the causes for this lie not in the actions of individual people, but are structurally determined, partly as a result of the Bundeswehr's practice of transferring top personnel to their next assignments after just brief periods in post.

The present report devotes particular attention to the still unsatisfactory situation in relation to promotions. Almost 10,000 servicewomen and men were waiting, and some of them had been waiting for a very long time, to have the next higher rank conferred upon them. This is attributable above all to a noticeable lack of established posts, which it will be necessary to eliminate by requesting appropriate budgetary funding. In this connection, it may be noted as encouraging that the approaches to promotions in the individual services have been harmonised since 1 January 2016. By contrast, concern is caused by the Bundeswehr's appraisal system. It has not been operated for long in its present form; nevertheless, it is already running the risk of becoming dysfunctional again because the quotas that have been set are being exceeded and the grades have drifted up to the high end of the range on a broad front. Those affected often criticise the lack of transparency. Either the existing system will have to be complied with stringently or a new appraisal system will have to be introduced.

On a positive note, it is to be remarked that the Bundeswehr is now undertaking studies on equality of opportunity for women. A staff element within the Federal Ministry of Defence is investigating, among other things, whether women are disadvantaged in the Bundeswehr when it comes to appraisals and examining the phenomenon that far fewer applications are made by servicewomen for acceptance into the employment status of a career soldier than by their male comrades. It has been a long time since the recruitment work done by the Bundeswehr was aimed exclusively at the male half of the population. The Bundeswehr must exert itself to both recruit and retain more women for military service.

Medical care for servicewomen and men is a problematic field that has not fundamentally improved for years and has been criticised again and again in the Parliamentary Commissioner's Annual Reports. There continue to be personnel problems in the Bundeswehr hospitals and unit medical care. During the year under review, there were many places where the motto 'Strong Care on Your Doorstep' was very far from being translated into reality in regional medical care.

By contrast, the Bundeswehr's efforts to improve the handling of mental disabilities suffered by servicewomen and men due to traumatic events on

deployments abroad are to be acknowledged. Nevertheless, the psychiatric and psychotherapy care provided for individuals with disabilities is still not always adequate. The health care for personnel who have been on deployments is particularly to be criticised in cases where a deployment-related mental illness first becomes apparent after they have left the Bundeswehr. These individuals are refused free unit medical care, although treatment and care that meet their needs cannot be ensured by the civilian health system. This is unacceptable. Furthermore, the Parliamentary Commissioner for the Armed Forces is still critical of the disability benefits, and benefits and pensions for special foreign assignments that are supposed to ensure personnel receive financial compensation for health impairments suffered on deployments. The procedural processes for the approval of these benefits and the amounts of time taken by these procedures do not meet the standards he regards as appropriate.

It is pleasing that the consultation process on the revision of the Military Personnel Representation Act, which was reenacted most recently in 1997, had been concluded in 2015. The representation of military personnel is a sign of strength and an important component of 'leadership development and civic education' in the Bundeswehr. A large number of innovations will be implemented when the Act is amended. In particular, the terms of office for enlisted personnel spokespersons will be extended from two to four years. Apart from this, extra competences and options for action are envisaged for them, while there are plans for the further development of their resourcing and/or working conditions. The final implementation of this legislative project is likely in 2016.

1 Full resourcing of the Bundeswehr

In his previous Annual Reports, the Parliamentary Commissioner for the Armed Forces pointed out again and again that the equipment at its disposal was not adequate to ensure the Bundeswehr's routine operations could be maintained. The term 'dynamic availability management', which had been coined to refer to the management of scarce resources, was obscuring the seriousness of the situation. The phrase concealed the fact that merely 70 per cent of the materiel required was available to the units and they were having to 'borrow' the rest from other elements – for instance for exercises –, which demanded a great deal of logistical effort and took up a great deal of time. The cancellation of massive amounts of training and dissatisfaction among the troops were the consequences. Although the Federal Ministry of Defence has recognised it set out on the wrong course, the situation has not yet altered significantly.

Apart from their inadequate materiel readiness, there are two further major areas of deficiency in the Bundeswehr: personnel readiness and infrastructure. There is a need for clear improvements in all three fields. As far as equipment is concerned, full resourcing must be the goal, and conditions comparable with 'full resourcing' must also be put in place when it comes to personnel and infrastructure.

Materiel readiness

In response to a motion adopted by the Defence Committee, the Federal Ministry of Defence presented parliament with its first report on the operational status of the Bundeswehr's major weapon systems in the autumn of 2014, since when it has had to be produced on an ongoing basis. Clear gaps in the forces' equipment came to light, and when the Ministry's second report was communicated to the German Bundestag in December 2015 it revealed there continues to be a lack of operational major end items. There are also sometimes considerable delays and shortages when it comes to the armament systems procured for these major end items. Various examples may be mentioned, such as the Multirole Light Guided-Missile System for the PUMA infantry combat vehicle (MELLS), the PARS 3 LR guided antitank missile for the Tiger, the RBS-15 heavy antiship missile for the Navy's corvettes and the Meteor air-to-air missile for the Eurofighter. To date, the Air Force has merely had access to three A400Ms, with the consequence that the Transall, which has been out of date for a long time, is still having to bear the main burden of air transport. Of 114 Eurofighters, 40 per cent are being refitted by the private sector, while only 68 aircraft are with the air wings and, of them, just 38 were operational on average. Of the 50

Transalls, merely 21 were flight ready. A lack of spare parts had the consequence that only 29 of 93 Tornados were operational. A lack of spare parts and insufficiently large servicing capacities also meant no more than five of the 40 NH90 transport helicopters were operational and available to the Army. Of 43 Tiger helicopters, just seven were flight ready. The Navy complained particularly about the poor operational preparedness of its Sea Kings: Of 21 helicopters, only three to five were operational. However, at least six of these aircraft are required for deployments and training. The same applies for the 22 Sea Lynx seaborne helicopters, only four of which were operational, whereas at least six are needed to meet minimum operational requirements.

Furthermore, it was to be remarked during the year under review that there continued to be shortages of spare parts and items of personal equipment for individual service personnel. The Bundeswehr has too little of everything. The standard of the resources for major end items and other equipment also varies widely, from very old to extremely modern. All too often, modernisation means delays, price hikes, and sometimes quality problems and/or shortages.

The current materiel readiness of the Bundeswehr is not adequate to the security situation. As a result of the Russia-Ukraine crisis, collective defence has taken on a new salience in Europe again. However, collective defence will only function if the Bundeswehr too lends weight and depth to a strong Alliance presence.

Lack of equipment for training

Servicewomen and men risk their lives on the missions they carry out. This is why they have an entitlement to the best possible equipment when they are deployed. The same applies for training. 'Train as you fight' is the guiding principle that forms the cornerstone for successful deployments. Training along these lines could rarely be guaranteed on account of the lack of major end items and other equipment for routine operations over the last few years. The situation may have become somewhat less strained thanks to the return of materiel from some deployments, in particular from Afghanistan; nevertheless, this materiel is not always immediately available for training. Following its use in the mission country, it often exhibits defects that have to be rectified. Servicewomen and men complain the minimum is always done to keep equipment functioning in the short term and ensure training activities go ahead. The forces' structure is hostage to the vagaries of the public finances.

Armoured Infantry Battalion 371, the core of the German battle group for the NATO Response Force's

‘spearhead’ (Very High Readiness Joint Task Force), had to borrow 15,000 items of equipment from 56 other Bundeswehr units for its NATO role. Exercises are consequently being significantly hindered and/or completely coming to a standstill.

During the field visit paid to **Artillery Demonstration Battalion 345** at Idar-Oberstein, it was explained that only 60 per cent of the materiel required for the NATO Response Force’s standby phase could be provided by the formation itself. The rest of the materiel had overwhelmingly been borrowed from all over the 10th Armoured Division. However, the materiel that was now available could exclusively be used for the NATO Response Force training. This was true, in particular, of major end items such as the Fennek reconnaissance vehicle, the Cobra artillery-locating radar system, the MARS multiple launch rocket system and the KZO drone. Of 24 PzH 2000 armoured self-propelled howitzers provided for in the plans, just seven were available to the battalion, of which six were reserved for NATO Response Force standby duties and the seventh was being kept as a reserve for the other six. Exercises had no longer been possible at the formation level in the last three years.

Mountain Infantry Battalion 232 had an equipment allowance of 522 Lucie night vision devices, but merely 96 were available in the year under review. Of these devices, 76 had had to be given away to various mission contingents. Of the remaining 20 devices, 17 were damaged and were being repaired. The upshot was that just three Lucie night vision devices were actually available. In the mean time, a further 60 night vision devices have been passed on to Mountain Infantry Brigade 23 by units that have returned from the ISAF mission. Mountain Infantry Battalion 232 had received 38 of these devices by the end of the year under review. In the assessment of the 10th Armoured Division, there will be no real easing of the situation for as long as secondary operational missions are ongoing and provision is not made for full resourcing. In addition to this, Mountain Infantry Battalion 232’s combat companies lacked armoured and/or protected vehicles (Boxer, Dingo and Eagle) for their predeployment training. The vehicles were delivered with a considerable delay and were in poor condition, some of them not being operational. Training group sizes and daily training times had to be adjusted in order to be able to achieve anything approaching the training goals that had been set.

Apart from problems on deployments, there are also regular complaints about numerous defects in equipment and materiel for general routine duties. Such complaints raised problems with the Eagle IV, Dingo, Wolf, Unimog and Fennek, including the radios required for the deployment of the Fennek. For

example, twelve joint fire support teams are planned for **Artillery Demonstration Battalion 345**, each with two Fennek reconnaissance vehicles, but in August 2015 merely three teams could be formed on account of the lack of vehicles.

To the present day, **Air Transport Wing 62’s** technical personnel lack the training materiel required for the A400M. In view of this situation, the servicemen affected felt any delay in the delivery of the transport aircraft would be a ‘stroke of luck’ for the formation.

Armoured Infantry Battalion 371 revealed during a field visit in May 2015 that, of 387 Bonie M **night vision devices** for which provision had been made, just nine were available. The Lucie night vision device consequently used as a replacement when driving vehicles required exceptional approval because it merely permitted two-dimensional vision, whereas the Bonie M offered three-dimensional vision. Happily, it was possible for the number of Bonie M devices to be increased to 230 by 1 October 2015.

The problems that have been outlined make it clear that prompt solutions are required, even if they only have an impact for a transitional period. To this extent, the announcement by Army Headquarters that Army materiel suitable for field use will no longer be phased out for the time being is to be welcomed. The decision to initially retain and/or to buy back from the industry the structurally necessary number of somewhat more than 300 Leopard battle tanks is correct. This approach should also be applied to other areas.

Problems with the procurement of equipment

Apart from planned shortages of items of equipment of all kinds, the sometimes sluggish progress of procurement activities is still causing concern. In particular when it comes to smaller projects, the procurement process often proves to be inexplicably slow. Greater flexibility would be desirable here, as long as this does not impair servicewomen and men’s safety.

Gaps in the provision of **flying visors with laser protective filters** have been a topic in the Parliamentary Commissioner’s Annual Reports since 2013. Since December 2015, 60 laser protective visors have been available to the Tiger pilots. It is regrettable that it was not possible to supply the visors while the Tiger was still deployed in Afghanistan, particularly against the background of the fact that these visors themselves only represent an interim solution. According to the Federal Ministry of Defence, the ultimate goal, a laser protective visor for

the integrated flying helmet system, is also being pursued further.

Following repeated delays in the procurement process for **neck muscle training equipment** to be used by NH90 and Tiger helicopter crews, progress is at last being made. As of 2016, there is to be training equipment of this kind at two bases. This equipment will only be procured for other bases following a sport medicine evaluation by the Air Force Centre for Aerospace Medicine. It continues to remain unclear when all bases are likely to be equipped. This is unacceptable in view of the potential health risks these personnel face.

Previous Annual Reports have drawn attention to the inadequate provision with **gym equipment on board seagoing vessels**. Installation surveys that were expressly intended to examine whether it would be possible to install cardio and fitness equipment on all Navy vessels while taking account of occupational health and safety, and operational safety were concluded in April 2013. Initially, it was envisaged the installation work would begin following the allocation of appropriate funds in the budget for 2015. In the course of 2014, it then became necessary to comprehensively clarify the amount of reconfiguration work that would be required in order to comply with conditions imposed by occupational health and safety, and operational safety legislation, a necessity that was described by Navy Headquarters as ‘unforeseeable’. This meant the project could not be carried out in 2015.

It is incomprehensible why the extensive reconfiguration work that would be required only became apparent in 2014 and not immediately when the original installation surveys were carried out. After all, these surveys were also supposed to expressly pay attention to the concerns of both occupational health and safety, and operational safety. It may have been hardly possible to explain the delay in the provision of gym equipment between the first installation surveys in 2013 and the originally planned installation work in 2015 to the affected servicewomen and men, but the new schedule, which provides for the work to be done by 2017 at the earliest, will be even more difficult to justify. A clear speeding-up of the planning process, which seems exceptionally tortuous here, would be desirable.

By contrast, improvements could be achieved when it came to the provision of small gym equipment (for example, dumbbells, medicine balls, skipping ropes, steppers and swing sticks). The equipment provided was tailored to meet the needs that had been reported. Since March 2015, it has been possible for the equipment that is still lacking on board each vessel to be procured on a decentralised basis at the formation level.

Criticism was also voiced of some items of personal equipment. Servicewomen and men found fault with the considerable quality defects in the standard-issue **combat boots**. They complained of blisters and sore feet after marches. These problems appear to be caused by insoles that are not fitted to the footbeds and the materials’ lack of suppleness. In contrast to the predecessor model, the sole is merely glued and not moulded, and it becomes detached in extreme heat. Especially when procuring equipment as important for physical welfare as footwear, the Bundeswehr must do everything possible to obtain high-quality items. This point must be taken into consideration as early as the drafting of calls for tenders.

The Bundeswehr’s **load-carrying equipment** and the pouches that go with it date from the 1990s and are no longer up to date. There are now markedly better solutions that have been optimised for the Bundeswehr’s various operational purposes. Modern carrying systems that are available on the market are also markedly superior to the load-carrying equipment, for example in terms of capacity, modularity and wearing comfort, particularly in combination with body armour. It is not acceptable that servicewomen and men are evidently having to purchase these items of equipment privately in order to keep pace with requirements on the battlefield. At the moment, the Bundeswehr can only equip a small proportion of its servicewomen and men with the extended Future Infantryman System, which includes modern carrying equipment and pouches.

It remains incomprehensible why 125,000 new sets of the old load-carrying equipment have been procured. If the guiding principle ‘train as you fight’ is to be followed, this load-carrying equipment is of no value for training and exercises because it is not used on deployments. The few more modern carrying systems available are used in these contexts.

Poor complementarity of equipment and training

Changes in training, the new gunnery training concept for instance, must be underpinned with the quantities of equipment required to implement them. The Bundeswehr’s new gunnery training concept takes account of the changed requirements that are being placed on the Bundeswehr during deployments, but leads to greater wear and tear on account of the considerably higher levels of use to which the weapons are subjected. This has particularly affected the P8 pistol. Cracked breeches and broken firing pins were found, the consequence of which was the total failure of the weapons in question. The problem could be rectified by using modified, improved firing pins and altering the shape of the breeches. Hitherto, no

further breech cracks have been identified. The unmodified weapons that are still in use are now being gradually replaced.

As in previous years, there were isolated incidents in which **unintentional discharges** occurred when **small arms were being handled**. A serviceman was slightly injured in one case. As a rule, these unintended discharges were attributable to failures to carry out the safety checks stipulated for the weapons in question. Inadequate training, thoughtlessness and carelessness can lead to the safety provisions for the handling of small arms not being complied with or being neglected in the practical business of day-to-day military life. Suitable occasions should therefore be used again and again to draw servicewomen and men's attention to the importance of correctly conducting safety checks on weapons. However, this should not be done in the manner chosen in the following case:

A staff sergeant cocked his P8 pistol, which was loaded with drill ammunition that could not be fired, aimed at a serviceman who was standing in front of him and pulled the trigger several times. This was supposed to make 'the importance of safety provisions in the handling of small arms' clear to the servicemen in the training platoon. Without consulting the competent legal adviser, the company commander wished to give the staff sergeant a severe reprimand on account of this misconduct. Only when a petition was processed by the Parliamentary Commissioner's staff was a special incident reported by the unit, the competent disciplinary attorney's office alerted and the file passed on to the public prosecutor's office. In the mean time, judicial disciplinary proceedings have been instituted. The criminal investigations were dropped following the payment of a sum of €3,500 to a charity in accordance with Section 153a of the Code of Criminal Procedure.

In addition to this, shortages, non-operational weapons and the restrictions on training activities they cause make **unintentional discharges** more likely. For example, the limited number of MP7 submachine guns suitable for active service in Mountain Infantry Battalion 233 is still worrying. Back in November 2014, merely 32 of the 119 MP7s required were actually available and/or operational. Shortages and non-operational weapons constrain training activities with the MP7. It is unsatisfactory that there are only plans for further MP7s to be procured over the medium term.

Once again, the year under review saw incidents during gunnery and combat training that resulted in servicewomen and men suffering **noise-induced hearing loss**. In addition to this, some servicewomen and men complained of tinnitus that had been caused

by the explosion of practice hand grenades and explosive blast simulators at training areas. In so far as could be ascertained, the servicewomen and men had used their earplugs properly following prior instruction in the use of the ear defenders. It is therefore not completely ruled out that the standard-issue ear defenders were not effective enough to provide adequate protection in all cases. This was confirmed by servicemen who remarked critically that the standard-issue ear defenders did not seal the auditory meatuses sufficiently every time they were worn. Health impairments could largely be ruled out by the use of personally fitted earmoulds. They should therefore be procured.

G36 rifle

One special case in the context of the Bundeswehr's equipment problems is the G36 rifle. Following the final investigations into the poor accuracy of the G36 rifle, the Federal Minister of Defence announced in April 2015 that the G36 rifles currently in use would be replaced for mission contingents abroad and special forces. In order to expand the mix of weapons and therefore limit the well known problems with the G36 rifle, 600 G27P rifles and 600 MG4 machine guns were procured as an interim solution at the end of November 2015. They should be made available to servicewomen and men on deployments.

In this connection, the Parliamentary Commissioner for the Armed Forces wishes to thank his predecessor, Hellmut Königshaus, for the great commitment to this issue he displayed during his term of office and subsequently in his work on the commission that examined the performance of the G36 rifle in combat situations. The commissions on the G36 rifle appointed by the Federal Minister of Defence published the results of their investigations in October 2015. They confirmed it had been found that no German serviceman had been endangered in action or even adversely affected as a result of the weapon's poor accuracy. However, considerable potential for optimisation was clear in the processes for the Bundeswehr's procurement and use of technical materiel.

The Parliamentary Commissioner for the Armed Forces welcomes the decision taken by the Federal Ministry of Defence in September 2015 that, having been in use for 20 years, the G36 rifle is to be replaced with a new assault rifle. According to the Federal Ministry of Defence, this is to be introduced into the Bundeswehr from 2019 on. Following long and intensive deliberations on the G36 rifle in the political and parliamentary arena, the Federal Ministry of Defence must take care to ensure that the procurement and use of this new rifle become a lasting success story for the Bundeswehr. The conclusions reached by

the investigative commissions offer a good foundation for this.

In future, the experience gained with technical materiel during operations both in Germany and abroad should be drawn on to a greater extent when decisions are taken about improving products or procuring new ones. The defects in the G36 first became apparent as a result of official reports from subordinate units and agencies, and were not always accorded the attention they deserved by superior officers and officials. On the contrary, the individuals who reported the defects found themselves coming under pressure to justify their actions. Official reports about defects in items of equipment, especially from subordinate units and agencies, must always be given attention by superior officers and officials, and must not redound to the disadvantage of the individuals who submit them.

Personnel readiness

The Bundeswehr's personnel readiness is to be interrogated just as much as their materiel readiness. Workloads are unequally distributed within the Bundeswehr. Temporary improvements thanks to the reduction in the number of servicewomen and men deployed abroad could not compensate for the additional burdens imposed by the assumption of greater NATO commitments. Furthermore, the problems that already existed were exacerbated in the year under review by the administrative assistance the Bundeswehr has been providing to the authorities that are dealing with the influx of refugees into Germany.

If the forces are to cope with their tasks, sufficient posts must be planned for in detail and also filled in fields where there are shortfalls of personnel. Otherwise, it will only be possible for operational and quasi-operational commitments to be taken on to the extent that the available personnel permit. In view of the tasks that currently have to be performed and the tasks that will be faced in future, it is not just necessary to achieve and maintain the force strength of 185,000 active servicewomen and men that is envisaged, but is not being reached at the moment; on the contrary, it should be examined whether the Bundeswehr's budgeted force strength is still adequate.

This will be illustrated clearly by the following examples:

Fast Boat Patrol Squadron 7 has been participating in the UNIFIL mission off the coast of Lebanon since 2006. During this period, the servicewomen and men deployed there have found themselves spending considerable amounts of time on deployment and away from home. The easing of their workload that was to be noted from October 2014 on thanks to the

provision of the UNIFIL contingent by the 1st Corvette Squadron only lasted for approximately nine months. The decision that Germany would participate in the EUNAVFOR MED operation in the Mediterranean from June 2015 on was followed by the provision of another contingent for UNIFIL by Fast Boat Patrol Squadron 7. It is to be welcomed that measures to reduce servicewomen and men's workloads were taken within the squadron. For example, the personnel for the 30th German Mission Contingent were assembled from various units within Fast Boat Patrol Squadron 7 in order to spread the burden of absences as equally as possible across the squadron. The situation will be observed further to ascertain whether this means it is possible to call the burdens bearable at all times and whether they are accepted within the formation. It was possible for absences due to the provision of personnel to perform guard duties and periods when vessels are in dry dock to be significantly reduced during the year under review. For instance, the involvement of base fire brigades in the performance of guard duties led to a clear reduction in the number of servicewomen and men detailed to the in-port watch at their home port. This development is to be welcomed from a welfare perspective. Absences due to the periods vessels spend in dry dock are no longer provided for in the plans because the fast patrol boats are to be decommissioned by December 2016.

Frequent and excessively long deployments in combination with too little time for recuperation also impose strains on other parts of the Bundeswehr. For example, it was not possible for the 4/20 deployment planning and implementation system to be complied with when it came to the specialists of the **Air Force Surface-to-Air Missile (SAM) Squadron** (on this issue, see also section 4, 'Active Fence Turkey'). The Federal Ministry of Defence introduced the 4/20 deployment planning and implementation system in response to demands from the German Bundestag as part of the reorientation of the Bundeswehr. It means that, as a matter of principle, deployments are supposed to last for a maximum of four months, and personnel are supposed to enjoy four intervals of at least 20 months before their next deployments.

As in the previous year, massive personnel problems in the **1st Submarine Squadron**, particularly affecting its junior non-commissioned officers, had the consequence that, of the seven submarine crews that had been formed, only three could be resourced with sufficient personnel. The situation would be even more dramatic were it not for skilful personnel management and numerous embarkations of suitable, qualified personnel from the formation's shore components, including reservists. Attempts are being made to deal with the manpower shortage by means

of, among other things, the formation of personnel recruitment and development teams. At present, Navy Headquarters forecast that a total of five submarine crews will be mission capable by the end of 2016 instead of the current three, with the fourth crew being available as of mid-2016. The Parliamentary Commissioner for the Armed Forces will observe attentively whether this prediction proves accurate.

With regard to deployments abroad and quasi-operational assignments of Bundeswehr servicewomen and men, the frequency of missions is running at a very high level and is rising further. Against this background, it is extremely alarming that the availability of trained **emergency care assistants and paramedics** who are fit for foreign assignments is appallingly low in all regiments. For example, Operational Medical Support Command stated that not a single medical staff sergeant/emergency care assistant was 100 per cent fit for foreign assignments in Field Hospital Regiment 21, and the situation was similar in the other regiments. The increase in the number of posts in the course of the reorientation process has not brought about any significant improvement because the skilled personnel required to fill these posts are not available. The problem is therefore becoming more and more acute in view of the persisting pressures. The workload of operations will increasingly be concentrated on the few remaining servicewomen and men who are available to go on them. Furthermore, new legislative conditions have been making it more difficult to fill posts with emergency care assistants and paramedics since the beginning of 2015. In future, the training to become a paramedic will take three years instead of the two years required up until now, so that the training cohort expected for 2016/2017 will not be available for assignment. It is not foreseeable whether this gap can be closed or at least narrowed by reenlisting and appointing more emergency care assistants. In consequence, there is no reason to reckon with a short-term, sustainable improvement in the situation. Protecting the health of servicewomen and men on deployments abroad is one of the essential functions of the Bundeswehr as an employer. This demands fully resourced and staffed medical care.

Just as the Army's engineers saw their burden of operations improve in 2014, it was also possible for the spikes in the workload of the **Joint Support Service Special Engineer Battalion** to be reduced at last during the year under review. At present, 71 per cent of non-commissioned officer posts and 79 per cent of sergeant posts are filled. Among officers, the proportion of posts filled is running at 81 per cent. There were sufficient servicewomen and men available for the posts on deployments that had to be filled. With the restructuring of Special Engineer

Battalion 164 into Special Engineer Regiment 164 as of 1 January 2016, six additional camp construction and support platoons with 222 posts have been created. This signifies a further clear improvement in the workload situation. Particularly with a view to future Bundeswehr deployments, it still has to be borne in mind that, on account of the high degree of specialisation and extensive training in this field, it will probably only be feasible to actually fill these posts over the medium term.

As mentioned above, the **burdens shouldered by servicewomen and men in the Navy** on account of deployments abroad are still being exacerbated by additional periods when vessels are in dry dock and the time they spend on guard duty. There has been an awareness of these problems for a long time. Essentially, guards are required on board boats and ships on account of the need to ensure preventive fire protection is in place, and so protect the lives and health of personnel who are working and living on board. The strains of the guard duties that have to be performed because servicewomen and men are being accommodated on ships could be reduced if sufficient numbers of suitable living quarters for ships' crews were to be made available on land at their home ports and shipyards.

The implementation of the European Working Time Directive and the entry into force of the Ordinance Governing the Working Hours of Military Personnel on 1 January 2016 will mean service personnel having a regular weekly working time of 41 hours and a maximum weekly working time of 48 hours averaged over the year in routine operations. Routine operations include service at crews' home ports. The arrangements for the performance of guard duties are therefore to be adjusted accordingly. Plans have been put in place for this.

Infrastructure

The third essential area where there are shortfalls alongside materiel and personnel is that of the Bundeswehr's infrastructure. The reforms to the Armed Forces carried out over the last few decades have left behind clear traces in this field. Numerous residential buildings at barracks exhibit **massive defects** because their upkeep and modernisation have been neglected for years. These defects range from mould in living quarters, shower rooms and toilets to leaky roofs and the failure to maintain fire safety equipment.

For instance, one serviceman complained about the quality of the drinking and household water at the military facility where he was living. The shower rooms and toilets repeatedly had to be closed due to high levels of contamination with Legionella. The

review that was conducted found that compliance with the limit values laid down by the Drinking Water Ordinance in the hot water supply at these barracks was to be classified as problematic. Although tight controls on the limit values meant there was no danger to life and health, a situation of this kind is unacceptable over the long term. In view of these circumstances, it is to be welcomed that the Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services is planning to set about the reconstruction of the water supply network at the military facility in question during 2016 as part of a construction project. The Parliamentary Commissioner for the Armed Forces will monitor further developments at this facility.

At the beginning of 2015, the Federal Minister of Defence admitted there was an enormous **need for modernisation**. The backlog of modernisation work connected with base closures and reassignments of personnel has the consequence that at some barracks it is not even possible to comply with the **space requirements** set for servicewomen and men obliged to live in official accommodation. They are having to be billeted in dormitories occupied by six or more people. No spare space is available. Furthermore, only about 60 per cent of individuals who are not obliged to live in official accommodation can be accommodated in barracks when this is required by their duties (including on-base exercises). The rest are only able to keep their clothes and equipment in a locker. The Bundeswehr does not have a bed and a locker in a barracks room for every servicewoman and man. It contravenes the Bundeswehr's duty of care as an employer that they are unable to make sufficient accommodation options available to their servicewomen and men.

Against this background, it is also inexplicable when a military facility with construction defects that lacks living quarters continues to be used under the stationing concept, while a nearby barracks that has been almost completely refurbished is to be closed. If the closure of a military facility is delayed, servicewomen and men sometimes have to put up with considerable constraints for long periods due to the state of the its built fabric – from living quarters to sports halls –, which inevitably declines because the buildings are no longer being maintained.

According to a survey carried out by the Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services, merely approximately half of the roughly 3,000 residential buildings at barracks were still classified as in 'a good to medium general condition' in 2014. Nine per cent of residential buildings were regarded as uninhabitable due to their unacceptable conditions because even workaround solutions, including cosmetic repairs, were no longer

feasible. The Federal Ministry of Defence announced it has now been possible to achieve an improvement in the forces' infrastructure. On the basis of a catalogue of measures, about 5,100 improvement projects costing roughly €100m were initiated in the short term. About 2,500 individual projects could be concluded in 2015. Thanks to these activities, the proportion of living quarters that were uninhabitable had fallen to less than one per cent.

Provision has been made in the medium term, from 2015 to 2017, for investment funding worth about €500m to finance the **construction of new residential buildings and refurbishment of existing accommodation**. A further sum of approximately €300m will be budgeted for from 2018 on. These funds will not be enough to clear the backlog of refurbishment work. Without a long-term stabilisation of infrastructure funding, it will hardly be possible to halt the deterioration of further military facilities. However, it is not just money that is lacking, but also urgency when it comes to the implementation of the measures taken, which means the funds available in a financial year cannot always be completely disbursed.

In order to facilitate and expedite infrastructure projects, the Federal Ministry of Defence has initiated the **Bundeswehr Immediate Action Programme on Barracks Refurbishment**. Under an agreement with the Federal Ministry of Finance, the measures it provides for involve organisational steps to facilitate these procedures, such as the more rapid implementation of construction projects and reinforcements to the manpower at the disposal of the Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services.

As a result of the fluctuations in the volume of investment over the last few years, personnel capacity bottlenecks have arisen in the civilian building authorities of the Länder. These bodies are partly responsible for the backlog of refurbishment work, for instance in North Rhine-Westphalia and Rhineland-Palatinate. It will only be possible for the problem to be overcome if concerted action is taken by the Federation and the Länder. The Federal Ministry of Defence is called upon to coordinate infrastructure planning and project delivery in good time with the competent federal departments and the Länder in order to avoid further negative impacts on the forces' infrastructure. 'Round tables' will be conducted regularly in future by the Federal Ministry of Defence with the Land building authorities for this purpose.

The **furnishing of the rooms** in living quarters must finally be modernised. The Attractiveness Agenda has made provision for new, uniform, more modern, higher-quality standards. Under a directive issued on 1 December 2014, for instance, all living quarters –

with the exception of those for recruits – are to have *en-suite* wet cells installed. However, there is still a long way to go before the new standards have been introduced across the board because it will only be possible to implement them gradually. In addition to this, the living quarters are to be made more comfortable with new furniture, personal fridges and televisions. Provision has also been made for the installation of Internet connections for private use (WLAN). However, it is likely that the fridges and televisions will only be installed everywhere as of 2018, while the WLAN connections will be up and running at the end of 2020. The current state of **Internet provision** – of about 3,000 residential buildings, only approximately 170 have a WLAN installed – is neither up to date nor attractive. The Bundeswehr must do everything it can to ensure that servicewomen and men's justified desire for modern, contemporary, comfortable accommodation and convenient facilities in their living quarters will finally be satisfied. Living quarters that are full of defects and inadequately furnished are unacceptable, and may contravene the provisions on occupational health and safety in individual cases.

Summary

The conclusion from the deficiencies that have been discussed in the areas of materiel readiness, personnel readiness and infrastructure is that the measures taken under the 2011 reform of the Bundeswehr must be adjusted appropriately, in particular in relation to these points.

The Federal Ministry of Defence should identify and catalogue all current gaps and deficiencies so that the German Bundestag can gain an idea of the financial outlays that will be needed. Although the proportion of Germany's total economic output spent on defence will rise from 1.16 per cent in 2015 to 1.18 per cent in 2016, the government's medium-term fiscal planning suggests it will fall again by 2019 to the lowest level in the history of the Bundeswehr (1.07 per cent). In consequence, Germany will be even further than ever from meeting the target of two per cent that has been agreed within NATO.

2 Personnel

Personnel Structure Model 185

In terms of numbers, the force strength aspired to under the current Personnel Structure Model 185 (= 185,000 servicewomen and men) is not going to be achieved, a fact that is illustrated regularly by the Bundeswehr's monthly force strength reports. According to the target structure, the Personnel Structure Model 185 is to consist of 170,000 career soldiers and/or temporary-career volunteers, as well as up to 12,500 military service volunteers. Of these personnel, however, 7,500 are not assigned to posts. In addition to this, reservists' reserve duty training days are to be factored into the force strength figure to be achieved as the equivalent of 2,500 posts. Furthermore, it is to be noted that by no means all the active servicewomen and men included in the statistics (December 2015: 177,219, of whom 51,849 were career soldiers, 116,428 temporary-career volunteers and 8,792 military service volunteers) are actually available to serve in the Bundeswehr. There is a 'discrepancy' of almost 15,000 servicewomen and men who are doing vocational advancement service and entitled to release from their duties or have been assigned to special duty posts and/or non-established posts on structural or personal grounds.

It is by no means possible to speak of the target structure of the Personnel Structure Model 185 aspired to for 2017 already having been achieved in qualitative terms either. On the contrary, it remains a central challenge for personnel management to move the body of military personnel from the **old structures** to the new structure of Personnel Structure Model 185, and organise how this is implemented as effectively, transparently and socially acceptably as possible. The fact that difficulties and delays are occurring in many areas during this – in some respects poorly planned – process of structural transition, is one of the factors that are driving the once again high level of petitions on personnel matters. There are considerable **numbers of vacancies** because servicewomen and men are (still) not in the places where they actually ought to be according to the structure – with all the consequent effects that result from this. Furthermore, there is drastic undermanning in various career paths and assignments due to the pronounced **shortage of skilled workers**. As things stand at present, the Bundeswehr will not succeed in implementing the target structure as planned by 2017.

The Personnel Structure Model 185 is the central planning and management instrument for the detailed planning of posts, the determination of the numbers of personnel and amounts of training that are required, and the formulation of requests for personnel management and budgetary resources. The Personnel

Structure Model 185 will undergo annual adjustment and permanent adaptation to take account of changing needs and developments. The basic force strength of 185,000 servicewomen and men has therefore remained unchanged to date. Recently, in August 2015, one such adjustment led to the raising of the number of posts for career soldiers by 5,000 to the current 50,000 – with a simultaneous reduction in the number of posts for temporary-career volunteers. This step is to be welcomed unreservedly, partly so that skilled personnel with technical expertise in undermanned assignments are retained in the Armed Forces over the long term on attractive or, at least, acceptable conditions.

The main causes for the high level of petitions concerning personnel management are still delays in promotion and/or assignment to higher-ranking established posts, dissatisfaction with the current appraisal system, and deficiencies in personnel management and the processing of personnel matters. Although the Attractiveness Agenda may present an appealing picture of the Bundeswehr, many servicewomen and men complain that the way they are treated and the **options to further their professional careers** are by no means attractive, let alone outstanding in comparison to other employers.

Recruitment

Following the suspension of compulsory conscription for basic military service, the Bundeswehr has been competing more than ever with civilian and other public employers. This is a challenging task in itself, particularly in view of the tangible impacts of demographic change at a time when we are seeing fewer school-leavers, a strong economy with a prospering labour market and constantly growing demand for skilled workers in Germany. In addition to this, the expectations of the potential applicants for recruitment continue to rise. They are looking for the most attractive jobs, and many wish to stay regionally rooted for family and private reasons or are looking for a work-life balance that satisfies their aspirations. Not only that, there are some specific issues that make recruitment more difficult for the Bundeswehr as an employer: The range of tasks they have to perform is enormously broad, in addition to which they also require physically fit personnel who are capable of coping with the demands made on them by deployments abroad.

The Bundeswehr assumes that approximately 80,000 job applications are required every year to ensure replacement personnel of sufficient quality are recruited in sufficient numbers each year. This target was met in 2014, and it proved possible to recruit 12,000 temporary-career volunteers and 11,000 military service volunteers from the pool of

applicants. These figures could not quite be matched in 2015 because the training capacities for military service volunteers were lower than the previous year. As far as recruitment is concerned, the now 110 **careers information offices** and 16 **careers centres** play an important role. A large proportion of the initial advice sessions and therefore the often crucial first contacts with the Bundeswehr take place at these offices and centres, which overwhelmingly do good work. However, a series of petitions also show there is room for improvement in the customer-friendly treatment of potential recruits and provision of recruitment advice. Difficulties contacting the centres by telephone, excessively long waits for appointments, a lack of transparency about the recruitment procedure and the significance of the different tests, a lack of information about the progress of procedures, confusing communication and unfriendliness are some of the criticisms with which petitioners give vent to their disappointment about their first contacts and the further application procedure.

On 13 May 2015, one petitioner applied for reenlistment as a temporary-career volunteer in the general specialist service staff sergeant career path. On 19 August 2015, he was examined by the medical service at the careers centre and found fit to serve, with the proviso that his previous medical history would have to be assessed by a medical specialist. Subject to the results of this examination, the personnel planner offered him the specialist service post he had requested with Naval Air Wing 3, to be taken up on 1 October 2016. On 9 September 2015, following his examination by a medical specialist at a Bundeswehr hospital, it was indicated to the petitioner that the result would be positive. During a telephone conversation with the careers centre on 17 September 2015, the petitioner then learned in passing, and only in response to his own inquiries, of the final negative result of his aptitude assessment. The petitioner was not informed about the reasons that militated against the use of an exceptional arrangement. It is unacceptable for an applicant to be treated in this way and conflicts with the Bundeswehr's goal of being an attractive employer.

There was also criticism of the fact that just eight of the 16 careers centres had been upgraded into assessment centres. It is only at these eight centres that all the activities previously carried out when recruits were mustered (medical examination, PE test, interview, computer and other tests), as well as application and assignment management are bundled at a single location. The other eight careers centres merely act as points of contact and provide advice. It is important for one of the biggest employers in Germany to be represented broadly across the

country. This is why the upgrading of all the careers centres into assessment centres with the intention of increasing the attractiveness of the application and appointment procedure should be reconsidered, even if this means employing more medical staff and psychologists.

The intensification of the promotional activities that present the Bundeswehr in public and during recruiting campaigns deserves to be welcomed. These involve information events of all kinds held by the Federal Office of Bundeswehr Personnel Management at the national level, as well as the careers centres at the regional level. New potential is to be developed in the near future by 'e-recruiting', which is intended to make online application possible 'with a single click'.

Personnel shortages

Despite intensive efforts to recruit more personnel, the Bundeswehr has considerable to alarming personnel problems in some areas of assignment and career paths. The shortage of skilled workers to be noted on the civilian labour market can be felt in the Bundeswehr to a particular degree. In many areas, it is not possible to speak of a robust personnel structure that also accommodates a stronger orientation towards operational requirements.

The career paths of the general specialist service staff sergeant and, increasingly, NCO specialists in technical, information technology and medical assignments are particularly affected. In addition to this, there is a shortage of personnel in areas where assignments are particularly physically demanding, clearance divers for example, as well as special assignments such as the Military Intelligence Organisation.

Up until 2014, the **Military Intelligence Organisation** lacked a direct interface with the task force companies as the lowest tactical level on the ground during deployments. This is why, on the one hand, the knowledge of the situation in the task force companies could not be reflected in the drafting and editing of military intelligence situation reports at the next higher command level and, on the other hand, information that was needed could not be made immediately available to the operational forces on the ground in a targeted fashion. Posts for personnel to perform this role have now been established. Regrettably, it has not as yet proved possible to qualify the new, young officers it will require in sufficient numbers. This example illustrates the fact that at present the new target structure has still not been reconciled with the personnel available under the forces' legacy structure.

The situation in the individual services is as follows: In the **Army**, the general specialist service staff sergeant career path is suffering from undermanning in the speciality and assignment series command support staff sergeant, information staff sergeant and telecommunications staff sergeant. The target here is about 4,600 posts, while the shortfall is running at approximately 1,900 trained personnel. The biggest shortages of NCO specialists are found in the electronics speciality and assignment series (target: 528, actual strength: about 280). There is a target of about 1,250 trained non-commissioned officers across the various career paths in the transshipment/transport speciality and assignment series compared to an actual strength of approximately 750.

In the **Air Force**, the greatest manning shortages are found in assignments connected with IT. Information processing (target: 1,215, actual strength: about 900), long-range information transfer (target: 988, actual strength: about 450) and programming personnel (target: 145, actual strength: about 100) are particularly affected. In addition to this, the above-average personnel shortfall among staff sergeants in the general specialist service is noticeable in radar electronics, particularly the radar electronics staff sergeant assignment (target: 235, actual strength: about 150), as well as aviation engineering – Eurofighter (target: 527, actual strength: about 320).

In the **Navy**, there is clear undermanning in the assignments electrical engineering (target: 687, actual strength: about 400), marine electronics (target: 644, actual strength: about 450) and IT system support (target: 638, actual strength: about 400). Furthermore, the clearance diver specialised assignment series (target: 117, actual strength: 57) is particularly affected. The personnel situation in the Navy will be discussed separately below.

In the **Bundeswehr Central Medical Services**, the biggest shortage is to be noted in the career path category of Medical Service staff sergeant, with fewer than 50 per cent of posts being filled in the outpatient medical care auxiliary staff area of assignment (target: 589, actual strength: about 240). When it comes to Medical Service NCO specialists, there are considerable personnel shortages among outpatient care assistants and in the Medical Emergency Service ambulance service assignment (emergency medical technicians). In summary, just half of all posts are filled in this field (about 850 of 1,700).

These personnel shortages in some parts of the Bundeswehr are worrying. Yet it is merely the biggest shortages that have been mentioned here. Areas with targets of fewer than 100 posts have not been included in the above account.

The practice common in some parts of the Bundeswehr of transferring servicewomen and men who are being trained to the posts for which they are designated before they have even completed their training also leads to personnel problems. Their posts then remain unoccupied while their training continues. This is why there is a need to examine uniform arrangements for all the individual services and organisational units, under which servicewomen and men would only be transferred following the end of their training.

The macrosocial causes of the personnel shortage that have already been mentioned interact with the massive **internal reasons for the personnel shortfalls within the Bundeswehr**. About 10,000 temporary-career volunteers whose employment relationships began before the Bundeswehr Reform Implementation Act entered into force (26 July 2012) find themselves in vocational advancement service with an entitlement to leave of absence from military duties for the rest of their term of service pursuant to Section 102 of the Military Pensions Act.

Due to the problems that are associated with the transition from the old structures to the Personnel Structure Model 185 target structure, about 3,200 career soldiers and temporary-career volunteers continue to be assigned to special duty posts and/or non-established posts for organisational reasons. Non-established posts are notional posts.

About 1,700 more posts are not occupied because the servicewomen and men in question are assigned to special duty posts for various reasons. These reasons include, for example, parental leave, which 1,350 servicewomen and men were taking at the end of the year under review. Further reasons are family care leave or leave to work with private companies such as g.e.b.b., which advises the Bundeswehr on procurement and organisational projects, or Heeresinstandsetzungslastlogistik GmbH (HIL), which provides repair and maintenance services to the Bundeswehr. Leave to work for national organisations such as the air navigation service Deutsche Flugsicherung GmbH (DFS) or in international and supranational institutions such as NATO, the EU Military Staff or other armed forces also falls within this category.

Against the background of the significant shortages of personnel in various areas of the Bundeswehr, it is imperative that further measures be taken to improve the situation. These would primarily involve the provision of even higher-quality education and training for servicewomen and men. Legislative improvements have to be weighed up as well. If skilled workers are to be recruited on a broader scale, it should be examined whether the application of the recruitment allowance pursuant to Section 43 of the

Federal Civil Servants' Remuneration Act could be made easier. Furthermore, consideration should be given to improving the enlistment bonus pursuant to Section 43b of the Federal Civil Servants' Remuneration Act and the personnel retention allowance pursuant to Section 44 of the Federal Civil Servants' Remuneration Act so that applications of these legislative provisions specific to the Bundeswehr can be used to make undermanned assignments more financially attractive.

Personnel situation in the Navy

The personnel situation in the Navy is extremely problematic. Since the suspension of compulsory military service in 2011 and on account of the major shortages of military service volunteers up until mid-2014, fewer service personnel than in the past could be recruited by means of reenlistment with a change of career path. On account of the improvement in the labour market situation that began to make itself felt at approximately the same time, the external recruitment of suitable personnel went down simultaneously.

As described above, this becomes particularly clear in relation to submarine crews. There are considerable numbers of vacancies in some assignment series that are also having impacts on the submarines' operational capability. The absence of just a single specialist, an information technology or electronics - petty officer 1st class or an electronics petty officer 2nd class, for example, can impair a submarine's operational preparedness.

The personnel shortage is particularly great in the **technical assignment series**. This is due, among other things, to the heavy demands made on the Navy's junior NCO specialists. The minimum requirements for these posts are frequently almost identical with those for some senior non-commissioned officer assignment series. In consequence, applicants understandably prefer to choose a better paid senior non-commissioned officer career path. As a result, the appointment rate for junior non-commissioned officers is insufficient.

In addition to this, the impact of the Germany-wide **shortage of skilled workers** in electrical and information technology crafts is making recruitment significantly more difficult here as well. By far the most vacant posts are therefore found in assignment series 43 (electrical engineer), 46 (electronics engineer) and 48 (information technology engineer). Since the levels of remuneration on the civilian labour market are markedly above the salaries paid by the Bundeswehr in the assignment series that have been mentioned, the preferential bonuses put in place to date have shown hardly any effect.

The Navy is attempting to counter these developments by making increased efforts to recruit personnel and reduce the numbers of servicewomen and men who are leaving critical assignments. At the same time, organisational adjustments, such as the appointment of higher-ranking senior non-commissioned officers to non-commissioned officer posts and the inclusion of further assignment series in the class of those entitled to receive personnel retention allowances, are to ensure an improvement in the personnel situation and therefore an increase in the number of mission-capable crews. The Parliamentary Commissioner for the Armed Forces will continue to monitor the extent to which this correct approach leads to success.

Personnel situation in Army Aviation

Army Aviation finds itself confronted with quite different personnel problems. Here too, the situation is still strained.

Over the last few years, fundamental structural changes have imposed significant burdens on the personnel affected. As discussed in recent Annual Reports, in the course of the reorientation of the Bundeswehr, the Federal Ministry of Defence decided on what is referred to as the **'transfer of helicopter capabilities'**, which has seen light tactical air transport concentrated in the Army and all other air transport capacities concentrated in the Air Force. It followed from this that the CH-53 helicopters were to be transferred from the Army to the Air Force and the new NH90 helicopters concentrated in the Army. In itself, this organisational measure had significant impacts on the personnel concerned. At the same time, Army Aviation's flying personnel were cut back drastically under the reorientation process. In this context, the then Bundeswehr Personnel Office held a personnel selection conference in the autumn of 2012 with the goal of markedly reducing the number of helicopter pilots in the Army. As discussed in the Annual Report 2013, this conference, which brought not a few pilots' flying careers to an end, prompted numerous petitions and complaints. The criticism was directed less at the necessity of the personnel selection conference itself than, far more, at what was – from the point of view of the individuals affected – the intransparent and, in some respects, incomprehensible way the selection criteria had been specified. Not only that, as later proved to be the case, not even a positive decision at the conference offered a guarantee of actually being able to carry on flying. For, apart from the reduction in the size of Army Aviation, which was a result of structural targets, unfavourable parameters demanded further adjustments to the Flying Service.

Apart from the delays with which the new weapons systems are coming on stream, the effort and expense

involved in servicing and inspecting the aircraft, in particular the Tiger combat helicopter, have been markedly greater than predicted. In addition to this, there are shortcomings relating to the procurement of spare parts. Overall, therefore, far fewer aircraft and fewer flying hours are available than originally planned.

The result has been a **backlog in training and retraining on new weapons systems**. This has affected, firstly, the pilots selected at the personnel selection conference in 2012, who have to be retrained on the new weapons systems, the ‘legacy flying personnel’ as they are known and, secondly, younger pilots who are being newly trained, the ‘regeneration flying personnel’ as they are known. The ‘Type D1 Special Publication on Personnel Management during the Reconceptualisation of the Army Flying Service (Helicopters)’ issued by Army Headquarters states that, for reasons of economy and in order to ensure sustainable operational preparedness, the pilots who will now be considered for selection to be retrained and/or trained on the new weapons systems are those who still had a remaining term of service of at least ten years on the cut-off date, 31 December 2014. Furthermore, exclusively regeneration flying personnel will be trained from 2020 on. This means time is literally running out for some pilots who still have to be retrained on the new weapons systems.

According to the above-mentioned Type D1 special publication, who is to be trained at what point in time will be decided by the Federal Office of Bundeswehr Personnel Management in consultation with Army Headquarters. This will be done by carrying out comparative assessments that look at pilots’ aptitude, qualifications and performance, as well as taking account of the state of the personnel structure.

In this connection, pilots articulated criticism of the way in which **personnel were selected to fill the training places**. The procedure was completely intransparent for the individuals concerned. The results were kept secret, thus creating a climate of mistrust. Since decisions are taken on the foundation of current appraisals and specified criteria, it would also be possible to draw up an objective, constantly reviewable ranking of the pilots, who could be allocated in order to the training course places that became available over time. This demand for greater transparency and, therefore, more predictability in relation to their own career opportunities as well, is understandable and justified. Especially in the light of what has happened over the last few years, which has confronted the personnel in question with many uncertainties, the open communication of all selection criteria, and the earliest possible announcement of selection decisions and individual prospects would

appear highly appropriate means of winning back trust in the personnel management.

Overall, quite considerable efforts will be required on the part of the Bundeswehr’s executive leadership if the problems that have arisen in Army Aviation are to be resolved.

Transposition of the European Working Time Directive in the Bundeswehr

The Military Personnel Working Hours Ordinance, which transposes the European Working Time Directive for servicewomen and men on routine operations in Germany, entered into force in the Bundeswehr on 1 January 2016. It represents a complete paradigm shift for the forces as far as their handling of working time is concerned. The use of duty hours as a resource needs to be rethought at all levels of the Bundeswehr. The approach taken to this issue will have to become more careful. Up until now, servicewomen and men’s duty hours have been determined by the tasks they have to perform, practically without maximum limits. For the first time, servicewomen and men’s duty hours are now governed by a piece of legislation, and paramount status is accorded to occupational health and safety, and health protection. Since 1 January 2016, the standard weekly working time (41 hours), the maximum weekly working time (48 hours), the provisions on daily rest breaks, and the minimum amounts of uninterrupted daily and weekly rest have also applied for servicewomen and men.

The introduction of the Military Personnel Working Hours Ordinance in the Bundeswehr demanded timely organisational and technical preparation, as well as the provision of information to the troops on its implementation. Apart from this, the system for the **automated recording of working hours and attendance** provided for in the Ordinance had to be set up in good time. Even though putting the Military Personnel Working Hours Ordinance into practice would be extremely complex, the Bundeswehr had to ensure that all the individual services and major organisational elements would be able to organise their duty rosters pursuant to the Ordinance as of 1 January 2016.

A higher level of health protection thanks to the precedence given to time off *in lieu*, the greater predictability of duties for servicewomen and men and their families, and the level of remuneration for overtime that has been set are clear advantages of the reform. What will be disadvantageous for many servicewomen and men is the fact that fewer **‘overtime hours’** will be done in future, and the financial rewards earned up until now for performing additional duties will therefore go down markedly.

At the end of the year under review, criticism was voiced among the ranks of the forces' servicewomen and men of the fact that, due to the delayed promulgation of the Military Personnel Working Hours Ordinance, it would hardly be possible for the necessary **implementing provisions** to reach the forces in good time. The demand for information could not be satisfied at all levels. There were numerous unresolved issues to be feared. Nor had clear definitions yet been drawn up for the fields where the Military Personnel Working Hours Ordinance would not be applied in routine operations, so that there was no legal certainty about how they were to be dealt with. Apart from this, a fully automated working hours and attendance recording system could not be set up in all areas as of 1 January 2016. It is therefore to be welcomed that the Federal Ministry of Defence has established its own central point of contact for personnel to raise unresolved issues and suggest improvements (FüSK III 1).

The European Working Time Directive has already been applied for a long time to **civilian firefighters** in the Bundeswehr fire brigades, where it has led to massive understaffing. Since the Directive's transposition, there have been temporary restrictions on the performance of certain tasks at some bases that have also had an influence on the Air Force's flight operations. It is to be expected that the introduction of the Military Personnel Working Hours Ordinance in the Bundeswehr will also have impacts on the demand for personnel in specific organisational elements, the Medical Service and the Navy for instance.

Changes to terms of enlistment

Servicewomen and men are able to enlist to serve in the Bundeswehr for various periods of between a minimum of two and a maximum of 25 years. Almost any term of enlistment is possible, depending on the demand at the time. Despite this welcome flexibility, many servicewomen and men feel the desire to alter the term of enlistment for which they initially signed up while they are serving in the forces.

During the year under review, numerous petitions were received from servicewomen and men who wished to extend their term of service. In particular, members of the enlisted soldier career path complained that it was usually only possible for their **term of service to be extended** at relatively short notice prior to the end of their standard term of enlistment – if at all. Further criticisms related to, among other things, the slow processing of applications and the lack of information provided by the forces about opportunities for reenlistment.

Servicewomen and men felt unfairly treated as a result of the different lengths of the **standard terms of**

enlistment for the enlisted soldier career paths in the Army, Air Force and Navy since 2014. Whereas the standard term of enlistment is eight years in the Army, it is four years in both the Air Force and the Navy. The different lengths of the standard terms of enlistment are not immediately explicable. The individual servicewomen and men in the Air Force and Navy are unable to understand their unequal treatment compared to Army soldiers. In consequence, there is growing dissatisfaction, particularly as the differences have not been justified transparently. Efforts should be made to establish a uniform length for the standard term of enlistment, especially with a view to enhancing the forces' attractiveness.

Junior non-commissioned officers contacted the Parliamentary Commissioner for the Armed Forces during the year under review and complained about the excessively long amounts of time taken to process their applications for reenlistment. This problem was also raised in relation to applications to switch to the staff sergeant career path. For instance, one servicewoman applied to reenlist and extend her term of service from eight to twelve years on 11 February 2014. She contacted the Parliamentary Commissioner for the Armed Forces on 6 July 2015 because she had still not received a decision about her application. The decision was not issued until 23 July 2015. It is unreasonable for the applicant in question if an application of this kind takes longer than a year to process.

Under the attractiveness programme, it recently became possible for temporary-career volunteers to **reenlist for up to 25 years in total**. Numerous servicewomen and men have wanted to make use of this option. However, there is no denying that, apart from the understandable wishes of the individual servicewomen and men, there must also be demand for such long terms of enlistment from the Bundeswehr. As the law stands, these terms of enlistment of more than 20 years cannot be retained by enlisted personnel and junior non-commissioned officers who change their status to become career soldiers. Questions therefore have to be asked about what career prospects are to be open to servicewomen and men after the end of their time in the Bundeswehr if they are discharged at an age between 40 and 50. As an employer, the Bundeswehr has a particular duty to provide advice to this group, as well as training and qualifying them for working life after military service.

It is to be noted positively in this connection that Brandenburg is the first German Land to recognise the training of military police staff sergeants as counting towards the career path examination for the intermediate police service. It would be desirable for further Länder to follow this example.

By contrast to this, there is still an interest in **shortened terms of service** among numerous temporary-career volunteers. As in previous years, petitions on this subject were submitted to the Parliamentary Commissioner for the Armed Forces, from whom the servicewomen and men hoped for assistance following the rejection of their applications.

According to the current legal situation, an application to shorten a servicewoman or man's term of service may only enjoy success if shortening their term of service is in the interests of the employer. This may be difficult for the applicant to appreciate in individual cases, as will be made clear by the following example:

A staff sergeant applied for his term of service to be shortened after his Ü 2 security clearance had been removed from him. He was no longer allowed to be deployed in his post on the grounds that it partly involved sensitive activities. The shortening of his term of service was rejected because it would be possible for him to apply for another security screening once two years had elapsed. However, if the processing time for the new application is added to this period, it could certainly be the case that, under certain circumstances, the serviceman would have to wait for another two years for his security clearance to be granted. In addition to this, there were no assurances that he would actually be granted security clearance again at all. In consequence, the serviceman's dissatisfaction at the rejection of his application for a shortened term of service is comprehensible.

A detailed account of the problems associated with the shortening of terms of service has already been given in the Annual Report 2014. As attempts are made to increase the Armed Forces' attractiveness, thought should therefore be given to the possibility of also permitting terms of service to be shortened if it is in the interests of the individual servicewomen or men and appears militarily not unjustifiable.

When a decision is issued rejecting an application for the extension or shortening of someone's terms of service, the **grounds for the decision** frequently just quote the wording of the regulation under which the application has been rejected. There is no discussion of the servicewoman and/or man's individual submission; nor are the operational requirements that led to the negative decision explained in concrete terms. It is common for a petitioner to first learn of the grounds for such a decision by means of a petition to the Parliamentary Commissioner for the Armed Forces. When petitioners thank the Parliamentary Commissioner for the Armed Forces for information they should really have received from their superior

or personnel manager as a matter of course, there are deficiencies in the system of personnel management.

It is not the Parliamentary Commissioner's job to facilitate communication between servicewomen and men, and the forces' personnel managers. The Parliamentary Commissioner for the Armed Forces has therefore suggested to the Federal Office of Bundeswehr Personnel Management that negative decisions on personnel matters should be sent out with comprehensive statements of the grounds for each decision.

Changed selection procedure for acceptance as a career soldier

As explained in recent Annual Reports, the Federal Ministry of Defence had to change the selection procedure for acceptance into the employment status of a career soldier on account of a decision of the Federal Administrative Court delivered in 2012. Up until 2012, applicants were essentially called upon to take part in the procedure one year-of-birth cohort at a time, a system that was declared to be unlawful by Germany's highest administrative court. As a consequence of this judgement, no selection procedure was held for the acceptance of senior non-commissioned officers into the employment status of a career soldier in 2013. Legal instruments that entered into force in May 2014 governed the 2014 selection procedure. According to those legal instruments, a temporary-career volunteer is, as a matter of principle, only entitled to submit an application if they are able to present at least two routine appraisals. Although this fundamentally strengthened the merit principle, the new approach also led to some unacceptable results because the rules for the selection procedure had not been harmonised with the appraisal regulations that applied at that time: For instance, the requirement that two appraisals be submitted had the consequence that the service personnel who had been promoted most rapidly on account of their very good first appraisal were unable to take part in the procedure because they had not undergone a second appraisal. This meant that acceptance into the employment status of a career soldier was ruled out for many particularly outstanding applicants in 2014. For they would not be able to present a second appraisal until a later date.

The exclusion of these individuals from the procedure, which had previously been criticised by the Parliamentary Commissioner for the Armed Forces, was also seen as an infringement of the merit principle by the administrative courts that ruled on it. It was noted in the grounds for their judgements that the relevant legal instrument is incompatible with Article 33(2) of the German Basic Law because personnel have to be selected on the basis of their

aptitude, qualifications and performance. The courts were also of the opinion that further-reaching exemptions would be called for. The Bundeswehr has now remedied the situation and adjusted the appraisal regulations to take account of the new selection procedure. This means freshly promoted servicewomen and men will also be able to take part in such procedures in future. This necessary measure is to be welcomed. In order to harmonise the timelines for the achievement of the entitlement to participate in the procedure for acceptance into the employment status of a career soldier, it is now provided for that, following a first *ad hoc* appraisal, a further *ad hoc* appraisal is to be drawn up for all servicewomen and men in time for a uniform submission date.

Promotions

In 2015, almost 10,000 servicewomen and men were waiting for promotion because the established posts funded under Departmental Budget 14 were not sufficient in order to promote everyone who fulfilled the preconditions for promotion. In some areas, at least, this led to disproportionately long waiting times that were unreasonable for the individuals affected. The lack of established posts is not the sole cause for the complaints about delayed promotions articulated in many petitions. Established posts are budgeted for under the Federal Budget Code to perform ongoing tasks for which the establishment of an employment status as a temporary-career volunteer or career soldier is permissible. However, the number of, and pay levels for, established posts are oriented towards the demands that derive from the Personnel Structure Model 185 as the forces' central planning and management instrument. Parameters have been specified for this model that ultimately give a figure of about 8,400 servicewomen and men, for whom higher paid established posts have deliberately not been budgeted under the pay scale set for the Personnel Structure Model 185, even though they meet all the preconditions for promotion. Even though the numbers and structure of the established posts provided for pursuant to the Personnel Structure Model 185 are therefore fully funded in the federal budget, it is inherent in the 'personnel structure model' that waiting lists for promotions will have to be administered. To a certain extent, this takes account of the merit principle as it is applied generally in the public administration. Candidates for promotion are not actually promoted immediately after fulfilling the minimum preconditions, but get their chance after a period of waiting on the basis of selection by merit.

However, the performance-based approach inherent in this system cannot justify personnel having to spend average **waiting times of two years and more**

on a promotion waiting list. In this respect, 'average' means that some servicewomen and men wait markedly longer because more outstanding candidates overtake them again and again, being promoted earlier and pushing others down the list. Many petitions reflect the dissatisfaction and demotivation felt by servicewomen and men due to the disproportionately long waiting times. In concrete terms, the numbers of candidates for promotion that are foreseen under Personnel Structure Model 185 are about 6,600 for sergeant 1st class/chief petty officer 2nd class (pay grade A 8mZ), about 1,200 for master sergeant/senior chief petty officer (pay grade A 9) and about 600 for lieutenant colonel (pay grade A 14).

Adjustments are needed here. The number of those who are 'ready for promotion', but have to wait disproportionately long for it is far too high. It is therefore necessary to clearly increase the number of established posts provided for under the Personnel Structure Model 185 in the areas that have been mentioned and to approve the budgetary funds requested to finance them.

Modification/harmonisation of the approaches to promotion in the individual services

Appreciably more justice between the individual services is to be ensured by a change to administrative practice in relation to promotions that has been applied since 1 January 2016.

According to the principle of selection by merit, servicewomen and men are selected for promotion depending on their aptitude, qualifications and performance. Given that there are always more candidates 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, as has been described, ranked in a promotion waiting list once they have satisfied the requisite preconditions. Apart from other performance criteria, it is primarily the most recent regular appraisal that is used to rank them. The individual is then promoted on the basis of their placing on the waiting list.

Up to the end of 2015, **separate promotion waiting lists** were drawn up for the members of the individual uniformed services. This resulted in candidates for promotion in one uniformed service being more likely to be promoted than candidates with better performance grades in another uniformed service, which especially prompted dissatisfaction in the Joint Support Service, where personnel from the different uniformed services serve together. In particular, servicewomen and men who did comparable work and were appraised together in a single comparison

group showed little understanding if a fellow servicewoman or man had only been promoted more rapidly because she or he was a member of a different uniformed service.

Since 1 January 2016, independent, interservice promotion waiting lists have been drawn up by each uniformed service for promotions that involve assignment to established posts. This will ensure that, irrespective of the particular uniformed service to which they belong, the most outstanding candidates actually enjoy success. This measure is to be welcomed.

It should be examined whether harmonisation between the individual services is necessary and called for in other areas of personnel management. *De facto*, for instance, inconsistent career path qualifications for particular comparable assignment series lead to unequal treatment (for example, with regard to the earliest possible date for promotion), which can only be explained to the individuals affected with difficulty. There are also differences that are incomprehensible when it comes to career path training.

An Army sergeant who was serving in the Joint Support Service as a trained catering NCO applied successfully for the career path of general specialist service staff sergeant in the catering speciality and assignment series. Before his change of career path, he had completed a career path training as a junior non-commissioned officer. Following his acceptance as a staff sergeant, he received his training course plan from the Federal Office of Bundeswehr Personnel Management. According to the plan, he was required by an Army Type D1 special publication to initially repeat his general basic training, do a four-week internship in his parent unit and attend the Candidate Staff Sergeant/NCO Training Course Part 3 in order to obtain training certificates that he had already been awarded as an NCO specialist. As a consequence of this, he would only be able to complete his career path training in six months time, and would be promoted correspondingly later than his fellow servicewomen and men in the Air Force and Navy, for whom this provision did not apply.

The Federal Ministry of Defence commented on this that in the Army it was only possible to establish a common knowledge base for the subsequent sergeant training course once the personnel to be promoted had attended all candidate training courses (again). This would not entail career path disadvantages because the provision applied for all comparable personnel who switched career path in the Army. The training programmes of the major military organisational elements were regulated separately, and there was therefore no entitlement to equal treatment with

fellow servicewomen and men in the Air Force and Navy.

This argument is unconvincing. Firstly, it is incomprehensible why an experienced non-commissioned officer has to repeat his whole training, and his previous performance goes unrecognised. Secondly, it is in the nature of the matter that service personnel compare themselves with one another when they serve together daily in the Joint Support Service, do the same work, belong to the same comparison group for appraisals and will be included in the promotion waiting lists that are to be drawn up jointly in future.

Repeal of the Rotation Directive

The Federal Ministry of Defence's Rotation Directive of 5 April 2005 governed the selection procedure for the promotion and/or assignment of officers and non-commissioned officers above their individual general career path prospects. This directive covered promotions to sergeant major/warrant officer 1st class, captain/lieutenant, colonel/naval captain and assignments to established posts in pay grades A 12 (Officer Specialist Service), A 15 and B 3.

In accordance with the Rotation Directive, a promotion waiting list was drawn up for the promotion and/or assignment of officers and sergeants above their individual general career path prospects on the basis of the dates when they had been transferred to the higher-ranking posts they held. With its judgement of 27 August 2014, Cologne Administrative Court declared this directive and the practice to which it gave rise unlawful because 'length of service in post', i.e. the amount of time spent in the higher-ranking post no more constituted a criterion for performance than total length of service or age. Six months passed between the Administrative Court's ruling that the Rotation Directive was unlawful at the end of August 2014 and its repeal by the Federal Ministry of Defence as of 1 March 2015, during which time numerous personnel continued to be promoted/assigned under the old system administered in accordance with the Rotation Directive. Some petitions criticised this approach.

The Federal Ministry of Defence makes the point that a single case had been decided by the judgement of Cologne Administrative Court, but the Rotation Directive had not itself been 'repealed' as unlawful. The implementation of the conclusions reached in the judgement had taken six months, including the process of coordination between the Bundeswehr's internal decision-making bodies and the political levels, and the consultation of interest groups. The deferral of the roughly 750 forthcoming and approved promotions/assignments in this period of time until a

new legal foundation entered into force was not an option. There can be no objection to the steps taken by the Federal Ministry of Defence. The deferral of all promotions for six months would have led to a flood of complaints and legal actions. In this respect, it has to be borne in mind that many servicewomen and men must have justifiably assumed they were due for promotion – and that this would be administered on the basis of the Rotation Directive, which was accepted and perceived to be fair by all parties.

However, the Federal Ministry of Defence must accept it will be reproached for having responded far too late and evidently not having been prepared even though the legal problems with the Rotation Directive were sufficiently well known.

Appraisal system

When it comes to the personnel matters of servicewomen and men, the appraisal system remains just as prominent as it is heavily criticised. This was shown once again by numerous petitions in which sometimes massive criticisms were made of the procedure, for example due to the late presentation of an appraisal by an assessor or the failure of a second assessor to supply their comments. Apart from this, there were frequently objections to the content and results of specific appraisals.

Appraisals are the central selection instrument for personnel managers, as well as the crucial foundation for servicewomen and men's individual professional careers. It follows from Article 33(2) of the German Basic Law that personnel also have to be promoted in accordance with the merit principle, i.e. on the basis of the criteria aptitude, qualifications and professional performance. On this foundation, secondary regulations in civil service law and military law and, in particular, the highly differentiated case law of the Administrative Courts have shaped the complex, sometimes overly bureaucratised appraisal procedures within the Bundeswehr, which contain a large number of potential sources of error. In addition to this, there is the fact that every appraisal procedure has to overcome systemic contradictions and conflicts of interest.

The employer and/or the assessor want and must make a selection based on performance/merit. In view of the significance of the appraisal for their further career, the individual to be appraised wishes to receive the best possible rating and will usually tend to assess their performance more highly in comparison to others than is justified by the objective circumstances. The assessor is overburdened by their job because they have to select personnel by merit, and are duty bound not to appraise many servicewomen and men in line with their expectations

in view of the strict quotas that have been set. Many servicewomen and men are therefore appraised 'too highly' – with the prescribed quotas being exceeded.

This has the consequence that, as time passes, assessors are awarding ever more top ratings or, although the quota is kept to, appraisals are conducted by assessors with their end result in mind, for example in order to permit a change of status. However, this means the selection and performance system of the appraisal is losing its real function because, at best, it can only be trusted to a limited extent. The Bundeswehr too finds itself confronted with the same problems. At present, work is therefore being done on reforming the existing appraisal system, which exhibits the symptoms described above, or possibly putting a new appraisal system in place.

It is apparent from petitions and discussions that under the existing appraisal system the set quotas are now being massively subverted in some agencies. The ratings awarded are being inflated a great deal with far more than the percentages of personnel that have been specified being placed in the very good and good ranges. However, it is also reported that assessors keep their top ratings exclusively for those servicewomen and men who are to be accepted into the employment status of a career soldier.

No matter how much understanding one may have for the difficulty of establishing a fair, transparent, workable appraisal system, it appears remarkable how rapidly the current appraisal system has evidently reached the limits of its practical usefulness. The assessors, their superiors and the military leadership as a whole have slackened the reins to such an extent that justice is no longer being done to the objective of the appraisal system. This system must function because it is of immense significance both for the individuals to be appraised and for personnel management. This is why vigorous efforts are to be made to ensure that either an effective, revised, new appraisal system is rapidly introduced or the existing procedure is complied with rigorously.

Personnel management

With its more than 3,000 military and civilian posts, the Federal Office of Bundeswehr Personnel Management bundles recruitment, personnel development and the discharge of personnel in one organisation for the first time in the history of the Bundeswehr. Two years after its establishment at the end of 2013 as part of the reorientation of the Bundeswehr, the Office is undergoing a first **evaluation** that is expected to culminate in a partial restructuring. The concrete results of the evaluation remain to be seen. The consequences to be drawn from them for the structure of the Office are to be

implemented sensitively and in a manner that is transparent for all concerned. This applies all the more in view of the increasingly heavy demands that are being made on the Federal Office of Bundeswehr Personnel Management and its employees.

On 1 October 2015, for instance, the Office took charge of the personnel management of enlisted men in the Air Force. The management of enlisted men in the Army will be added to its responsibilities as well on 1 July 2016. Against this background, it is very much to be welcomed that an additional 312 posts were requested in the course of 2015 – irrespective of the results of the forthcoming evaluation. These have initially been established for a limited period up until 2017 and have also been filled to a very large extent. Of these additional posts, almost 200 will go to personnel management in order to ensure support is provided more thoroughly. The aspiration is to reach a **staffing ratio** of approximately 1:300 between the competent personnel managers and the approximately 40,000 officers they manage and a ratio of approximately 1:400 between the relevant personnel managers and the approximately 144,000 non-commissioned officers/enlisted service personnel. Up until now, the ratio has been approximately 500 to 600 servicewomen and men to each personnel manager.

The ratios that are being worked towards would allow more intensive and more expert personnel support to be provided for servicewomen and men. The Parliamentary Commissioner for the Armed Forces argued at an early stage that it was necessary to strengthen the elements that manage personnel – in particular in the field of immediate operative personnel management. The ratios that are being worked towards deserve unconditional support.

Since personnel managers are also involved in processing petitions and complaints, and additional personnel will therefore help to ease the pressure on them as well, the excellent cooperation between the Federal Office of Bundeswehr Personnel Management and the Parliamentary Commissioner for the Armed Forces may be improved even further.

Deficiencies in the processing of personnel matters

During the year under review, there were again numerous petitions that drew attention to errors in the processing of personnel matters. In particular, complaints were received about excessively long processing times or even the loss of applications, the failure to provide provisional decisions, as well as the lack of transparency and communication about personnel decisions, inadequate statements of grounds in orders and documents that were missing from personnel files. In some cases, the processing of

applications only took so long because it could not be clarified who was competent to deal with them for months on end. Cases of this kind understandably prompt frustration. If such incidents accumulate, there may be a significant loss of trust in the Bundeswehr.

For instance, one female temporary-career volunteer who had initially signed up in 2011 for four years in the enlisted personnel career path submitted applications in July 2014 to switch to the senior non-commissioned officer career path and have her term of enlistment extended. Between August and November 2014, the Federal Office of Bundeswehr Personnel Management examined an appropriate possible assignment, which it was possible to put to her at the end of November. In December 2014, the servicewoman then participated successfully in an aptitude assessment procedure at a careers centre. In March 2015, she was informed about the possible assignment and given a preliminary briefing on her planned transfer to a different location. Following the drafting of the necessary personnel order in April 2015, the servicewoman was finally admitted to the career path in June 2015. The Federal Office of Bundeswehr Personnel Management claimed the total processing time of ten months was to be regarded as justifiable – given that the average amount of time such procedures take to process in comparable cases was nine months. It is not possible to concur with this statement. The amount of time taken has a negative impact on applicants' motivation, and there is a threat of the Bundeswehr losing skilled personnel as a result of this.

Security screening procedures

The number of applications for security screening procedures to be conducted by the Military Counterintelligence Service within the jurisdiction of the Federal Ministry of Defence has risen further since 2012 – when it was at a high level anyway. Just under 45,000 security screening procedures were to be recorded in 2012, before the figure rose to 57,000 in 2013. In 2014, it reached approximately 55,000, before falling to about 50,000 in the period under review. One key factor in this rise were the increasing numbers of sabotage protection screening procedures carried out due to the legislative provisions on preventive personnel sabotage protection that were amended at the beginning of 2012. According to the new rules, an extended security screening procedure (Ü 2 sabotage protection), which involves more extensive screening measures and investigations, is now to be conducted for individuals who will be employed in particularly sensitive posts.

In addition to this, it is **taking longer to process these screening procedures** because ever more

servicewomen and men are being security screened who were not born in Germany.

In the course of the structural reform of the Bundeswehr, the Military Counterintelligence Service had to go through a process of adaptation that provided for a reduction in its manpower. This was predicated on a mere 38,000 security screening procedures a year. The Military Counterintelligence Service has initiated a range of measures to mitigate the imbalance caused by the reduction in personnel, on the one hand, and the dramatically increased numbers of security screening procedures, on the other. Firstly, the Service's personnel have been reinforced with staff from other agencies and authorities subordinate to the Federal Ministry of Defence; secondly, a simplification of the rules is to lead to a clear reduction in the numbers of security screening procedures.

However, a series of petitions in the year under review showed once again that the measures mentioned have still not had satisfactory effects. Although it is possible for a large proportion of the security screening procedures to be concluded within a reasonable timeframe, some of them still last markedly too long. Even though it has to be taken into account that just under a quarter of all procedures uncover security-relevant information that has to be assessed and, where applicable, submitted to the Security Officer at the Armed Forces Office, procedures that go on for longer than a year are hardly acceptable. This point was made in the last Annual Report of the Parliamentary Commissioner for the Armed Forces.

In one case, for instance, a total of 14 months passed between the petitioner giving their consent for the conduct of a security screening procedure on 5 March 2014 and its conclusion on 11 May 2015. Procedures that take so long to conduct are not isolated cases. During this period, no promotion and no training for the planned assignment are possible, which means the servicewomen and men in question may suffer disadvantages in their career paths. For delays to the beginning of training result in delays to promotion, which are followed by an appraisal at a later point in time and reduced opportunities to be accepted as a career soldier.

Given that no significant improvement has occurred in the situation since the Parliamentary Commissioner's Annual Report 2014, it is to be warned once again that there is an urgent need to shorten the amount of time required for such procedures, both in the interests of the servicewomen and men affected, and in the interests of the Bundeswehr. Evidently, the considerable periods required for security screening procedures are primarily attributable to a shortage of personnel. In

consequence, thought must be given to a further increase in the Service's manpower.

Furthermore, the **specific individual features of each particular case** must not be disregarded in security screening procedures either. For instance, one serviceman contacted the Parliamentary Commissioner for the Armed Forces because the security clearance he had initially been given had been taken away from him again several years later when another screening procedure was conducted. The reason was that in his second interview he had not referred to a number of things he assumed would be known on account of his first interview, in which he had mentioned them. Here, it would have been obvious to make enquiries to the petitioner or his superior in order to clarify potential misunderstandings before a formal decision was taken to refuse security clearance. Instead of this, a decision to refuse clearance was issued that, what is more, was formulated in less-than-empathetic and, in some respects, **insulting bureaucratise**. For instance, it said, among other things, 'You [appear] to subject official orders and instructions to your own analysis and assessment. [...] The Bundeswehr is only able to trust service personnel with a sensitive activity who offer the unconditional assurance that they can be relied upon at all times – both in the performance of their duties and in other situations.' It is comprehensible that the serviceman was disappointed about his treatment as a 'security risk'. In the mean time, this decision has been revised.

Delays to training in the Military Air Traffic Service

The last two Annual Reports referred to the fact that the training capacities available in the Military Air Traffic Service are insufficient in order to train all candidates in good time. There has been no change to this situation. At present, servicewomen and men face an average waiting time of 36 months until they begin their training. Together with the three years and six months the training takes, this amounts to a period of six years and six months in total. It is not only the promotion of the servicewomen and men affected that is delayed as a result of this. The compatibility of family/private life and service suffers as well because it is only decided which air base personnel will be deployed to once their training is completed. Since the planning of courses within the training system is by no means dominated by long-term considerations either, the whole procedure robs personnel of their motivation and creates frustration. Against this background, it is confusing that the Federal Office of Bundeswehr Personnel Management is running an advertising campaign on the Bundeswehr intranet

that, of all things, invites personnel to apply for this very training.

Career path disadvantages due to excessively long disciplinary proceedings

The conduct of some judicial disciplinary proceedings is being significantly delayed on account of the still critical personnel situation in the disciplinary attorney's offices, and the disciplinary and complaints courts. In some cases, this is having serious impacts on the career paths of the servicewomen and men in question. The relevant regulations provide for servicewomen and men not to be promoted, attend training courses that will help them progress in their careers or be transferred to better paid posts while such investigations are ongoing. Selection to become a career soldier or reenlistment as a temporary-career volunteer is usually out of the question as well in view of the fact that their aptitude has been called into question.

Exceptional promotion is only possible when the circumstances constitute what is known as a hardship case. This applies if the servicewoman or man has particularly proved their worth, but the final conclusion of the proceedings is significantly delayed, the delay is not the responsibility of the servicewoman or man, and the accusation represents a one-off instance of less serious misconduct consequent upon the situation and not the individual's character. All these preconditions must be satisfied before a hardship case can be recognised. This happens in extremely few instances. Sometimes, the proceedings and therefore the block on promotion go on for several years. In such cases, the breach of official duties and the consequences it entails for the servicewoman or man in question are often out of proportion to each other. What is positive is that the agency responsible for processing an individual's personnel matters is now to request information about how disciplinary proceedings are progressing at regular intervals when they continue for excessively long periods of time.

Cases in which investigations are conducted for months or years on end, but the proceedings then end in an acquittal are particularly serious. In situations of this kind, the personnel management may examine whether the individual in question should be indemnified under career path law. In line with current administrative practice, however, **indemnification** is only to be given consideration if it is found that the individual concerned themselves gave no occasion for the disciplinary investigations and they cannot be held responsible for the proceedings conducted from any perspective. As such matters are administered in practice, this only applies if the individual in question has been accused by third

parties (for example, in a witness interview, due to the bringing of charges or as a consequence of the raising of false suspicions) without being at fault themselves, and the accusations made by the third parties prove to be untrue in their entirety. Since these narrow preconditions are practically never satisfied, the individuals affected have to accept disadvantages in their career paths despite being acquitted without indemnification. This is disproportionate.

The duration of judicial disciplinary proceedings has not grown significantly shorter in recent years and no shortening is foreseeable in the near future. It is therefore recommended that it be examined whether the regulations concerning the recognition of hardship cases for exceptional promotion and the administrative practice followed when indemnification is granted after an accused individual has been acquitted should be modified.

Discharge from the services

The Bundeswehr's vocational advancement service helps decisively to make it easier for temporary-career volunteers who are leaving the services to cope with the transition to civilian working life. If it is to carry out this role, however, it is necessary for applications for release from military service to be processed promptly. This has not always been managed:

For instance, one serviceman wished to take part in a career orientation internship and handed in the relevant application on 4 May 2015 at his unit's orderly room. Although the application was marked urgent, it had not been received by the Vocational Advancement Service, which was responsible for the matter, even after more than three weeks had passed. The internal clerical errors at the Federal Office of Bundeswehr Personnel Management identified when the petition was reviewed were clearly to be criticised. The mislaying of the petitioner's application ultimately resulted in him not being able to take part in the internship he had had in mind.

During the year under review, servicewomen and men from all status groups also complained that they had left the forces in upsetting circumstances. In some cases, they only received documents it was compulsory for them to be issued with when they left the forces, such as their certificate of discharge, their certificate of years in service or their final testimonial, with a considerable delay.

Temporary-career volunteers are entitled to a **testimonial** when they leave the forces. A number of petitioners complained that their testimonials were only drawn up and issued following several requests some months after the end of their term of service. This failure is inexcusable. The testimonial is urgently

required for civilian working life and, what is more, immediately after the individual's discharge from the Bundeswehr, not months later. Nor is it servicewomen and men's job to apply for a testimonial.

Another reason for complaints was the failure to comply with the formal requirements placed on testimonials. If a testimonial does not fulfil minimum formal requirements, it is useless in civilian working life. There were also various complaints about the content of testimonials. Testimonials have to correspond to the truth, and are always to be written in favourable terms. The main activities performed by the servicewoman and/or serviceman are to be set out in full. Their testimonial is evidence of the work they have done and, in certain circumstances, crucial for the direction of their further career. Those who draft testimonials must be aware of this.

Not only that, servicewomen and men are entitled to a **provisional testimonial** before the end of their term of service. This right too has not always been respected. The drafting of a provisional testimonial is intended to ease the transition from military to civilian working life by making it easier to submit job applications. In so far as this is the case, it is not acceptable when someone has to wait months for a provisional testimonial.

These topics have repeatedly been dealt with by the Parliamentary Commissioner's Annual Reports in the past. In previous years, assurances have regularly been given that the situation would be remedied. In view of the numerous petitions still being received by the Parliamentary Commissioner for the Armed Forces on this issue, it is doubtful whether action to remedy the situation has actually been taken to the extent that would be necessary.

It is possible for career soldiers who are leaving the Bundeswehr to attend a **workshop for leaving career soldiers offered** by the Armed Forces. This is a pilot project that was launched in 2012, since when the number of training courses has gradually been increased. However, it is evidently insufficient to allow all the personnel interested in it to attend. During the year under review, places requested on training courses could repeatedly not be allocated.

Although a comparable training course is provided by the Bundeswehr Association, referring interested personnel to this provision is no substitute for greater efforts on the Bundeswehr's own part. The training course run by the Bundeswehr is free of charge, while costs are incurred for attendance at the workshop organised by the Bundeswehr Association that the participants themselves have to bear and that are also non-refundable.

Nonetheless, it has proved possible to increase the number of planned workshops to 44 in 2016. However, thought should be given to holding the workshops one or two years prior to the end of servicewomen and men's terms of service rather than shortly before the participants leave the forces. This would guarantee that the knowledge acquired at the workshop could be put into practice in good time.

Career soldiers and long-serving temporary-career volunteers, above all, perceive it as particularly unfortunate and depressing if they have been **discharged** in a demeaning and inappropriate fashion by their employer of many years. Such cases are encountered, and it needs to be noted that the greatest care should be taken with regard to the timing of each individual's discharge, the presence of their superior and an appropriate setting. For example, after more than seven years of service, one sergeant was merely discharged in the office of his then company commander. In this instance, it would have been possible to discharge him in a dignified manner during a company parade that was being held in any case, in the course of which a master sergeant was discharged into retirement, and medals and decorations were presented to various servicemen. It is not the job of servicewomen and men themselves to organise their own discharge. This falls within the responsibility of the leadership of the unit in question.

Voluntary military service

Up to the end of October 2015, 9,024 military service volunteers had commenced their service with the Bundeswehr during the year. This represented a fall of 1,154 compared to the same period in 2014.

Applicants who pass their aptitude test in August, for example, usually cannot be offered a place for basic training until January or February of the following year. The reason for this is the insufficient number of basic training places. The Parliamentary Commissioner for the Armed Forces would therefore advocate a return to decentralised basic training in all the Bundeswehr's battalions and regiments across Germany. If this step were taken, it would not actually be necessary for recruits to be trained in each formation every quarter.

According to the Federal Ministry of Defence, recruitment into the Navy through the Basic EVSC pilot project has developed positively. Under this scheme, applicants only have to satisfy reduced minimum requirements. For instance, the project allowed the training capacities that are available to be exploited to the full both in the fourth quarter of 2014 and in the first quarter of 2015.

According to a sociological study that evaluated voluntary military service and was published by the

Bundeswehr Centre of Military History and Social Sciences (March 2015), 80 per cent of military service volunteers were satisfied with their basic training. This is consistent with the information obtained from petitions.

However, one recruit criticised the fact that there were only male comrades in her training company and no other women apart from her platoon commander. This led her to drop out of her training. The review that was conducted found that this planning error had occurred out of a desire to ensure she was assigned close to her home. The staff at the Bundeswehr careers centre involved were advised that such assignments were to be avoided in future or recruits' attention drawn to circumstances of this kind in advance.

At 26 per cent in the first quarter of 2015 and 32 per cent in the second quarter, the **dropout rate** for military service volunteers during their first six months continued to be too high. While approximately two per cent of servicewomen and men are discharged due to a lack of physical or other aptitude, the majority leave at their own request for 'important personal reasons' within the six-month probationary period. On this issue, petitions stated again and again that the individuals in question felt too little was being asked of them. For instance, one military service volunteer in the Medical Service reported, 'The sum total of my daily activities was that I had done less than ZERO.'

These findings reached by the Parliamentary Commissioner for the Armed Forces are also confirmed by the study from the ZMSBw. The research report shows that two thirds of military service volunteers feel insufficient intellectual and physical demands are made on them by the duties they perform in their units.

There are merely 5,000 **permanent posts** for the 12,500 military service volunteers that are envisaged. The remainder are to be employed in what are known as **floating posts**, in which they will have no specific tasks assigned to them. In these circumstances, the superior in question has a duty to employ the servicewoman or man meaningfully. Too often, they do not succeed in doing so. In consequence, motivated, young servicewomen and men are being alienated, and the Bundeswehr is losing any chance of retaining them over the long term as temporary-career volunteers or career soldiers.

In view of this situation, the increase in permanent posts for military service volunteers being considered by the Federal Ministry of Defence is a first step that should now be implemented expeditiously. Apart from this, however, the right structural parameters must also be put in place. For example, shortages of materiel may be the reason why military personnel do

not have enough to occupy themselves with if those shortages mean exercises cannot be conducted.

Reservists

The number of petitions from reservists rose in comparison to the previous year. At the same time, it was clear once again that reservists are highly motivated and committed, and that they want to, and can, make significant contributions to the Bundeswehr's performance of its functions. Many reservists request to be assigned to duties in Germany or abroad, or to a particular post. If it were not for reservists, the Bundeswehr would be unable to perform its mandate and its functions in many areas. Given this, it is regrettable that the assignment of reservists is still frequently a problem. It is not rare for there to be complaints about changes of plan and cancellations announced at short notice, which impose significant professional and private burdens on the personnel affected. Often, prompt information would help to at least reduce the understandable dissatisfaction felt by the individuals in question. Following the suspension of compulsory military service, reservists are of particular significance as links between the Armed Forces and the rest of society. The Parliamentary Commissioner for the Armed Forces therefore wishes to express his gratitude and recognition for what they do.

Unfortunately, the willingness of many employers, particularly in the public sector, to **release** their employees for reserve duties has declined. It is therefore to be welcomed that the Federal Ministry of Defence has taken up a proposal made by the Parliamentary Commissioner for the Armed Forces and is working on the introduction of an **award for employers** who support their employees' service for the Federal Republic of Germany by releasing them.

As in the last few years, many petitioners objected to shortcomings in the arrangements for the **payment of maintenance to reservists**, for example long processing times for applications for maintenance, incorrect calculations and slow payments. It is pleasing that the reform of the Conscripts and Dependents Maintenance Act that had been called for again and again entered into force on 1 November 2015. In future, the benefits paid to reservists will be administered by the Federal Office of Bundeswehr Personnel Management as a central point of contact instead of the numerous agencies at the Land and local authority levels that used to be involved. The minimum rates for the benefits have been brought into line with the net pay received by service personnel of the same rank. Reservists and active servicewomen and men are to be paid the same according to their rank, irrespective of their employment status. Furthermore, the provisions intended to safeguarding

self-employed people's earned income have been simplified by reducing the amount of effort involved in documenting their earnings, and their minimum benefit rates have also been raised. The merit allowance has been replaced with an **enlistment allowance** in order to create a financial incentive for reservists to sign up for longer terms. The enlistment allowance is paid out to reservists who commit in advance to do at least 19 or 33 days of reserve duty in the calendar year.

It remains to be seen whether the fear expressed prior to their implementation that, in some cases, the new methods of calculation would result in smaller payments being made than before the reform turns out to be accurate.

When a mother of two children contacted the Parliamentary Commissioner for the Armed Forces requesting that **part-time employment** be made possible for reservists as well in order to ensure better compatibility of family/private life and service, it was possible to inform her that the Federal Ministry of Defence was already working on an amendment of the legislation that would allow such arrangements. This is welcomed by the Parliamentary Commissioner for the Armed Forces, since it will also make it possible to adequately manage vacancies that arise due to the part-time employment of active servicewomen and men.

Definition of the term 'veteran'

At the end of the year under review, initial ideas for a redefinition of the term 'veteran', which had been defined for the first time under Federal Minister of Defence de Maizière, were put forward within the Federal Ministry of Defence in cooperation with concerned interest groups. If these ideas go on to be adopted, all former servicewomen and men who have been discharged honourably from active service since the founding of the Bundeswehr will be Bundeswehr 'veterans'. Veteran status will not be tied to any age threshold.

Pursuant to the above definition, veterans who have served in the Bundeswehr's mission areas are to be 'operational veterans' following their honourable discharge from the Bundeswehr. It is envisaged that the esteem felt for Bundeswehr veterans and Bundeswehr operational veterans should be expressed primarily in non-monetary forms. These definitions leave room for numerous questions and are to be further developed in future rounds of discussions. It must be ensured that they are harmonised with the 'appreciation and recognition' concept that is also being worked on.

3 Leadership and daily military life

No-blame culture

Federal Minister of Defence von der Leyen has called for a new ‘no-blame culture’ as a way of addressing the diverse problems with the procurement of armaments in the Bundeswehr. This demand is supported by the Parliamentary Commissioner for the Armed Forces. There is an ethos in the Bundeswehr that places a high degree of priority on the desire to avoid mistakes, which can lead to the evasion of any kind of responsibility in the individual case. This is not only connected to problems with armaments, but in many other areas as well. A mentality of guarding against all eventualities, a lack of courage to take decisions of one’s own, preferring to leave them to one’s successors and, if possible, avoiding every merely conceivable risk in ways that would withstand judicial scrutiny, are not rare. Bureaucracy and overregulation are also characteristic of this ethos. Responsibility is diluted in a bureaucracy where everything has to be ‘co-signed’. The principle of ‘mission type tactics’ tends to be undermined.

Such an exaggerated safety-first mentality is risky because military leaders also have to be capable of dealing with situations and taking decisions within extremely short periods of time when it is impossible to clarify all the relevant questions in advance or guard against all eventualities. It is a good leadership tradition in the Bundeswehr that responsibility is taken personally.

Tolerance of mistakes is likely to trigger positive effects. Exercises always offer personnel chances to learn from what has gone wrong. Superiors must be capable of applying current law constructively. However, the individuals responsible also have to be given opportunities to develop appropriately. They must enjoy relationships of trust with their immediate superiors that foster the certainty their decisions will be backed up. A look at the **short periods leadership personnel spend** in individual assignments makes it clear that they could constitute an obstacle to such relationships. Just like relationships of trust, an awareness of one’s responsibilities and a good leadership style must be allowed to mature if they are to develop properly. This takes time.

Leadership behaviour

Superiors have a duty of care towards the servicewomen and men under their command. In particular, this involves the protection of physical integrity and respect for subordinates’ dignity. Subordinates must have the feeling that their superior does not merely dispense orders and expect to be obeyed. The superior must communicate

comprehensibly with the servicewomen and men placed under their command and be available as a trustworthy interlocutor. Comradely communication between the superior and their subordinates fosters mutual trust rooted in an awareness that they are able to rely on each other. This helps to guarantee the orderly conduct of routine duties and the unit’s operational preparedness. There have been isolated cases in which superiors have not lived up to these aspirations.

Good leadership behaviour also involves an appropriate **tone and correct manners** towards subordinates. It is to be expected of superiors, without exception, that they do not address subordinate servicewomen and men in a demeaning, humiliating or insulting tone at any time. If they do behave in this manner, it may constitute misconduct that deserves to be taken seriously, and a significant contravention of the principles of leadership development and civic education.

Saying, ‘if you pull a fast one on me, I’ll execute you silently and painlessly with a shot to the back of the head,’ or calling a serviceman a ‘loser’ in front of other comrades are examples of failures of leadership that rightly call the authority of the superiors who do this into question.

This is also true of the two following cases:

A reserve sergeant 1st class deployed as a welfare staff sergeant stated to his subordinates that he ‘would beat them to death with a cricket bat if they let themselves make another mistake.’ In addition to this, he addressed them as ‘arseholes’. Furthermore, he explained to his subordinates that they ‘were very welcome to write a petition and his boss in the division would not forward this petition.’ Judicial disciplinary proceedings were instituted. The criminal proceedings that were also instituted were concluded finally and bindingly with a total fine of 35 daily units calculated on the basis of the perpetrator’s income.

During a weapon training session, a corporal deployed as a trainer told a participating serviceman, ‘If you do that wrong again, I’m going to kick you in the gob and definitely kick you in the gob, then you can go to the captain, I don’t care.’ Judicial disciplinary proceedings were instituted against the trainer.

The handling of the insulting remark discussed below also deserves to be criticised:

Close to the front, a master sergeant said concerning a petitioner, ‘Look at him if you want to know what Salafists look like: You can see it there. Just let me know in good time if he starts on his prayers and songs.’ The petitioner understandably regarded this comment as insulting. In his case dismissal order, the competent disciplinary superior found no disciplinary

offence had been committed and merely advised the master sergeant to weigh up his comments with particular care in future. This assessment of the case is remarkable because the officer correctly stated in his case dismissal order that, ‘in the Armed Forces of the 21st century, the human dignity of the citizen in uniform is a good that is to be respected and preserved to the highest degree.’ To this extent, the failure to find a disciplinary offence had been committed is questionable.

The success of **basic training** is also strongly connected with the good leadership behaviour of the trainers involved. At the beginning of their term of service, servicewomen and men in basic training are supposed to learn essential basic military skills. For some, this phase of training represents a not insignificant caesura in their lives. Recruits are far away from their parental homes, living at barracks in communal living quarters and, in some cases, finding themselves confronted with physical demands to which they have not previously been accustomed. Basic training is tough, but it must not be too tough. The imposition of excessive demands is not compatible with the principles of leadership development and civic education. The same applies for demeaning, humiliating and insulting treatment of recruits by trainers. Trainers who act in this manner not only commit disciplinary offences; by doing so, they destroy their own authority. The internal ethos within the forces and the relationship of trust between subordinates and superiors with which it is associated may be permanently damaged.

For example, three servicewomen complained about the delivery of basic training in the unit where they were all serving. Investigations confirmed some of their complaints. During weapon training, press-ups unjustifiably had to be done each time a weapon was handled incorrectly. Servicewomen and men were told to ‘get your carcass down’ when they were doing the press-ups. Sufficient allowances were not made for recruits’ individual fitness on an acclimatisation march. In their first days of basic training, they had to go running and jogging in their newly issued combat boots. Two female recruits left the Bundeswehr after just a few days. This case proves the suspicion that recruits who are subjected to deliberately excessive demands or unacceptable training methods by their trainers decide to leave the Bundeswehr prematurely right at the beginning of their term of service.

External appearance

During the year under review, only a few complaints were received about the Type A General Publication ‘The External Appearance of Servicewomen and Men of the Federal Armed Forces’, which entered into force on 1 February 2014.

The original provision in this general publication, according to which visible **tattoos** were to be covered as a matter of principle had prompted numerous petitions in the previous year and was modified by the Federal Ministry of Defence in December 2014 with a practical guide for superiors. The obligation to cover up tattoos now no longer applies during duties within military sites and military controlled access areas, on Navy ships and boats, and on board German Federation aircraft. By contrast, the current provision is to continue to be applied in full at events with impact outside the forces and/or a public character – such as pledge ceremonies, open days and field visits. The practical guide has evidently calmed the situation in the Bundeswehr as far as this question is concerned.

The few petitions in this field related to **shaving** and **haircuts**. Here, however, it was not possible to identify any infringements of service personnel’s basic rights. There is criticism of the special arrangement that applies for the Federal Ministry of Defence Guard Battalion, according to which the wearing of beards is not permitted as a matter of principle, but this is understandable given the Guard Battalion’s representative function and the necessity of a uniform overall appearance it entails.

Bureaucracy

Many servicewomen and men object to the increasing overregulation and bureaucratisation of their day-to-day work, which hampers it and at times relegates their primary function to the background. A few examples of this from daily military life are cited below. However, taken in isolation, they can only outline the problem, for it is more multifaceted than it would be possible to demonstrate by discussing individual cases. Rampant bureaucracy and a lack of flexibility are also dealt with in other sections of the present report as fundamental problems within the Bundeswehr.

Company staff sergeants now spend a significant proportion of their working time on processing personnel matters and similar administrative activities. While the administration was responsible for many administrative matters in the past, such as issues relating to the reimbursement of relocation costs or separation allowances, these tasks now have to be managed by the units themselves. In this connection, the individuals concerned say they are having to do considerable amounts of overtime on account of the abundance of new rules and regulations, which can hardly be applied with confidence because the training required to do so is not being provided. This development is being exacerbated by the loss of posts for enlisted personnel who would be able to assist in the clerical work that is involved. In many cases, there are complaints that

three quarters of the working time at a company staff sergeant's disposal sometimes has to be spent on processing personnel matters. It conflicts with the core functions of the company staff sergeant for them to be spending their time in this way. The Federal Ministry of Defence is basically aware of these problems. It is currently pursuing a number of avenues as it seeks possible options that would allow the burden of administrative activities on company staff sergeants to be eased. This is expressly welcomed because it is urgently necessary for these burdens to be lightened.

The forces also find themselves subjected to increasing bureaucratisation in connection with their **reporting systems**. As a rule, several different reporting obligations and reporting procedures are to be complied with by agencies of the Bundeswehr. The most prominent are the Bundeswehr Mission Reporting System, the Immediate Information to the FMoD Executive Group of the Federal Ministry of Defence and the technical and task-oriented reporting systems operated by the Federal Ministry of Defence agencies responsible for various technical issues. Agencies that tended to be rarely confronted with reportable procedures in the past are having difficulties with the implementation of the complex legal instruments A-200/5, 'Bundeswehr Reporting System', and A-2640/34, 'Estimate of Bundeswehr Morale Incident Reporting', which were completely revised with effect from 1 May 2015. According to the Federal Ministry of Defence, it is neither able to understand nor confirm either the facts or substance of the complaint that the revised version of 'Bundeswehr Reporting System' is generally leading to further bureaucratisation. Nonetheless, the new legal instruments will be evaluated in order to increase confidence in their application. On the occasion of an information event held by the agencies engaged with the evaluation and forwarding of reports within commands and federal offices in October 2015, the Federal Ministry of Defence stated it was possible to detect constantly growing confidence in the application of the legal instruments on reporting systems.

When **materiel is procured and spare parts are ordered**, the procedures to be complied with under the relevant legislation and directives are described by users on the ground as longwinded and connected with a great deal of bureaucratic effort.

For example, the SAP materiel administration program assigns consumables such as nails and gaskets to one of the individual services. A nail coded for the Army cannot be issued to the Navy. At the end of the year under review, the Federal Ministry of Defence commented on this issue that at that time the IT support for the stock management of supply items

was being migrated to a new system. The coding of materiel set in the old system led to it only being possible for an organisational element to request an article if it was registered as a co-user for the supply item in question. It was felt it would not be economical to completely revise the materiel data for all the items in the old systems in view of the time and money this would cost and the fact that the migration process had already begun. Until the migration process had been completed, the organisational element or individual service could apply to be registered as a co-user in the old system through well known procedures if there was concrete need for an item. It is encouraging that the laborious procedure in place up until now will be replaced with a more user-friendly one.

Another example: It took more than six months to procure a coffee machine for the crew of a tender on deployment. In the mean time, coffee had to be made for the 100 crewmembers by hand using filters. The delays arose, among other things, due to the incorrect allocation of budgetary resources combined with the fact that the conduct of the procurement procedure was only commissioned when questions were raised about the delay.

Servicewomen and men not only experience disadvantages due to bureaucratisation encouraged by standards and legal instruments within the Bundeswehr. Legislative measures occasionally impose bureaucratic burdens as well. For instance, the **Federal Act on Registration** obliges unmarried servicewomen and men to register their principle place of residence at their duty location or the location of their ship's home port. This obligation is not beneficial to servicewomen and men when they do not consider their duty location to be their home, which is usually the case in practice. There is merely an exemption for military service volunteers if they move into communal living quarters. The exemption only applies for career soldiers and temporary-career volunteers if they move into their living quarters for no longer than twelve months, although this is something that rarely happens, and they are usually deployed for a longer period of time at each base.

Despite the urgent recommendations made by the Parliamentary Commissioner for the Armed Forces, the legislature neglected to make use of the Federal Act on Registration, which entered into force on 1 November 2015, to adopt provisions that would be more favourable for servicewomen and men. Apart from the **interference in service personnel's rights to vote and stand for office in local authority elections** discussed in the last Annual Report, the obligation to register a change of residence also causes unnecessary effort to be spent on dealing with bureaucratic issues. Personnel have to contact the

authorities, for example to register a change of the address at which a vehicle is kept, as well as update their details with insurance companies and other service providers. Finally, it sometimes represents a bureaucratic challenge when parents lose their entitlement to a child daycare place close to their home. The parliamentary bodies responsible for the Federal Act on Registration therefore continue to be called upon to enact further-reaching exemptions that benefit servicewomen and men in consultation with the Federal Ministry of Defence.

Lack of flexibility

The last Annual Report stated that the understaffing of the Bundeswehr fire brigades was hampering military flight operations. In some places, flight operations had even been halted for short periods. Since then, there has been little change to the personnel situation in the **Bundeswehr fire brigades**. Against this background, the Parliamentary Commissioner for the Armed Forces has suggested that, where necessary, servicewomen and men who serve in a volunteer fire brigade in their free time could be deployed to support airport fire brigades. The Federal Ministry of Defence rejected this with the justification that such servicewomen and men had not been trained for this role and, on account of the high levels of readiness, could then only be deployed to a very limited extent, if at all, in their original area of responsibility. These arguments are only partially convincing. At the least, occasional support for airport fire brigades outside flying times would be possible. However, the aim must still be an adequate level of staffing for the Bundeswehr fire brigades.

Another example: According to the orders that have been issued, the members of the German KFOR mission contingent are not permitted to eat meals outside their camp due to the possible danger of infection. By contrast, the other nations participating in the KFOR mission allow their servicewomen and men to **consume local foodstuffs and beverages**. The Federal Ministry of Defence justified this prohibition by highlighting the lack of effective food control and inspection in Kosovo, as well as the ‘occurrence of numerous infectious zoonotic diseases and parasitoses among animals used in food production.’ As a matter of principle, the Ministry claimed it was therefore not possible to deviate from the prohibition on the consumption of foodstuffs outside the camp. This appears excessive in view of the approach taken by the other nations that are participating in the KFOR mission.

Active legal instrument management, under which earlier regulations and directives are listed under the generic term ‘legal instrument’ and no longer provided in paper form, but merely published

electronically on the Legal Instruments ONLINE portal of the Bundeswehr’s intranet, has been the subject of criticism from servicewomen and men. It is felt to be problematic that printed versions are only available in exceptional cases. Firstly, not every workplace that is supposed to have a computer is actually equipped with one. Secondly, a range of tasks are to be performed without access to a computer, but during which particular regulations have to be consulted.

For example, trainers in a training company criticised the fact that they had to conduct training in the field with copies of regulations they had compiled themselves in bulky A4 file binders. In view of this, regulations should be made available in printed versions on request and pocket-size formats as well where necessary.

Assistance for refugees

The refugee crisis would not be manageable were it not for the deployment of the Bundeswehr. At the end of the year, as many as 8,000 servicewomen and men were deployed at more than 80 locations in Germany looking after, distributing, housing, registering and recording refugees, providing them with medical care and supporting the efforts to build accommodation for them. At the same time, approximately 3,000 servicewomen and men were serving on all the Bundeswehr’s mandated deployments abroad. These figures give some idea of the institutional challenge the provision of assistance for refugees is posing for the Bundeswehr. The legal foundation for the support provided is administrative assistance under Article 35 of the German Basic Law. The effectiveness of this assistance could be increased if the Bundeswehr were fully in charge of its own performance of the tasks assigned to it. A review of Article 35 of the German Basic Law that made this possible would be expedient.

Those who have been committing themselves to this work for months deserve all our thanks. At the same time, however, it must not be forgotten that it also imposes individual burdens and problems on the individual servicewoman or man, whether they have volunteered or been ordered to perform these duties. These issues are being reflected in petitions, on field visits and in discussions.

Sudden mobilisation orders or alerts to assist refugees issued at short notice cause numerous servicewomen and men considerable private and professional difficulties. For instance, one staff sergeant reported that he was assigned to provide assistance for refugees for at least three months. He had just passed his **career path training courses** for an assignment where there was a shortage of personnel and for which

he was already earmarked, but would now not be able to take it up. He was afraid of negative impacts on his career in the Bundeswehr. Further to this serviceman's personal fears, against the background of the manpower situation in undermanned assignments, it is inexplicable why such problems are not being taken into consideration when service personnel are assigned.

With regard to the compatibility of service and family/private life, servicewomen and men complained particularly about assignments **to assist refugees** far away from home, about the provision of support at weekends, which made little sense from a practical point of view, and about repeated, protracted periods of absence immediately following deployments abroad. Additional burdens were imposed in many cases by the fact that at times the servicewomen and men affected could not be supplied with any information about how long their deployment would last when they were given their task order. Several servicewomen and men also raised questions about health protection when they were in contact with refugees. Here, there is an urgent need for better information to be provided to those affected and their family members.

The Bundeswehr has been able to make a tangible contribution to the housing of refugees in local authority areas by providing residential accommodation at the **military facilities** the forces use themselves. However, this means many servicewomen and men are having to live in cramped conditions in their dormitories. Apart from this, routine operations and the conduct of exercises are being noticeably constrained. Exercises and training activities, from physical education to predeployment training, are no longer possible at various bases. Measures to increase the attractiveness of service in the forces (childcare, for example) cannot currently be pursued any further at bases that are particularly involved in the provision of assistance for refugees.

One Navy serviceman reported he was putting up tents and assembling beds for refugees in Germany just a few days after his return from a deployment monitoring the flows of refugees in the Mediterranean. He was working flat out, but if this were to become a permanent state of affairs he would ask himself why he had put himself through a tough selection procedure, training and advanced training with the aim of living up to the particular demands of a career in the forces.

Assistance for refugees is not one of servicewomen and men's core duties, but a form of support for public authorities that can be mobilised rapidly on the

foundation of administrative assistance under Article 35 of the German Basic Law. It must not result in the forces being overstretched and become something they do on a permanent basis. For all the open-minded, unprejudiced and unquestioning willingness of servicewomen and men to provide this assistance, attention must also be paid to the repercussions for their military operational preparedness and their motivation to pursue careers in the forces.

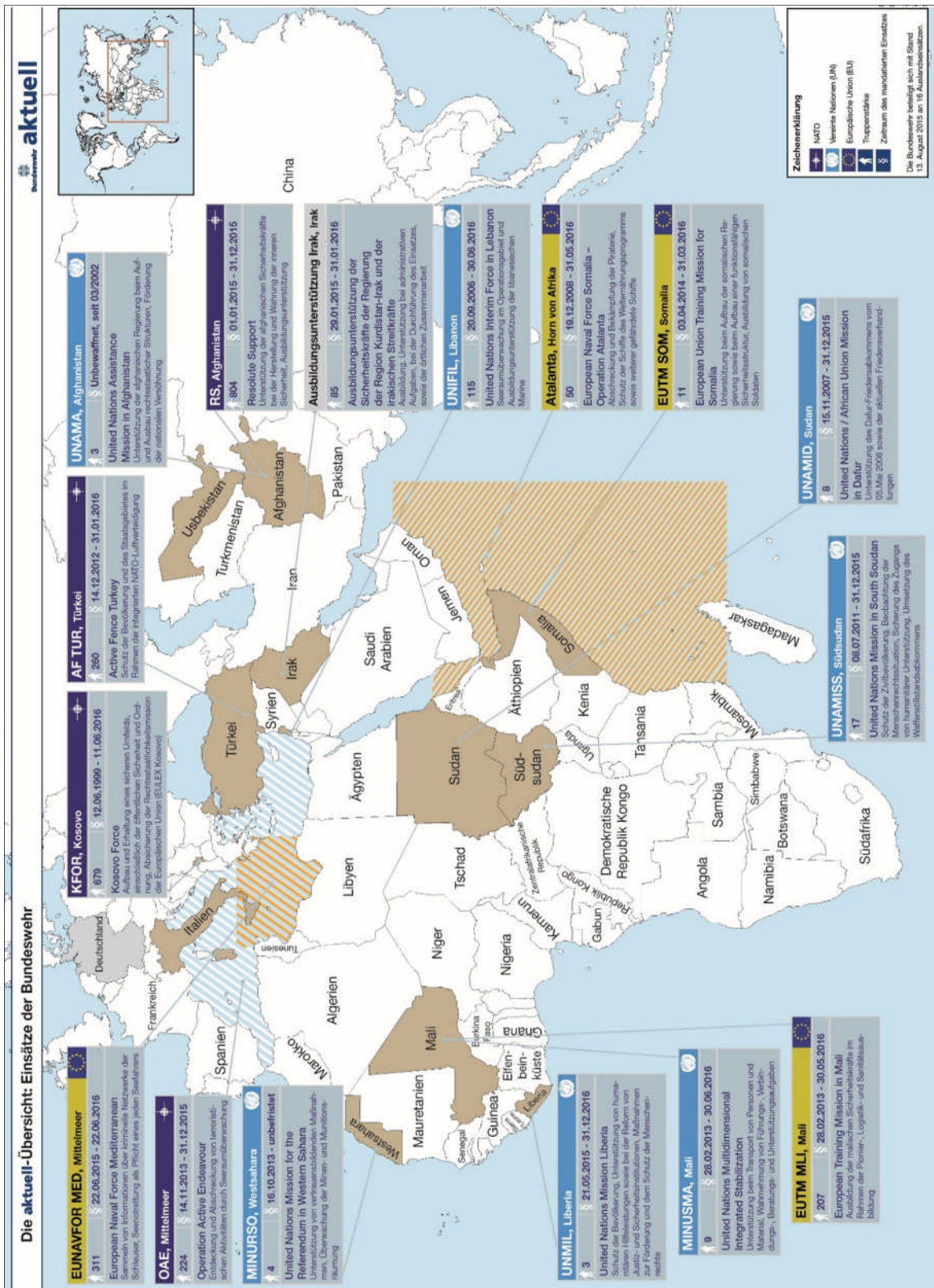
Chaplain services

Under the Legal Status of Military Personnel Act, servicewomen and men have an entitlement to pastoral care. The Bundeswehr must guarantee this entitlement is fulfilled. It is incumbent upon the Parliamentary Commissioner for the Armed Forces to make sure that account is taken of this entitlement. The **ideological and religious pluralism** of German society is also penetrating the Bundeswehr and demands consideration from a pastoral point of view. In consequence, the Parliamentary Commissioner for the Armed Forces welcomes the statement made by the Federal Minister of Defence that she is open to the provision of pastoral care for Muslims. They represent the largest non-Christian group of believers within the Bundeswehr. The Federal Ministry of Defence is currently examining whether there is any specific demand for such pastoral care among the servicewomen and men in the Bundeswehr.

During the year under review, servicewomen and men did not contact the Parliamentary Commissioner for the Armed Forces requesting points of contact for servicewomen and men of other religions. Nor did any complaints reach the Parliamentary Commissioner for the Armed Forces that suggested it was not possible to observe religious practices or holidays in the forces. This throws a good light on **superiors' intercultural competence**, and the work done by the Evangelical Lutheran and Catholic chaplain services. Their wide-ranging provision is intended expressly for members of all religions and faith communities. Apart from this, the work of the Association of Jewish Soldiers has demonstrated its value as a point of contact for servicewomen and men of the Jewish faith that is organisationally independent from the Bundeswehr.

Should it be possible to identify a substantial demand for the provision of pastoral care to other faith communities, it would be desirable for this extended pastoral care to be based on the model operated by the Evangelical Lutheran and Catholic chaplain services, which is intelligently organised, ethically sound and allows the necessary scope for individual initiative.

Bundeswehr deployments, 2015



EUNAVFOR MED, Mediterranean

Gathering of information about human traffickers' criminal networks, obligatory rendering of assistance under maritime law

OAE, Mediterranean

Detection and deterrence of terrorist activities by means of sea surveillance

MINURSO, Western Sahara

16.10.2013 – unlimited

Support for confidence-building measures, monitoring of mine and munitions clearance operations

UNMIL, Liberia

Protection of the population, support for the provision of humanitarian aid, and the reform of justice and security institutions, measures to promote and protect human rights

MINUSMA, Mali

Support for the transportation of individuals and materiel, performance of command, liaison, advisory and support functions

EUTM MALI, Mali

Engineering, logistics and medical training for the Malian security forces

KFOR, Kosovo

Establishment and maintenance of a secure environment, including public security and order, protection of the European Union's rule-of-law mission

AF TUR, Türkei = AF TUR, Turkey

Protection of the population and Turkish territory as part of integrated NATO air defence operations

UNAMA, Afghanistan

Unarmed, since 03/2002

Support for the Afghan government in establishing and expanding rule-of-law structures, promotion of national reconciliation

RS, Afghanistan

Support for Afghan security forces in establishing and maintaining internal security, training support

Training Support Iraq, Iraq

Training support for the Kurdistan-Iraq regional government's security forces and the Iraqi Armed Forces

Training, support for administrative functions, the conduct of operations and local cooperation

UNIFIL, Lebanon

Sea surveillance in the operational area and training support for the Lebanese Navy

Atalanta, Horn of Africa

Deterrence and combatting of piracy, protection of World Food Programme ships and other threatened ships

EUTM, Somalia

Support for the establishment of the Somali government and building of a functioning security structure, training of Somali military personnel

UNAMISS, Südsudan = UNMISS, South Sudan

Protection of the civilian population, observation of the human rights situation, measure to ensure access for humanitarian assistance, implementation of the cessation-of-hostilities agreement

UNAMID, Sudan

Support for the Dafur Peace Agreement of 5 May 2006 and the current peace negotiations

4 Deployments and Alliance commitments

Deployments abroad

Deployments abroad continue to represent a major challenge for the Bundeswehr. Up until mid-2015, the number of Bundeswehr personnel deployed on mandated missions was going constantly down. Since then, it has been growing again. The number of individual deployments has reached a record level.

After 13 years of German participation in the **ISAF mission**, the protection force ended its contribution to Afghanistan's security on 31 December 2014. Since the beginning of the year under review, Germany has been continuing its commitment in Afghanistan under the auspices of **Resolute Support**, initially with up to 850 German service personnel then, latterly, up to 980. As of 14 December 2015, the Bundeswehr had 780 servicewomen and men present in Kosovo (**KFOR**).

Since 2008, the Navy has been deployed on the European **anti-piracy mission Operation ATALANTA**. In mid-December 2015, 149 Navy servicemen and women were taking part in this mission. With its participation in **UNIFIL**, the Federal Republic of Germany is supporting the Lebanese government's efforts to secure its maritime borders and prevent arms trafficking. It is also contributing up to 500 servicewomen and men to the sea surveillance operations that are being conducted by **Operation Active Endeavour**.

On 29 January 2015, the German Bundestag voted in favour of the provision of **training support** to the security forces of the Kurdistan-Iraq regional government and the Iraqi security forces, which was launched in February 2015. The mandate sets a troop ceiling of 100 servicewomen and men.

In addition to this, Germany is contributing up to 950 personnel to the military crisis management operation **EUNAVFOR MED** and up to 1,200 personnel to the **anti-IS operations** in the Middle East.

As a response to the Russia-Ukraine crisis, NATO conducted numerous exercises in Poland and the Baltic states in 2015. 2015 also saw Germany keeping a total of 4,600 servicewomen and men on standby for the **NATO Response Force**. 5,300 German servicewomen and men are detailed to the NATO Response Force for 2016. Furthermore, from August to December, Germany will be taking part once again in NATO's integrated air defence operation for the Baltic Alliance partners, Estonia, Latvia and Lithuania, contributing five fighter aircraft.

Since January 2013, the Bundeswehr had had **PATRIOT** surface-to-air missile systems stationed in Turkey to reinforce NATO's integrated air defences and so protect Turkish territory and the Turkish

population. Against the background of the fact that the threat from Syrian missiles has now decreased, the German Federal Government decided to discontinue its commitment to **Active Fence Turkey** at the end of the year.

By contrast, the UN's **MINUSMA mission** in Mali is to be supported with up to 650 servicewomen and men from the Bundeswehr in future. Not only that, more than 200 Bundeswehr personnel are taking part in the European training mission to Mali (**EUTM MALI**).

In addition to these deployments of large contingents, the Bundeswehr has a presence on other, smaller deployments to which fewer than 20 servicewomen and men are assigned, for instance in Somalia (**EUTM SOM**), Sudan (**UMAMID**) and South Sudan (**UNMISS**). In mid-May 2015, the German Bundestag approved the Bundeswehr's participation in the United Nations peace mission to Liberia (**UNMIL**) with up to five armed servicewomen and men. In addition to this, 41 servicewomen and men are kept on standby in Germany in order to ensure Strategic Air Medical Evacuation (**StratAirMedEvac**) operations can be carried out for this mission. Four servicemen find themselves in the Western Sahara serving on the **MINURSO** mission. One German serviceman is deployed with **UNAMA** in Afghanistan.

In view of the large number of medium-sized deployments, it needs to be asked whether some of the small and very small commitments are actually worthwhile.

Transition from ISAF to Resolute Support in Afghanistan

The Bundeswehr is also staying in Afghanistan following the end of the combat operations there. The decision passed by the German Bundestag in December 2015 did not cut the number of Bundeswehr personnel who may be deployed to Resolute Support, but boosted it by 130 to what will in future be as many as 980. This decision is intended to take account of the developments in Afghanistan at the end of the year under review, which saw the Taliban growing stronger again. The hope is that a stabilising presence of advisors and trainers from the Bundeswehr beyond 2016 will send out the message to Afghanistan's population that they are not going to be abandoned to their own devices.

The purpose of the Resolute Support Mission is to enable the Afghan national security forces to continue to fulfil their responsibility for the country's security. Camp Marmal at Mazar-i-Sharif is the base for the German contingent. In addition to this, other German personnel are serving at Kabul and Bagram. The

Bundeswehr left the Termez air transport base in **Uzbekistan** after 13 years at the end of 2015.

The end of the ISAF mission also meant the return of large quantities of Bundeswehr materiel from Afghanistan to Germany. This major logistical challenge has been managed with a minimum of friction. The Parliamentary Commissioner for the Armed Forces has no information about serious problems in this connection. According to the Bundeswehr, the **transportation** of more than 45,000 different items and more than 1,000 vehicles **back to Germany** has been planned, coordinated and implemented since March 2013.

As in the previous year, the Parliamentary Commissioner for the Armed Forces received only occasional complaints from German servicewomen and men in Afghanistan during the year under review. A few servicemen objected to the fact that **items sent by military post** had been returned to their senders on account of suspected ‘infringements of aviation security’. Apart from the extensive screening and forwarding of military post by the Military Postal Concentration Centre Darmstadt, the civilian enterprises that work for the Bundeswehr as freight service providers also conduct checks for the purposes of quality assurance. This screening has recently been noticeably tightened up. In cases where there are suspicions, the relevant legal provisions require the whole shipment to be held back even though the suspected military post is just one among many other items and the shipment will have been lead-sealed by the Bundeswehr for security reasons. The suspicious item may then exclusively be isolated by the Military Postal Concentration Centre Darmstadt. Delays are hardly to be avoided as a result of this complex process.

The contingents, lead commands and family service organisation were instructed by the Bundeswehr’s Joint Operations Command to inform the contingents’ servicewomen and men, as well as their family members once again about the specific nature of the action taken to ensure aviation security in the form of a revised military postal service information sheet.

From the point of view of the Parliamentary Commissioner for the Armed Forces, it would appear more expedient to review the very elaborate military postal procedure as a whole with the aim of speeding up processes, as long as the necessary legal and security issues are taken into consideration.

KFOR

The German KFOR Mission Contingent currently consists of members of 140 different formations and 193 different units. This has resulted in a highly fragmented contingent. For example, very few of the

servicewomen and men indeed are already familiar with each other from routine operations in Germany. This does not accord with the current standards, which call for the greatest possible homogeneity within contingents. According to the Federal Ministry of Defence, homogeneity had been implemented in the ‘core contingent’ of the operational forces (for example, the task force company, signals personnel, military police) under the Army Lead Unit Concept. However, this was not the case when it came to the many specialised ‘personnel provided in support’ (for example, the personnel in the mobile surgical hospital, the field defence administration or multinational staff units). The **large number of different parent formations** to be found is explained by the secondment of individual personnel following a Germany-wide call for contributions. As a result of the implementation of the new Bundeswehr structure, the depth and breadth of specialisation previously offered by Army formations, and the manpower for rotation found within formations in the Joint Support Service, above all, are no longer available. This development is dangerous to the cohesion of Germany’s mission contingents.

Training support at Camp Erbil, Iraq

On 29 January 2015, the German Bundestag approved the provision of training support by armed German personnel for the security forces of the Kurdistan-Iraq regional government and the Iraqi Armed Forces. The mandate provided for a troop ceiling of 100 German servicewomen and men, who are already completely assigned. It is expected there will be somewhat more flexibility about increases to this upper limit in the follow-on mandate. February 2015 saw the commencement of multinational training support for the security forces of the Iraqi government and the Kurdistan-Iraq regional government, a deployment undertaken at the request, and with the consent, of the two governments.

It is to be observed that, although this training support is being conducted by several nations – and therefore ‘multinationally’ –, the support provided by each of the individual countries on the ground is being delivered under **national leadership**. Unified leadership, comparable with that for EUTM Mali or EUTM Somalia, would have been desirable here from the outset so that resources could be pooled and deployed optimally, thus streamlining the organisation of the training support.

Camp Erbil was already fully occupied immediately after its completion. It has been built on too small a scale. Should the mission be expanded as planned, it will only be possible to accommodate more servicewomen and men there with difficulty. When

contingents change over, three servicewomen or men have to share a 13-m³ container.

Furthermore, allegations were made by the servicewomen and men on the ground about the chaotic organisation of the construction work, scheduling delays and sometimes significant **construction defects**. According to the Federal Ministry of Defence, the main causes for this were that an unusually large number of elements and companies were involved overall, and that there were problems under European and national public procurement law. This had created a confusing system of subcontractors with unclear lines of responsibility for the rectification of defects. The companies involved were trying to pass each other the responsibility for doing this work.

At the time when the contract was awarded in March 2015, there were supposedly no **Bundeswehr containers** available in the Special Engineer Battalion. Nor was the container company with which the forces have a framework contract able to supply any containers. It therefore contracted another company, which for its part passed on the contract to yet another company. This third company was able to supply containers, but they were of lower quality. In particular, faulty electrical installations were to be complained of here to begin with. There were no thermal cut-out switches or residual current circuit breakers (RCCDs), so that a fire caused by a ventilator broke out in one container. At least the camp's electrical installations were inspected in accordance with DIN standards at the end of the year under review.

However, some of the air conditioning systems are still defective, and the toilet and shower facilities cannot be used at all times. The floor coverings in the containers are also of poor quality. The trenches between the containers are only laid in a makeshift fashion with Euro-palletes, some of which are already broken, and metallised paths are not envisaged. Outside lighting has not been installed either, and the servicewomen and men have to move around the camp with headtorches at night. At the end of the year under review, the camp looked like a building site. Drinking water has to be delivered by **tanker** and treated at the camp. There are neither water supply pipes nor sewer connections. It is questionable whether it can be ensured that sufficient quantities of water will be supplied to the camp and whether that water will meet the requisite quality standards. There is also no mess hall on the site, and the German personnel eat their meals in the US Armed Forces' facility. The whole situation at Camp Erbil imposes an unnecessary strain on the servicewomen and men on the ground. This state of affairs is unacceptable and must be remedied as rapidly as possible.

The Bundeswehr is showing greater care and attention at present in its preparations for the Syria deployment. It is to be welcomed that the construction of permanent living quarters is planned at Incirlik in the short term.

EUNAVFOR MED in the Mediterranean

The EUNAVFOR MED mission is intended to help clamp down on the people smuggling and human trafficking networks' business model in the South Central Mediterranean. To this end, EUNAVFOR MED is providing support for the observation and detection of illegal migration networks during its first phase, gathering information and carrying out patrols on the high seas. Furthermore, in its second and third phases, systematic efforts are to be made to identify, confiscate, destroy or render beyond use ships and equipment located on board them that are used by people smugglers and human traffickers. The Bundeswehr had already been deployed to this marine area since May, rescuing people who had been shipwrecked. Up to the end of 2015, Bundeswehr personnel had saved more than 10,500 refugees.

There was a need for servicewomen and men to display their **initiative and talent for improvisation**, in particular during the initial phase of this deployment. The crew of the Tender Werra, for instance, rose to the challenges of a mission taken on at very short notice and a ship that was fundamentally not well suited to the accommodation of large numbers of people with admirable spirit.

For instance, a great deal of ingenuity and skill were shown in finding practical solutions that made it possible to rescue hundreds of refugees on a ship with a limited amount of space. These solutions ranged from the procurement of a tailor-made, storm-proof awning for the flight deck to the construction of a ramp for the safe transfer of rescuees from inflatable dinghies onto the Werra, and the installation of provisional showers and toilets. It is apparent here that the courage to pursue 'mission type tactics' will pay off and excellent, practical results can be achieved in this way.

However, it is not just the refitting of the participating ships that represents a particular challenge on this deployment. The constant confrontation with people in need, particularly families with children, constitutes a severe mental burden for servicewomen and men who often have families of their own, a burden that must not go unacknowledged. All those who are participating deserve recognition and gratitude for their hard work.

Mali: EUTM and MINUSMA

During a field visit to the German EUTM Mali Mission Contingent in December of the year under review, servicewomen and men drew the Parliamentary Commissioner's attention to the fact that the Malian security guards responsible for the **security** of the camp at Koulikoro were allowing local employees and other persons to enter without checking them. Furthermore, there were holes in the fence that could hardly be guarded, and thefts were a regular occurrence. The only vehicles available for transport to the airport were unprotected ones.

Apart from this, it was to be noted that the camp was too small. Three training teams shared one container with IT equipment, and no additional meeting rooms were available. The living quarters were regularly occupied by three to four people, and there were no lounges or quiet areas.

The servicewomen and men also proved to be dissatisfied with the **welfare telecommunications** at Koulikoro. They had no access to an Internet connection provided by the Bundeswehr, and incurred very high costs if they used the Internet privately. Radio Andernach, the German forces radio station, was not broadcast. Information about the terrorist attack on a hotel in Bamako on 20 November 2015 only reached the servicewomen and men from Germany via mobile telephone. Bundeswehr-TV merely broadcast one channel, whose selection of programmes was not tailored to the interests of the servicewomen and men at Koulikoro. Among other things, out-of-date news and receiver software updates in the middle of Bundesliga football matches prompted understandable dissatisfaction among the personnel there. Nor was there a managed field canteen or Oasis chaplaincy social centre at the camp, so that it was necessary to drive for several hours on the unsafe road to Bamako to purchase everyday necessities.

Furthermore, the servicewomen and men complained that no second crew was assigned to the flights back to Germany. This meant a stopover had to be scheduled at Gran Canaria, making the **flight home** accordingly longer.

The mandate for German participation in the UN's **MINUSMA** mission, which ran up to the end of the year under review, provided for a troop ceiling of 150 German servicewomen and men, and most recently there were eleven servicemen on the ground. There are plans for the German MINUSMA contingent to grow to up to 650 servicewomen and men. Should the contingent be expanded, it must be ensured, in particular, that the Bundeswehr has a strong presence at Gao from the very outset. This is indispensable, if only against the background of the **hazard situation**

there. Soldiers with MINUSMA have recently been the target of terrorist attacks again, and so far more than 60 MINUSMA personnel have lost their lives in action. This danger continues to exist.

As in the previous year, the considerable amounts of time it takes for **military post to be delivered** were bemoaned by the servicewomen and men stationed in Mali. Although the establishment and commissioning of a field post office in mid-September 2015 has helped to improve the situation, it has not been possible for all the problems to be cleared up. In particular, both private and official items were continuing to take several weeks to arrive at their destination. For example, waiting times of up to four weeks had been known before antimalarial tablets or surgical equipment were delivered. The further development of the military postal service will continue to be observed attentively by the Parliamentary Commissioner for the Armed Forces, especially against the background of the envisaged expansion of the German commitment in Mali.

The Federal Ministry of Defence has now eliminated another exasperating reason for the delayed delivery of post from Mali to Germany: Up until now, the need to comply with the value-for-money imperative when consignments are shipped has meant it has been necessary to wait for a minimum weight of 50 kilograms to be reached before each consignment is dispatched. In order to keep delivery times as short as possible, the Federal Ministry of Defence has now issued instructions that state postal shipments no longer have to reach a particular minimum weight before are transported. It remains to be seen whether the maximum delivery time of 14 days for post to be transported to and from Mali can be adhered to permanently in future.

Support for the campaign against Ebola in West Africa

Following a call for volunteers made by the Federal Minister of Defence on 22 September 2014, numerous servicewomen and men from all parts of the Bundeswehr and reservists voluntarily put themselves forward for the campaign against the dangerous disease Ebola. The German Red Cross was working on the ground in Liberia with support from the Bundeswehr for the period from November 2014 to March 2015. It was possible for the deployment to be concluded successfully. All involved are to be thanked for their selfless dedication.

Active Fence Turkey

In the last few years, the specialists of the **Air Force Surface-to-Air Missile (SAM) Squadron** deployed on NATO's Active Fence mission in Turkey were

having to put up with excessively frequent tours of duty, excessively long deployment durations and excessively short recuperation times. For example, it was not possible for the 4/20 deployment planning and implementation system to be complied with for 85 servicewomen and men of the 6th German Mission Contingent with Active Fence in Turkey and 93 servicewomen and men of the 7th Mission Contingent. The principle of the 4/20 system is that deployments should last for a maximum of four months with tour intervals of at least 20 months between them. Against this background, the decision taken by the German Federal Government to end Germany's participation in January 2016 is also to be welcomed as promoting the welfare of Bundeswehr servicewomen and men. The burden of operations on the Surface-to-Air Missile (SAM) Squadron should ease significantly as a result of this.

Baltic Air Policing, Estonia

In the fourth quarter of the year under review, Germany took part in the air policing operations in the Baltic with forces from Tactical Air Force Wing 31. Several Eurofighters secured Baltic airspace from the Ämari Air Base. The servicewomen and men of all rank categories deployed there mentioned the excellent accommodation and welfare provision. The personnel view their work as very significant and are highly motivated.

It was seen as annoying that the failure to complete security screening procedures had prevented the participation of comrades who had also indicated their interest from going on the deployment. In this context, it was felt to be fundamentally problematic for servicewomen and men to be deployed when they were expected to undergo long security screening procedures, for example on account of family ties abroad. It would be desirable if these screening procedures were to be prioritised accordingly.

Assignment to deployments

Some petitions again criticised inadequate communication by superiors concerning assignments to deployments. One serviceman who had volunteered to participate in a deployment was not informed by his superiors about the tasks to be performed in his post on the mission. In addition to this, there was the fact that he was not assigned to a role that matched his qualifications. Another serviceman was left unclear about his assignment for months on end after he volunteered. On account of the particular strains felt by the participating service personnel and their families in the run-up to a deployment abroad, appropriate approaches to

planning and the provision of information by superiors are indispensable.

Further problems are faced in relation to the determination of **fitness for operational assignments**. The Operational Medical Support Command stated that at present fitness for operational assignments is only determined when service personnel are assigned to a deployment. In unfavourable circumstances, this can lead to an assignment being cancelled at short notice. The assessment system is currently being fundamentally revised under the aegis of the newly created Project Organisation for the Reorganisation of Military Medical Assessment (which began its work in September 2015). In this respect, provision has been made for a transition from *ad hoc* assessments to regular assessment every three years. Elements of fitness for assignment to deployments abroad are to be integrated into this general examination of fitness for operational assignments. This will mean it is possible for fitness for operational assignments to be documented regularly in future. The Project Organisation assumes this project will last until the conclusion of the introductory phase in December 2017. In view of the large number of servicewomen and men deployed abroad and the prospect that the Bundeswehr will be required to participate in a not-insignificant number of deployments abroad in future too, the aspiration should be for the regular determination and/or reviewing of fitness for operational assignments to be introduced more rapidly.

Foreign duty allowance

During the year under review, servicewomen and men also complained that no foreign duty allowance was granted for particular periods spent abroad. One serviceman explained that, as a member of an aircraft crew, he had no entitlement to a foreign duty allowance during his stay in the mission country on an official trip. In addition to this, there was no provision for time off *in lieu* to be taken for the duration of the period spent in the mission area either. The Federal Ministry of Defence admitted the current legal situation was that travel expenses alone would be reimbursed for an official trip and personnel were not entitled to time off *in lieu*. From the Parliamentary Commissioner's point of view, time spent in a crisis area should be rewarded appropriately by the Bundeswehr.

The unequal treatment of the crews of fleet service ships that are deployed on national operations in comparison to the members of internationally mandated deployments has already been criticised by the Parliamentary Commissioner for the Armed Forces over the last few years. The Federal Ministry

of Defence is currently examining whether equal financial treatment of the servicewomen and men in question can be ensured by amending the legal foundations for their remuneration. This initiative has been welcomed. Equal financial treatment of servicewomen and men on deployments and quasi-operational assignments should fundamentally be possible. The principle must apply that ‘quasi-operational’ is ‘operational’.

Award of the Bundeswehr Foreign Duty Medal

Service personnel of the Federal Republic of Germany have been serving on internationally mandated deployments for decades. These deployments are recognised and honoured with, among other things, the Bundeswehr Foreign Duty Medal. The situation is different as far as national deployments of the Bundeswehr are concerned. Up until now, no servicewoman or man who has, for example, taken part in a national Bundeswehr deployment gathering intelligence and carrying out reconnaissance in the Mediterranean has received the Medal. Since the end of 2011, service personnel on **fleet service ships** have been demanding that Foreign Duty Medals be awarded to them for their participation in reconnaissance trips in the Mediterranean area. These missions have now been recognised as ‘comparable deployments’, and it has become possible for decorations to be conferred upon the personnel who served on them. The long absences, the great responsibility, and the hard work done by these servicewomen and men have therefore been honoured at last.

With regard to the United Nations Multidimensional Integrated Stabilization Mission in Mali (**MINUSMA**), it was reported that 45 servicewomen and men deployed at its Headquarters until mid-2014 have not been awarded the United Nations Medal. According to the Federal Ministry of Defence, the medal in question was first established in August 2014, at a point in time when the servicewomen and men had already ended their deployment. The retrospective recording of the data and their communication to MINUSMA Headquarters had been considerably delayed. Only in June of the year under review were the medals sent out to these servicewomen and men’s units.

Servicewomen and men have still not been awarded Bundeswehr Foreign Duty Medals for their participation in the **United Nations Operation** in Somalia in 1992. So far, the Federal Ministry of Defence has examined moving forward the start date of the eligibility period for the award of the Foreign Duty Medal, 30 June 1995, without any result being reached. As the reason for this, the Ministry states that

the current provisions on the award of the Medal first have to be amended fundamentally to take account of the changed reality of deployments. It is therefore unlikely that the eligibility period for the award of the Bundeswehr Foreign Duty Medal will be moved forward in the near future. It is incomprehensible why the alteration of the eligibility period for the award of the Medal, which is just one of many aspects to be addressed when all the relevant provisions are being amended, cannot be brought forward.

Armed forces cooperation in Europe

The Bundeswehr goes on international missions together with its European partners and other nations. Nevertheless, the structures of the armed forces in Europe are still very much nationally organised. Overall, the EU’s 28 states have about 1.5 million servicewomen and men, and spend approximately €190bn a year on defence. If pooled and organised multinationally in an effective manner, this potential would guarantee enormous military strength. The fragmentation of European defence policy has prevented this from happening so far.

Current developments in security policy militate in favour of a renaissance of collective defence. There are crises on NATO and the EU’s eastern and southern flanks that have been triggered in particular by the ‘Islamic State’ in Syria, Iraq and Libya. However, at the latest with the attack on Paris in November 2015, the group’s terror has begun to strike directly at the heart of Europe, leading to the invocation of the EU’s mutual defence clause for the first time.

Under these circumstances, **greater cooperation** is required. Training and equipment should be standardised, there must be more joint leadership, division of labour and real integration. The German and Dutch armies have set a good example with the attachment of the Dutch Air Mobile Brigade to the German Rapid Response Forces Division in 2014. Their cooperation at unit level will be continued by the integration of the Dutch 43 Mechanised Brigade into the German 1st Armoured Division. In return, a German armoured battalion will become part of the Dutch brigade. It is also cheering that Armoured Infantry Battalion 411 from Mecklenburg-Western Pomerania will be integrated into Poland’s armed forces by 2021, in return for which a Polish armoured battalion will be attached to Mechanised Infantry Brigade 41 at Neubrandenburg. Cooperative arrangements of this kind should be extended with the aim of intensive collaboration between the individual nations’ formations in training and daily routine operations.

With this in mind, the cooperative arrangements that already exist with France could be expanded to begin with, while the Czech Republic too is very interested in further cooperation. Each nation has core capabilities that can be brought to the table. Enhancing the efficiency with which resources are deployed, increasing responsiveness and improving compatibility with NATO structures are just some of the effects that are to be achieved.

As the following example demonstrates, this will require considerable **harmonisation efforts**. For instance, real binational collaboration characterised a division of labour is not possible at the German-French Army Aviation Tiger Training Centre in Le Luc on account of various legal provisions. Although some of the same weapons are used for shooting, a French pyrotechnician is not able to support a German shooting exercise because they have not had the requisite training. On account of the considerable technical differences between the French and German versions of the Tiger weapon system, as well as the different training concepts and training languages (English/French), joint training is not possible throughout. Instruction and flying hours are delivered separately.

A lack of harmonisation is also hampering collaboration within the German-French Brigade.

Finally, servicewomen and men complain about a lack of opportunities for **training in foreign languages**. In future, foreign language courses should be offered on a voluntary basis within battalions, regiments, squadrons and the larger Bundeswehr agencies.

5 Law violations and the administration of justice

Extremism, anti-Semitism and xenophobia

As an essential element of Germany's 'militant democracy', the Bundeswehr cannot tolerate servicewomen and men trivialising political extremism or taking part in extremist movements. During the year under review, 57 incidents in the forces were reported in which there was a suspicion of an extreme right-wing, anti-Semitic or xenophobic background. 58 relevant reports were made in 2013 and 63 in 2014. Of the 31 suspected cases dealt with finally and bindingly so far, there have been twelve in which no disciplinary offence could be proven or no servicewomen and/or men identified as the perpetrators when investigations were conducted. About 70 per cent of the reports related to enlisted ranks and 27 per cent to senior and junior non-commissioned officers. In addition to this, two officers were involved in reported incidents.

Once again, the reports exclusively concerned what are known as '**propaganda cases**'. As in previous years, these included taking right-wing extremist or xenophobic music by music groups and performers active on the right-wing extremist scene into Bundeswehr military facilities, listening to and singing such music in military facilities, performing what is known as the 'Hitler salute', shouting '*Sieg Heil*' and making comments or writing graffiti with right-wing extremist, anti-Semitic or xenophobic content.

For instance, one specialist raised his right arm to the duty non-commissioned officer while shouting '*Sieg Heil*', something he said he had done 'for fun'. A simple disciplinary penalty and a fine were imposed on the serviceman. In addition to this, he was given an 'explicit notification' that advised him he would have to reckon with being summarily dismissed from the Bundeswehr under Section 55(5) of the Legal Status of Military Personnel Act if he committed another disciplinary offence.

The investigations that were conducted often concluded it was not possible to prove any extreme political convictions or corresponding ideological attitudes were held by the servicewomen and men involved. However, the fact they have acted immaturely, uncritically and rashly does not protect anyone from sanctions. The servicewomen and men in question must anticipate disciplinary or even personnel measures. It must be expected from servicewomen and men who have sworn to faithfully serve the Federal Republic of Germany and bravely defend the law and freedom that, in all their conduct, they always stand up for the free democratic basic

order in the spirit of the German Basic Law. This duty is one of the most elementary tasks incumbent upon service personnel. Misconduct identified in this field has therefore been consistently punished with disciplinary measures. In isolated instances, the servicewomen and men in question have also been discharged prematurely from service in the Bundeswehr.

Social media

Social media on the Internet are used by servicewomen and men as platforms for the reciprocal exchange of opinions, comments and information, for example between friends, acquaintances, colleagues or likeminded individuals. Users identifiable as members of the Bundeswehr also disseminated extremist and xenophobic content via these media. Although, as a matter of principle, servicewomen and men are 'citizens in uniform', and have the right to express their opinions freely, they cannot cite this argument without qualification if what they publish on the Internet is not consonant with standing up for the free democratic basic order. The Internet does not exist in a legal vacuum. In consequence, publications of this kind are still prosecuted under disciplinary and criminal law. In individual cases, the servicewomen and men who post such comments are also dismissed prematurely from service in the Bundeswehr.

Given this, it is to be welcomed that information and advice concerning the responsible use of social media are offered on Bundeswehr Internet sites. To complement this, servicewomen and men should be instructed in the appropriate handling of social media on the Internet during training courses.

Publications that relate to the Bundeswehr are certainly noticed and critically evaluated by Internet users and the media. For instance, some concerned Internet users reported to the Parliamentary Commissioner for the Armed Forces that someone who was claimed to be a mechanised infantryman was celebrating the attack on the *Charlie Hebdo* editorial offices in Paris on Facebook. Media outlets had already picked up the matter. The investigations conducted found that the purported mechanised infantryman was neither a serviceman in the Bundeswehr nor ever had been. The result was communicated to the Internet users who had contacted the Parliamentary Commissioner for the Armed Forces, and in turn disseminated positively by them on the Internet.

During the year under review, further reports from Internet users were received by the Parliamentary Commissioner for the Armed Forces, according to which Bundeswehr servicemen had seemingly been using Facebook to publish xenophobic content. In

most of the cases dealt with to date, the individuals who did this were not serving in the Bundeswehr or it was not possible to determine without doubt that the content had originated from Bundeswehr personnel.

Bullying and sexual harassment

Apart from the processing of petitions about bullying and sexual harassment, the Parliamentary Commissioner for the Armed Forces also observes what are known as reportable events and special incidents reported due to suspicions of offences against sexual self-determination.

Although accusations of bullying could not be substantiated in any case raised by a petition, it was possible for misconduct by individual superiors and comrades to be identified. Deficiencies in tone, personal conflicts and an unpleasant atmosphere had led the individuals concerned to gain the overall impression that they were being bullied.

In 2015 too, the absolute number of reportable events and special incidents reported due to suspicions of offences against sexual self-determination was not very high relative to the force strength of the Bundeswehr. The 2014 study *Troop Portrait without Lady?* found, however, that 50 per cent of the servicewomen surveyed stated they had been harassed at least once during their time in the Bundeswehr. Many of the individuals affected have inhibitions about reporting discrimination and cases of sexual harassment out of a fear of suffering personal disadvantages. For instance, one servicewoman contacted the Parliamentary Commissioner for the Armed Forces with a request for a transfer. Only when a review of the case was conducted was evidence of a possible rape discovered. The cases of sexual harassment raised in the majority of the petitions the Parliamentary Commissioner for the Armed Forces deals with are reportable events and/or special incidents associated with the excessive consumption of alcohol (sometimes during ‘drinking games’), for instance during parties at universities, during training and on courses. In many instances, the cases of sexual harassment that come to light are also what are known as relationship offences, for example sexual attacks committed following the ending of a relationship or within an already troubled relationship. In a few of the known cases, the sexual harassment that occurred involved the exploitation of the perpetrator’s function as a superior – mostly under the influence of alcohol as well.

It is to be welcomed that the Bundeswehr has set up a Working Group on Preventive Measures in Relation to Discrimination and Sexual Harassment at the Leadership Development and Civic Education Centre.

Together with the Equality of Opportunity Working Group and Integrated Leadership Culture Working Group, it is to draw up 40 recommendations concerning the integration of women into the Bundeswehr. In particular, a practical guide to the ‘prevention’ of discrimination and sexual harassment is to be drafted and leadership training courses are to be evaluated. These measures are to give prominence to the particular role and responsibility of superiors. The Parliamentary Commissioner for the Armed Forces has already drawn attention to the need for this to be done many times.

Inadequacies in interpersonal dealings with servicewomen are to be identified again and again. Male comrades therefore also have to be made aware of the need to avoid sexually charged remarks such as, ‘Any woman who joins the forces is asking for it, it’s their own fault,’ or, ‘You’re gagging for it too.’ They must be conscious of the effect suggestive remarks and *double-entendres* have on their female comrades.

Legal knowledge of disciplinary superiors

Good legal knowledge is to be expected from superiors. Subordinate servicewomen and men must constantly have the certain feeling that they will all be treated equally and appropriately by their superiors pursuant to the law, and in accordance with current regulations and legal instruments. Disciplinary decisions should not be quashed because no final hearing has been conducted, the unit spokesperson has not been heard, the statute of limitations has expired or the disciplinary superior is not competent to deal with the case.

Incorrect instructions on legal remedies in matters of military discipline, the issue of a decision on a complaint by a superior who is not competent to do so and the failure to set out the substantive grounds for a decision at sufficient length should also be avoided. In addition to this, it is unfortunately still to be noted in occasional instances that servicewomen or men have not officially been interviewed as witnesses or affected military personnel during investigations. Only if an official interview is conducted can it be ensured that the servicewoman and/or man has been fully informed about their rights to refuse to give evidence and remain silent.

Against this background, it is to be highlighted positively that the Central Legal Training Institute at the Leadership Development and Civic Education Centre offers outstanding instruction on the relevant legal foundations and their application as part of its educational provision. In particular, the practical training it offers on military law for disciplinary superiors and personnel officers is of particular importance. It must be ensured that a comprehensive

range of educational and/or training courses is provided in this field and resourced with the necessary manpower. The planned reduction of posts for legal professionals does not appear to be called for in the units and agencies that disseminate legal knowledge.

Workload of the disciplinary attorney's offices, and disciplinary and complaints courts

The understaffing that has persisted for years in the agencies and authorities responsible for the administration of justice is still to be criticised. People in the forces must not get used to this unsatisfactory state of affairs. For instance, both the law, and the principles of leadership development and civic education demand the expeditious handling of disciplinary matters. This was not always managed during the year under review. All posts established for the administration of justice must be filled and kept filled continuously. Furthermore, thought should be given to how flexible measures can be taken in the short term to support overstretched elements that are only fully staffed on paper. On a positive note, it is to be remarked that the appointment of new legal professionals was pursued vigorously during the year under review, and a considerable number of newly qualified young legal professionals were also able to commence their duties in the agencies and authorities responsible for the administration of justice.

As discussed in the last few Annual Reports, there are still **disciplinary attorney's offices** that do not have the personnel resources required by their workload situation. Posts are not filled. Postholders find themselves deployed abroad, attending training or advanced training courses, or on maternity and/or parental leave. At the same time, disciplinary attorneys are active and in demand as legal advisers. For example, legal advisers in the Bundeswehr Territorial Tasks Command supported the Bundeswehr personnel deployed at the G7 summit in Elmau. The support for refugees is continuing to place the Bundeswehr Territorial Tasks Command under additional pressure that goes far beyond the customary levels. There was evidence from the 1st Armoured Division that, due to inadequate manning, the average amount of time taken to process judicial disciplinary proceedings is 20 months from the disciplinary attorney's office becoming aware of the case to the submission of the written charge. This is definitely too long.

The **disciplinary and complaints courts** require a level of personnel resources that would allow their actual workload to be dealt with within reasonable amounts of time. The Parliamentary Commissioner for the Armed Forces is still observing proceedings in which the allegation is already several years old.

Apart from the factual and legal complexity of the individual cases to which this is partly attributable and the long periods of time taken by criminal proceedings on the same kinds of matter, however, it is also necessary to consider the workload situation in which the individual chambers find themselves because acting staff are covering for protracted vacancies. The disadvantages that servicewomen and men suffer due to the excessively long duration of disciplinary proceedings are described in the section 'Career path disadvantages due to excessively long disciplinary proceedings'.

Requests for cases to be reviewed by the Parliamentary Commissioner

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 4,500 cases to be processed each year, he therefore relies on the assistance and investigative work of the Bundeswehr's military and civilian agencies, 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 or consulted during each review. The evaluation of these comments constitutes part of the basis on which he assesses petitions, special incidents and reportable events. In addition to this, the Commissioner also conducts interviews and investigations himself, where this is necessary. If comments are not processed within appropriate periods of time, the Parliamentary Commissioner for the Armed Forces is unable to perform his statutory task, protect servicewomen and men's basic rights, and support the German Bundestag in the exercise of parliamentary oversight.

Despite recognisable efforts to **process requests in good time**, Bundeswehr agencies still submitted the reviews requested with sometimes considerable delays. This was justified on various grounds, including the fact that subordinate elements had not carried out investigations properly and so made it necessary for them to be reopened, involving considerable expense and effort. Furthermore, delays were explained by personnel vacancies or evidently inadequate numbers of posts.

One command entrusted with reviewing the allegations made in a petition stated that no reliable date could be given for the submission of the comments requested, and the documents produced and consulted during the investigation because there were other cases to be processed that were categorised as more important and more urgent. In addition to this, servicewomen and men were ever more frequently taking their concerns directly to the

Federal Minister of Defence. In this connection, reference is to be made to Type A General Publication 2600/2, 'Matters concerning the Parliamentary Commissioner for the Armed Forces', according to which comments for the Parliamentary Commissioner for the Armed Forces are to be processed as matters of urgency. When enquiries are made about reportable events, many of the disciplinary superiors to whom requests have been addressed are evidently obliged to convey the requested comments with the documents that have been produced and consulted to the Parliamentary Commissioner for the Armed Forces through official military channels as a matter of principle. Occasionally, this procedure has resulted in comments completed by disciplinary superiors at an early stage not being received until several weeks later, sometimes only after enquiries had been made by the official who was dealing with the case at the Office of the Parliamentary Commissioner for the Armed Forces. On such occasions, these delays meant the accounts of the facts received were no longer consistent with the latest progress in the investigations.

On this issue, it is to be noted that the Type A General Publication 'Matters concerning the Parliamentary Commissioner for the Armed Forces' provides for the individual to whom the request for a review has been addressed by the Parliamentary Commissioner for the Armed Forces to answer the enquiry. If the Parliamentary Commissioner for the Armed Forces writes to an agency, the head of the agency replies. No provision is made for such replies to be conveyed through official military channels.

Often, the subordinate agency or authority involved in drawing up the comments does not receive any **information about the outcome of the petition procedure**. On this point, the above-mentioned Type A General Publication states, '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.' In view of this, superior agencies have a duty to pass on the relevant information.

Furthermore, numerous petitioners once again expressed the worry that they would suffer discrimination in the course of their duties because they had contacted the Parliamentary Commissioner for the Armed Forces. In so far as this is the case, superiors remain called upon not only to pay attention to compliance with the **prohibition on discrimination**, but to foster a climate of trust that does not allow concerns about possible discrimination to be felt in the first place. In this connection,

reference is to be made once again to the fact that deterring a subordinate from submitting a petition to the Parliamentary Commissioner for the Armed Forces is punishable under the Military Criminal Code as 'suppression of complaints', both in routine operations and on deployments abroad.

6 Compatibility of family/private life and service

The consistently high number of petitions relating to the compatibility of family/private life and service in the Bundeswehr demonstrates the significance this topic has for servicewomen and men. The Federal Ministry of Defence is aware of its relevance. It has recognised that the future of the Bundeswehr will depend in part on attaining an equitable balance between the special demands that are made by military careers, and servicewomen and men's family and personal needs. Measures to achieve this have been set in train with the **Attractiveness Agenda**.

In 2015, many petitions showed there was an expectation among some servicewomen and men that the measures implemented would change matters immediately. Disappointment was apparent in statements such as, 'the much lauded attractiveness campaign reveals itself once again to be an empty promise.' One long-serving serviceman asked himself, 'Does this concept only possess validity for newly recruited comrades and will previously enlisted temporary-career volunteers or career soldiers actually be ignored under it?' The forces' continued adherence to the principle that servicewomen and men may be assigned to another post at any time is sometimes criticised very heavily. The argument is made that it conflicts blatantly with the compatibility of family/private life and service.

The principle that service personnel may be assigned to a different post at any time has never been called into question in the context of the Attractiveness Agenda. Germany-wide mobility and the willingness to be permanently or temporarily assigned to other locations that may be far from home for particular periods are among the core demands that are made on those who pursue military careers. Transfers and the challenge they entail of working in the most varied fields, potentially combined with personal promotion, are certainly part of the attractiveness of these careers for numerous servicewomen and men as well. At the same time, transfers that involve moving to a different location often interfere profoundly in the personal lives of servicewomen and men and their families.

Strains caused by daily or weekly commuting

The main concern in a good third of the petitions about the compatibility of family/private life and service is the desire to be transferred, or stay, close to home. Apart from family considerations, the idea of focussing their private life at one principle place of residence on account of their frequent absences on duties plays a central role here for many servicewomen and men.

A large proportion of personnel who are unable to serve at the place they view as home are still commuting. According to a study published in 2014 by the Bundeswehr Centre of Military History and Social Sciences (ZMSBw) that sets out the results of a representative Bundeswehr survey of the compatibility of service and/or family life, weekend commuters who have not moved house for family reasons make up the largest group of commuters with a share of almost 40 per cent. One third describe themselves as daily commuters. Commuting represents both a financial strain and a mental strain. The monetary strain particularly affects younger servicewomen and men, while the mental strain is frequently mentioned by older servicewomen and men.

Weekend commuting is felt by servicewomen and men to be one of the most stressful aspects of service in the forces. This finding is reflected in the petitions addressed to the Parliamentary Commissioner for the Armed Forces. Weekend commuting not only makes it difficult to arrange childcare and care for relatives, but social contacts also fall by the wayside.

Deeper empirical investigation of the impacts of commuting to work in the forces on family and private life finds that both weekend and daily commuters, just like their partners, increasingly tend to give up leisure activities. The loss of these activities, in particular, has generally negative impacts on satisfaction in various areas of life. The pressures of their careers on commuters led again and again to **tensions in private and family life** as well. According to this study, there are numerous younger servicewomen and men among the group of weekend commuters for whom commuting makes it especially difficult to find a partner and/or build a long-term relationship with them.

Reduction of transfers

Since the stressful factors that have been identified also impact generally on satisfaction with the Bundeswehr as an employer, they may have negative effects on work performance. Under the Attractiveness Agenda, it has therefore rightly been recognised that there is a need for transfers to be reduced and commuting minimised for the good of service families' wellbeing and in the interests of the Bundeswehr as an employer.

The course set out upon under the Attractiveness Agenda of increasing the flexibility of servicewomen and men's career pathways by making the qualifying conditions for assignment patterns less rigorous and determining that particular assignments are no longer to be prescribed as compulsory is correct. This is true for specialists, in particular. The idea that fewer

transfers will leave competences in place at each location and therefore mean they benefit from the retention of specialist experience will ultimately enhance the professionalism of the Armed Forces as well.

This is why the Agenda measure of fundamentally tying military leadership personnel to posts with disciplinary powers for three years, which has already been implemented, is a step in the right direction. This measure will reduce the frequency of transfers, but simultaneously lead to greater continuity and therefore a higher degree of efficiency in the areas for which these personnel are responsible. Since these arguments are also applicable to other assignments undertaken by leadership personnel, for instance in offices and authorities, consideration should be given to extending the period-in-post provision to these assignments. The project of increasing the number of posts that can be filled by either military or civilian personnel and making more posts available without permanent allocation to the uniformed services may also reduce the frequency of transfers far away from home.

Predictability of transfers and relocations

Another aim is to establish two fixed transfer dates from 2016 on. In future, this measure is to make it easier for servicewomen and men to predict unavoidable relocations. Together with the prior notice period of six months that will then be prescribed, it will deliver a not-insignificant gain in predictability and reliability for those affected. Personnel managers will then be under an obligation to inform servicewomen and men who are to be moved about their planned transfer six months before the transfer date, at the latest. The extent to which these measures can be implemented practically over the short and medium terms remains to be seen. As these matters are administered at present, even the just three-month notice period prescribed until now is not observed in many cases.

The two planned **transfer dates, 1 April and 1 October**, are being criticised by some within the forces even before this system is put in place. However, individual solutions are also to be possible here. Servicewomen and men with school age children especially fear being forced to do additional commuting because the dates mentioned do not coincide with the beginning of the school year and/or its second semester.

In this connection, it is to be evaluated positively that, as it pushes ahead with the Agenda measures, the Federal Ministry of Defence wishes to give thought to the request made by the Parliamentary Commissioner for the Armed Forces, that it seek to persuade the

Standing Conference of the Ministers of Education and Cultural Affairs of the Länder to establish schools at suitable locations with a nationally standardised framework curriculum in order to make it easier for children to change school when their parents are transferred.

Transfers are often necessary because posts have to be filled that have become vacant and whose holders have left because they have reached the age limit or the end of their term of enlistment. This may happen at any point in time. The establishment of two annually fixed transfer dates will therefore require them to be coordinated with the dates when departing servicewomen and men go into retirement in order to avoid vacancies in posts to which replacement personnel are to be appointed. In consequence, arrangements must be reached that bring the timing of servicewomen and men's transfers and retirements into line with each other. This appears less difficult for career soldiers than temporary-career volunteers because, under the current legislation, the Bundeswehr is able to set later retirement dates for career soldiers.

The **job information exchange** planned as of mid-2017, which will not just provide information about posts and possible assignments that are available, but all posts and assignment opportunities in Germany and abroad, as well as enabling interested personnel to register individual wishes for assignments actively on the platform, will be an unprecedented development in the Bundeswehr's personnel management. The extent to which the exchange goes beyond merely providing information about possible options and has an influence on concrete personnel measures will ultimately depend on its technical implementation and, above all, its integration into the competent organisational units within the Federal Office of Bundeswehr Personnel Management. For the exchange will only be able to achieve the desired effect if the assignment requests that are registered on it can also be systematically evaluated – which will in turn depend on having the capacity to do this and therefore the number of servicewomen and men to be looked after by personnel managers.

All in all, many of the planning projects that have been mentioned and the measures that have already been implemented are likely to regionalise military careers and reduce transfers. They are to be welcomed in the interests of a better work-life balance in the forces.

Commuter apartments

Servicewomen and men who still have to commute always face the question of accommodation at their duty location. Living quarters owned by the

Bundeswehr that are not required for individuals obliged to live in official accommodation may exceptionally be placed at the disposal of commuters at discounted rates, i.e. the standard flat-rate accommodation charges, which are treated favourably for tax purposes. The Federal Ministry of Defence has stated several times that there is no legal foundation for the provision of commuter apartments by the forces. This means all that remains for commuters if there are no living quarters free in Bundeswehr properties is to rent an apartment on the private housing market. Even though the Federal Ministry of Defence claims the demand for residential accommodation from commuters can be met at more than 90 per cent of its bases, it is particularly difficult, if not impossible, to find **affordable accommodation** in major conurbations and holiday areas. Petitions and discussions with affected servicewomen and men on field visits and at events show that there is demand for affordable accommodation.

In 2014, the Armed Forces Office was commissioned by the Federal Ministry of Defence to evaluate the empirical findings from a survey of the demand for accommodation among members of the Bundeswehr, on the basis of which it delivered recommendations on 9 March 2015. Among other things, the provision of overnight accommodation options for commuters and family members, as well as the alternatives of paying the costs of apartments, increasing the allowances for transport to and from work and/or separation allowances, and introducing concessionary fares for public transport were recommended. These recommendations are sensible and could help to resolve the problems faced by commuters. So far, however, no proposals have been put forward to translate them into reality. Although the possibility of creating apartments for commuters with and without an entitlement to a separation allowance is being examined within the Federal Ministry of Defence at present as it looks at ideas for the further enhancement of the forces' attractiveness, a result is only to be anticipated in the medium term because the competent federal ministries will have to be involved due to possible impacts on the legal situation and budgetary resources.

In consequence, consideration should be given to **private models for the provision of commuter apartments**. It was examined back in 2007/2008 whether affordable commuter apartments could be made available by drawing on private capital through what are known as public-private partnerships. Under the circumstances that prevailed at the time, however, pilot projects at several bases did not achieve successful results. Nonetheless, cooperation with local authorities and private investors has after all led to the creation of successful models that have been

accepted by commuters at a few bases, Augustdorf and Wilhelmshaven, for instance. These models should be taken forward, maybe with non-profit-making housing providers as well.

Significant additional demand for accommodation from commuters will arise in particular parts of the **Navy**. Following the entry into force of the Military Personnel Working Hours Ordinance on 1 January 2016, the performance of guard duties on frigates and corvettes by on-board crews at their home port (in-port watch) is gradually to be replaced by the use of civilian security companies. At the same time, all shipboard personnel will have to leave the vessels after the end of their duties to sleep. Commuters who are not entitled to live in forces accommodation will then need to rely on an apartment rented on the private housing market. As a result, many members of the Navy will face considerable additional costs for a second residence that stands empty while they are serving at sea. Anyone who does not receive a separation allowance will have to bear these additional costs in full. Simultaneously, they will no longer have opportunities for extra earnings due to the cutting of in-port watch duties.

The Navy's leadership is aware of the problems with accommodation that will be faced. According to their calculations, about 1,200 members of the Navy will be affected. Solutions now have to be found at the local level. Otherwise, there is a great danger that the Navy's image, battered as it currently is in any case, will get even worse.

As long as no budgetary resources can be allocated for commuter apartments, the financial strain on commuters should at least be reduced by finally implementing legislation on the **freedom to choose** between a separation allowance and the reimbursement of relocation costs, as provided for in the current government's coalition agreement. The Federal Ministry of Defence is called upon to break down possible resistance to a statutory right to choose between these options in consensus with the Federal Ministry of the Interior, which has the lead role in this area, and the Federal Ministry of Finance. The extension of what is known as the Structural Directive, which permits the right to make this choice to a certain extent until the end of 2018, may be encouraging, but cannot replace a right to choose enshrined in legislation. For, under the Directive, a separation allowance is only granted to personnel who have asked not to be awarded the reimbursement of relocation costs, provided the length of the assignment at the new duty location is limited to three years for personnel who are married or in long-term domestic partnerships and/or two years for unmarried personnel who have eligible children or an eligible residence in Germany.

Applications for separation allowance and travel expenses

There are currently about 50,000 servicewomen and men entitled to a separation allowance. Again and again, there are complaints about the sometimes very **long periods of time taken to deal with** applications for separation allowance and removal costs. The basis for the processing of such applications is the recognition of a residence or household under the Federal Removal Expenses Act. At the end of 2013, responsibility for the recognition of residences and households, and the approval of the reimbursement of relocation costs was transferred from the Bundeswehr Service Centres to the Federal Office of Bundeswehr Personnel Management. The Federal Office was evidently not prepared with enough staff for the large number of applications – about 4,000 a year – to have residences and households recognised, so that a backlog of several thousand applications built up in the course of 2014, which was still having a negative impact on processing times during the year under review as well. In 2015, the number of posts assigned to the performance of these tasks in the Federal Office was temporarily increased so that processing times grew shorter again at the end of the year.

However, the fundamental problem caused by the transfer of this responsibility continues to exist: On account of the large number of applications to be processed, applications can no longer be processed within a few days at the Federal Office, as when this was done by the Bundeswehr Service Centres' base service offices, which were previously responsible for this task on a decentralised basis. The Federal Office of Bundeswehr Personnel Management is therefore seeking to transfer the responsibility for the recognition of residences and households to the Bundeswehr Service Centres again. One advantage of this would also be the local knowledge about the housing market that could be exploited because Service Centres are close to what is happening on the ground. To ensure these tasks are assigned to appropriate organisational units that will be able to perform them sustainably in future, the Federal Ministry of Defence should give this responsibility back to the Service Centres.

Another reason for the large amounts of time taken to process separation allowance and travel expenses applications lies in the insufficiently prepared restructuring of the Bundeswehr's travel management system. The responsibility for dealing with applications, including the preparations for the disbursement of benefits, is currently being transferred from the Bundeswehr Service Centres to the accounting sections of the Bundeswehr Center of Expertise for Travel Management. Since the introduction of information technology support at the

Center of Expertise for Travel Management is being delayed, the Bundeswehr Service Centres are still responsible for processing the applications in parallel. Despite this, **there have been cuts to the staff** responsible for processing such applications. For this reason and due to the time-intensive process of moving all the files, the stipulated 20-day maximum limit on the time allowed for processing has been considerably exceeded on some occasions. This led to financial problems for some applicants, for example in connection with the payment of rent and travel expenses. Processing times were falling again at the end of the year thanks to the extra personnel funded in some places.

In the course of the reorganisation of the Bundeswehr's travel management system, which has still not been concluded, it is becoming clear once again that the transfer of functions was not prepared in good time, at least as far as the demand for personnel was concerned. In previous years, the restructuring of the Bundeswehr administration caused significant financial disadvantages for some applicants and led to sometimes chaotic situations as a result of the inadequate preparation for transfers of functions. For example, this happened in the field of assistance and allowances, where massive delays occurred in the processing of applications.

At the end of the year under review, an **instruction** from the Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services caused anxiety among personnel who were entitled to a separation allowance. On the basis of a ruling delivered by Münster Higher Administrative Court in 2012, this instruction specified that a servicewoman or man who had already had **removal costs approved** for a particular location once in their career path, irrespective of whether the reimbursement of relocation costs was taken up, would no longer be entitled to any separation allowance if they were transferred back to this location after having been transferred to other locations. In consequence, all applicants were called upon to mention whether they had ever had the reimbursement of relocation costs approved. The Bundeswehr Association calculates that about 10,000 servicewomen and men are affected by the new instruction. In contrast to this, the Federal Ministry of Defence believes the figure will be about 400 cases. The bemusement of those concerned at the financial disadvantages caused by this step is understandable. The instruction has the consequence that a servicewoman or man permanently loses their entitlement to separation allowance for the duty location in question. It completely disregards servicewomen and men's changed living circumstances.

It is to be welcomed that this has already been recognised, and some aspects of administrative practice have been adjusted to take account of the needs of the separation allowance claimants who are affected. In ever more cases, separation allowance entitlements are no longer being cut if a servicewoman or man has accommodation they can use at their current location (weekend commuters). However, daily commuters continue to be affected by the instruction. In consequence, the instructions that relate to this group of individuals should also be rethought.

Deployments/assignments abroad and family life

Servicewomen and men's deployments abroad always affect their whole family. This begins when a deployment is first announced and continues through to its potential long-term consequences. In view of this, it is important that a deployment's significance is comprehensible to family members, plans are transparent and reliable, and family members receive honest information and support. One essential element is communication with personnel's partners and/or parents during deployments.

As long ago as 22 March 2012, the German Bundestag voted, partly at the recommendation of its Defence Committee, to introduce a comprehensive, modern system of **welfare telecommunications** for the members of the Bundeswehr on deployments. According to this decision, following the expiry of the old framework agreement, servicewomen and men on deployments were to have telephone services and Internet usage made available to them free of charge as of 1 July 2015 on the foundation of two new framework contracts concerning the provision of these services at sea and on land. The contract for welfare telecommunications at sea was signed at the beginning of 2015, and the first services for seagoing units have been provided by the partner with whom the framework contract was signed since 1 July 2015. The award of the contract for welfare telecommunications on land was blocked by one of the Federal Public Procurement Tribunals during review proceedings because the offer from the unsuccessful tenderer had been incorrectly excluded from the procurement procedure when the bids were being assessed by the contracting authority. As a result of this, free-of-charge welfare telecommunications for servicewomen and men on deployments (on land) will be delayed by what is anticipated to be twelve months. Since 17 July 2015, however, telephone services and Internet usage have been free of charge for the members of the Bundeswehr at all bases used by the German KFOR Mission Contingent. Incomprehensibly, no

corresponding instructions have so far been issued with regard to other mission areas (including Afghanistan, Mali and Turkey). This omission should be made good soon.

Again and again, servicewomen and men complain, of no longer being in a position to fulfil their family obligations and live a **regular family life** on account of their frequent participation in deployments abroad. Above all, this affects servicewomen and men with special assignments and seagoing units in which the rule that there must be tour intervals of 20 months between deployments is not being complied with. Servicewomen and men on the Frigate Schleswig-Holstein complained that for years they had been on the high seas for six months of the year. Navy Headquarters confirmed the increased demands of their deployments were partly due to the current developments in various crisis areas. Scarce personnel and materiel resources were responsible for the heavy workload borne by the crew of the Frigate Schleswig-Holstein. Although the Navy Chief of Staff has given instructions that the Schleswig-Holstein is not to be assigned any new operational commitments in 2016 after its return from the ongoing EUNAVFOR MED deployment, it has been admitted by Navy Headquarters that, in view of the current imponderables, crews and formations will have to get used to being available for operational tasks at short notice in future too.

As discussed above, sufficient posts must be planned for in detail and also filled if the parts of the services where there are shortages of resources are to cope with the tasks they have to perform. Otherwise, it will only be possible for certain operational commitments to be taken on to the extent that the available manpower permits.

Family members inevitably start to feel afraid if a changed security situation makes it necessary to **prohibit contact with home** during a deployment abroad in order to ensure the mission is not endangered by the hostile interception of telecommunications. It would be desirable for a possible channel to be created through which relatives could be informed rapidly by the Bundeswehr so that they do not have to rely exclusively on the press to get an idea of the situation.

Again and again, personnel returning from deployments and their relatives have been affected by the **rescheduling of flights** from mission areas at short notice. In one particularly grave case, after twelve weeks of absence, a father of three had to put up with a total of ten changes of date for his return flight from Afghanistan. In the end, he flew back to Germany six days after the date that had actually been announced. The strains placed on families as a result of this, in particular the children of service personnel,

do not reflect well on the aspiration to achieve a better work-life balance in the Bundeswehr. The Parliamentary Commissioner for the Armed Forces has arranged for it to be examined how far the transportation of personnel from Afghanistan could be organised more predictably in future.

As a matter of principle, the Ordinance on the **Reimbursement of Costs for Family Assistants and Domestic Workers Employed by Service Members with Family Duties** during Deployments Abroad, which entered into force on 10 July 2015, is to be welcomed. Apart from deployments abroad, it covers predeployment training, quasi-operational assignments and standing operational tasks as well. However, it remains to be seen whether the reimbursement of costs for family assistants and domestic workers will be sufficient in all cases, given it is limited to €50 a day and a maximum of €10 an hour.

The last Annual Report objected to the fact that, when they are transferred back to Germany on a compulsory basis following the **ending of an assignment abroad**, servicewomen and men are merely given unconditional **approval for the reimbursement of relocation costs** to their new duty location. As a result, significant financial burdens are incurred when a family returns to its previous place of residence if that place is located outside the new post's travel-to-work catchment area: the consequences may be that less of their relocation costs are reimbursed, they receive a lower flat-rate removal costs allowance and they have no entitlement to a separation allowance. The Federal Ministry of Defence rejected the suggestion made in the last Annual Report that the rules on the granting of separation allowances be amended in favour of personnel who return from abroad. It claimed the reimbursement of relocation costs and an additional separation allowance do not come into question for systemic legal reasons.

Against this, it is to be argued that the reimbursement of relocation costs to personnel who return from abroad, which it is compulsory to grant in any case, is to be viewed differently from the reimbursement of relocation costs within Germany. Personnel returning from abroad are *de facto* unable to choose between the two benefits, the reimbursement of relocation costs and a separation allowance. In consequence, it is also not possible to equate them with members of the Bundeswehr in Germany who have this choice. It would be imperative to ensure it is at least cost neutral for servicewomen and men to return to their original place of residence in order to take account of the social trend for people to generally avoid family moves in Germany.

The gap in the law on the **assumption of costs for journeys home** made by servicemen and women on

deployments abroad due to **family emergencies** that was also criticised in last year's Annual Report has still not been closed. Unfortunately, the amendment to the administrative regulations on travel assistance and allowances suggested by the Federal Ministry of Defence, which would be intended to make it possible for deployed servicewomen and men to have the costs for journeys home due to family emergencies reimbursed as of the first day of their deployment, is not being supported by the Federal Ministry of the Interior, which has the lead role on these matters.

Family-friendly personnel planning

Again and again, servicewomen and men contact the Parliamentary Commissioner for the Armed Forces because they are unable to make sense of the **plans for transfers**. Especially in the course of such a profound restructuring as the one the Bundeswehr are currently going through, it is not always possible to avoid negative decisions for the individuals concerned. For example, the plans for transfers set out in preliminary briefings cannot always be kept to. In cases of this kind, petitioners complained about learning of a changed decision for the first time in their transfer notification. The background to these changes had not been explained. Interim communications when plans are changed and the inclusion of detailed statements of the grounds in decisions could prevent uncertainties of these kinds being experienced by servicewomen and men.

The **annual personnel interviews** that will be provided for on an obligatory basis in future under the Attractiveness Agenda are to be welcomed. There were several petitions that objected to the way personnel interviews had been refused despite repeated requests. For instance, one serviceman who had asked for a transfer close to his home for a limited period at short notice had been denied a personnel interview when this was the first time he had asked for one in 14 years. The petitioner had made it clear in several telephone conversations that there were very onerous private reasons for his application for a transfer, and he would be perfectly happy to discuss them in person. The personnel management failed to recognise the urgency of his request, as well as its background. They called upon the petitioner several times to initially provide further written information, in which respect they evidently assumed the request for the transfer was motivated not by private pressures, but by tensions connected with his duties. This case dragged on for nine months without any agreement being reached. If personnel interviews were conducted regularly, such misunderstandings would be avoidable.

Training courses too lead to protracted absences. In particular, young servicewomen and men who first

need to be qualified for their subsequent assignment to a post have to pass a large number of training courses. This entails temporary assignments to other locations. Even if some of the individual courses only last a few weeks or months, the absences mount up due to the large number of compulsory training units to be passed.

Wherever possible, personnel managers should attempt to implement suitable organisational measures that allow the criterion ‘proximity to home’ to be factored into the decisions that are taken to a greater extent than in the past, including decisions about the allocation of training course places.

Apart from this, the reliable, long-term **planning of training courses** plays a decisive role in the compatibility of family/private life and service. Frequent and protracted absences can be explained considerably better to a family if both the durations of the courses and the periods when they are held are predictable beforehand. This makes it easier to organise the arrangements that have to be put in place in advance when personnel are going to be absent – above all for childcare and/or the care of relatives in need of long-term care.

The criticism of the **duration and content of training courses** that was expressed in some petitions prompted the Federal Office of Bundeswehr Personnel Management to review some individual plans to ascertain whether they were really necessary. For instance, one serviceman who had complained about being away from his partner and daughter for eight months could be given the pleasing news that his training programme had been slimmed down by introducing preliminary training at his workplace, and the length of his absence on the training course would therefore be reduced to six weeks. With a view to family-friendly training course planning, all courses that last for longer periods should be reexamined and possible ways of shortening them investigated, for example by means of preliminary training at the workplace.

Alongside this, the necessity of particular training courses should be interrogated. For instance, it was reported that the training of inspectors for the C-160 Transall took months and was frequently held far away from the trainees’ base. This course merely taught basic skills the seconded servicewomen and men were already familiar with as experts in their field.

In connection with a failure of training course planning, one serviceman’s wife felt she was ‘at the mercy of’ the personnel management. The serviceman had been assigned to a six-month course. His wife had taken the flexible element of their parental leave for this period in order to look after

their child. After the course had been cancelled, the decision on parental leave could not be reversed. The reason for the rescheduling of the training course was that another serviceman had dropped out because of sickness, which meant there would not be the minimum number of participants required in order to run the course economically. Even though the Federal Office of Bundeswehr Personnel Management had no option but to take this decision due to the significant costs that would otherwise have been incurred, the individuals affected were left with the impression that too few allowances were made for personal and family circumstances. This perception is understandable. Nevertheless, especially in cases of this kind, the efforts made to ensure far-reaching compatibility between family/private life and service do come up against their limits.

Family-friendly assignment planning for **married and unmarried military couples** involves taking both partner’s assignments, training and courses into consideration, and ideally coordinating them with each other. However, such coordination is only possible if the agency that processes personnel matters, the Federal Office of Bundeswehr Personnel Management, is aware of individuals’ family status. Not infrequently, it first learns of servicewomen and men’s personal relationships when petitions are processed. In these cases, it is often insinuated that service personnel are unwilling to share information – and/or communicate with the Office. At the same time, it is stated that if information about the existence of a partnership had been passed on at an earlier point in time this would certainly have allowed options to be offered that could have remedied the problem.

The Parliamentary Commissioner for the Armed Forces has therefore suggested again and again that these data be included in servicewomen and men’s personnel files. The Federal Ministry of Defence raised objections to this under data protection law. Not only that, it regarded the automatic, reciprocal exchange of personnel data on military couples in the personnel management system data pool not to be necessary given the comparatively small numbers of cases and the not-insignificant, cost-intensive programming work it would involve. Encouragingly, however, the Parliamentary Commissioner’s suggestions concerning the examination of cost-neutral options for the improvement of the data pool by means of awareness-raising for superiors and personnel managers, and regular reminders for servicewomen and men have been taken up. A regulation has stipulated that members of the Bundeswehr (military and civilian personnel) have the option of notifying the personnel management if they are married to, or in a registered same-sex partnership, cohabiting mixed-sex couple or same-sex

couple with another member of the Bundeswehr. The voluntary provision of this information requires the other partner's written consent, and the data are also passed on to their personnel management. According to the regulation, the personnel management has to take the information that has been gained into consideration when making decisions about both partners' assignments, provided operational reasons do not stand in the way of this.

Childcare

If everyday family life and service in the Bundeswehr are not to be mutually exclusive for people with children, it is indispensable that servicewomen and men are supported by their employer when it comes to childcare. Guaranteeing there are no gaps in childcare is therefore a goal for the attractiveness campaign as well.

Any servicewoman and man is able to obtain information about services, points of contact at their base, forms to download, and the acts and ordinances relating to parental leave and maternity leave via the Bundeswehr's **Child Care Portal** (www.bundeswehr-kinderbetreuung.de). The portal offers important assistance for parents and expecting parents. As the Parliamentary Commissioner for the Armed Forces has to conclude again and again from the petitions he receives and his discussions with service personnel, many servicewomen and men lack the information they need. Most are unaware of the Portal's existence, and it should therefore be publicised even more widely within the forces.

The **Commissioner for Work-Life Balance in the Bundeswehr** appointed in January 2013 within the Federal Ministry of Defence is, among other things, the central point of contact for garrison senior officers, as well as providing advice and support on welfare problems. Despite her outstanding commitment and the improvements that have already been set in train, much still remains to be done.

When the 'state of childcare' was surveyed in December 2014, of 212 bases surveyed, 66 reported gaps and/or deficiencies in their provision. Further measures and all the various options with which demand can be met (group childminding, rights to take up places in suitable local authority childcare settings, the construction of Bundeswehr-operated child daycare facilities) are to be examined here. Measures to resolve these well known problems will be supported by the Commissioner for Work-Life Balance in the Bundeswehr at the local level.

However, it has become apparent that some of the results from the survey on the state of childcare carried out in December 2014 are now out of date. For instance, it was not possible for the **Stetten am kalten**

Markt base to flag up any deficiencies in December 2014, which was why no solutions such as rights to places in existing child daycare facilities were considered for this location. Only as a result of a petition submitted by a serviceman in May 2015 did the inadequate childcare situation there come to light. In addition to this, there is the fact that the Stetten am kalten Markt base will grow to have almost 700 posts over the next few years, which implies there will be further demand for childcare options. Although the Commissioner for Work-Life Balance in the Bundeswehr suggested closer collaboration with local authorities and churches that were willing to be of assistance, no quick remedy could be found in this petitioner's individual case. The childcare situation at the **Munster** base is also similar to that at Stetten am kalten Markt.

By contrast, it is pleasing that all the preconditions have now been put in place for the construction of a Bundeswehr-run child daycare facility for the **Bundeswehr Hospital Berlin**. The Parliamentary Commissioner for the Armed Forces will observe further developments.

Progress is also to be noted as far as childcare for training course participants at course venues is concerned. In the second half of 2016, for instance, a group childminding setting will be established at the **Bundeswehr Medical Academy** in the north of Munich. In addition to this, four further pilot projects will be set up to provide childcare for training course participants at bases in Flensburg, Osterholz-Scharmbeck, Hamburg and Mannheim. Until then, however, creative interim solutions will have to be found, such as the flexible organisation of instruction announced by the Federal Ministry of Defence. Attendance at a course necessary for the individual's training must not be ruled out by a lack of childcare or unsuitable childcare at the training course venue.

Relatives in need of long-term care

The rising number of personnel with relatives who need long-term care is increasingly posing a challenge to the compatibility of family/private life and service. One consequence of the changes seen in society and the world of work is that both partners are usually in employment today. This not only has impacts on the types of childcare required and the scale on which it needs to be organised, but also on the provision made for relatives who need support.

The legislature has responded to these changes and adopted the Act to Improve Compatibility between Family, Care and Work, which entered into force on 1 January 2015. According to the Act, employees have a legal entitlement to **family care leave**. Preliminary arrangements have been put in place until

the intended extension of the Act to federal civil servants and, therefore, servicewomen and men comes into force as well. For instance, by permitting the authorities to grant **special leave** under Section 12 of the Special Leave Ordinance (SUrIV), the Federal Ministry of the Interior created a possible way of supporting personnel who are involved in the acute care of close relatives. In such cases, servicewomen and men can be granted special leave on application with their pay continuing to be paid for up to nine working days. The Act to Improve Compatibility between Family, Care and Work extended the term ‘close relatives’ to include step parents, cohabiting same-sex couples, and brothers and sisters-in-law.

Unfortunately, this option has not yet been sufficiently publicised within the Bundeswehr. Without appropriate information and explanation, it will not be possible for it to be taken up by everyone who is entitled to it. The Bundeswehr is called upon to ensure the new provisions are better known than they have been to date.

Further to the arrangement that has been discussed, there are other instruments with which the pressures imposed by the long-term care and nursing of relatives can be cushioned. The case of one serviceman who contacted the Parliamentary Commissioner for the Armed Forces due to the rejection of an application for early retirement is to be mentioned here in a positive light. The background to his application was his wife’s severe illness and her limited life expectancy. A solution was ultimately found by applying Type A General Publication 2640/22 (no. 305), ‘Work-Life Balance in the Armed Forces’, under which it is possible to transfer military activities to a servicewoman or man’s family home for a temporary period. As a result of the decision taken by the disciplinary superior responsible for the matter, the serviceman was able to support his wife, as well as staying in the forces until the regular end of his term of service, which meant he did not suffer any disadvantages as far as his welfare and pension entitlements were concerned.

Another instrument for supporting servicewomen and men with relatives who need long-term care is the Framework Contract on the Provision of Services for Better Compatibility of Career and Family – Family Service, which was signed at the beginning of June 2015. Since 1 July 2015, the German National Society for Worker Welfare **Parents’ Service** has been responsible for the provision of advice on, and agency services for, the support of children and relatives in need of long-term care at five pilot locations, Bonn, Coblenz, Munster, Schortens and Wilhelmshaven, initially for four years. The Parliamentary Commissioner for the Armed Forces welcomes these

arrangements. They should be publicised as extensively as possible in the forces.

There was a series of petitions in which petitioners urgently requested transfers close to their homes due to an **accumulation of illnesses** in their families. As the foundation for its decision, the personnel management initially obtains comments on whether the applicant has serious personal reasons for their request from a Bundeswehr consultant physician. However, the acknowledgement of these reasons is frequently refused in cases of this kind if, when taken in isolation, the illnesses of the relatives in question do not satisfy the relevant preconditions, for example when they live in separate households. If several relatives have to be cared for and/or supported, however, the strain caused especially by the accumulation of responsibilities should be looked at and evaluated separately. It should be possible for it to form the basis for a recommendation by the consultant physician concerning the acknowledgement of serious personal reasons. This would simplify the decision for the personnel manager, who would not necessarily have to follow such a recommendation, but would draw on it when taking their final decision.

In cases of this kind, an administrative solution may also help to make the situation easier for the petitioner, a temporary assignment close to the individual’s home, for example. Such a solution should always be carefully examined by the superior in each individual case. This did not happen in the following instance.

A staff sergeant asked the Parliamentary Commissioner for the Armed Forces to support his request for a transfer close to his home. The serviceman was commuting about 140 kilometres each way between his place of residence and his duty location in order to share the care of his ill mother, who was living in the neighbouring house, with his father, who also had to commute about 70 kilometres to his workplace every day. The Federal Office of Bundeswehr Personnel Management had rejected the serviceman’s application for a transfer close to home. Despite the recognition of the level of long-term care his mother required, such a transfer was only to be granted if the applicant had a serious personal reason for his request. However, the son’s support for his mother’s long-term care would merely be assessed as a serious personal reason if the father was prevented from providing long-term care for his wife because he was ill himself, in which respect no consideration was given to the father’s absences at work. As a result of the approval of his application to have his term of service shortened, the serviceman left the Bundeswehr prematurely so as to be better able to devote himself to his mother’s long-term care. In the

opinion of the Parliamentary Commissioner for the Armed Forces, a more generous interpretation of the discretion officials have to acknowledge serious personal reasons would have made it possible for the serviceman to be transferred close to home and therefore remain in the forces. This case does not throw a good light on the better work-life balance to which the Bundeswehr aspires.

The acknowledgement of serious personal reasons when relatives have to be nursed depends crucially on the recognition of the level of long-term care that is needed. It is not taken into consideration here that the need for support is frequently greater and more intensive prior to the recognition of the level of long-term care because assistance from suitably trained personnel can be made use of once the level of long-term care has been recognised. This point should also be factored into the examination of individual cases and, under certain circumstances, lead to the acknowledgement of serious personal reasons, the consequence of which is a transfer close to home. The long processing times some personnel have complained of should certainly be avoided when applications of this kind for transfer close to home or the acknowledgement of serious personal reasons are being dealt with.

There were also petitions in which petitioners complained that they and/or their situation had been treated insensitively by superiors or personnel managers. A rethinking is urgently called for here because it is not possible to show enough respect for the hard work done by those who care for their relatives.

Parental leave

Despite statements to the contrary from the Federal Ministry of Defence, the **amount of time taken to process parental leave applications** submitted by servicewomen and men is still being criticised as too long. Many petitions suggested the decision about the approval of parental leave tended not to be received by the servicewoman and/or man ten days prior to the commencement of their parental leave at the latest – as stipulated by Type A General Publication 1420/29, ‘Application of the Parental Leave Regulation for Service Members’. In these cases, the situation was made even worse by the fact that, contrary to the Type A General Publication, the servicewoman or man had not been informed about the decision in advance in writing. Such a delay is unfortunate, above all, because it is only possible to apply for parental allowance once the notification of parental leave has been issued. As a result of this, the individuals in question not infrequently find themselves in real financial difficulties. If the servicewoman or man who is entitled to submit the

application fails to promptly present the child’s birth certificate, this may cause a certain delay, but is often not crucial. When four weeks pass between the presentation of the birth certificate and the final signing of the notification of parental leave, as in one case of which the Parliamentary Commissioner for the Armed Forces is aware, it is not possible to speak of prompt, priority processing.

Increasingly, the Parliamentary Commissioner for the Armed Forces is being contacted by servicewomen and men who wish to make use of the possibility of taking both **paternity months** as parental leave. In these cases, parental allowance is also paid for the child’s 13th and 14th months. The paternity months may be taken as of the child’s birth, and the application for parental leave may be submitted before the birth. In this case, it is necessary to provide evidence of the due date rather than present a birth certificate. A provisional parental leave notification is issued that is converted into a final notification once the birth certificate has been presented. Unfortunately, not all staff who process personnel matters are familiar with this procedure, although information on it should be available to both applicants and officials. For instance, one serviceman’s parental leave was not provisionally approved despite the fact that he had applied for it in good time to commence from the birth of his child.

The problem addressed in the last Annual Report of **whether a commuter apartment can be financed** during parental leave has still not been resolved. When someone takes parental leave, their pay and benefits in kind are suspended. As a result, their entitlement to the payment of a separation allowance, which commuters use, for example, to pay the rent on a second flat, expires at the same time. This imposes significant financial strains because commuter apartments tend not to be given up when both paternity months are taken, and the servicewoman or man therefore has to go on paying the rent. A legal clarification issued in the mean time has led to a certain reduction in the financial pressure: In months during which a claimant has an entitlement to the granting of a separation allowance for only a certain number of days, the overnight separation allowance can be paid for the whole calendar month. For example, if parental leave is granted for the period from 29 July to 28 September of a year, the serviceman may not receive overnight separation allowance for August, but at least for the months July and September. By contrast, the necessary change that is being sought in the law of separation allowances to benefit service personnel on parental leave will not be forthcoming for some time yet. The Federal Ministry of the Interior will play the lead role in the re-

enactment of the legislation governing removal costs and separation allowances.

If a servicewoman takes up her entitlement to parental leave during a special assignment abroad, she cannot continue the assignment following the ending of her parental leave because a replacement will have been appointed to her post. The Parliamentary Commissioner for the Armed Forces regards this as discrimination and suggests a return to post be made possible, at least following shorter periods of parental leave of up to six months.

Teleworking

Fundamentally, the development in the number of teleworkplaces is encouraging. Originally, 60 teleworkplaces were created under a pilot project in 2010; at the end of the year under review, 509 servicewomen and men across Germany were performing their duties under alternating teleworking arrangements. Alternating teleworking is a combination of periods working at home with periods when personnel have to be present at the office. In view of the constantly rising demand, the contingent of teleworkplaces is to be expanded further as part of the attractiveness campaign. In future, a total of approximately 3,000 teleworkplaces are to be available both for servicewomen and men, and for civilian Bundeswehr employees. This flexible working model is a crucial instrument for the compatibility of family/private life and service.

During the period under review, however, servicewomen and men criticised significant delays in the setting-up of teleworkplaces, i.e. the technical implementation once a teleworkplace had been approved. Encouragingly, it proved possible for help to be provided by making mobile workplace IT equipment available under the Roaming Workplace project in many cases, thus allowing the waiting period for a teleworkplace to be bridged over.

In discussions with servicewomen and men, the Parliamentary Commissioner for the Armed Forces also received positive feedback about the supply of what are known as ‘emergency laptops’ in cases of illness and other emergency situations.

Part-time working

As demanded in previous Annual Reports – the options for servicewomen and men to be employed part-time were expanded with the Act to Increase the Attractiveness of Service in the Federal Armed Forces. In addition to this, flexible part-time working arrangements for military couples in situations where one partner is on a deployment abroad would also be desirable. During this period, the partner who stays at

home has to perform more family duties and is therefore reliant on flexible solutions.

There are still no noticeable arrangements to manage vacancies attributable to part-time employment and other vacancies that arise because personnel are absent for family reasons. The Parliamentary Commissioner for the Armed Forces has been arguing for years that there is a need for **vacancy management**. Servicewomen and men must not find themselves in situations where, as reported previously, they have a guilty conscience if they submit an application for parental leave or part-time working because they know there is no one to cover for them. The current proposals from the Federal Ministry of Defence foresee vacancies being compensated for with newly planned, dedicated, floating posts. A total of 3,000 posts are envisaged for this purpose. Apart from this, the job sharing made possible by part-time working is also to be implemented for military posts, just as it is for civilian personnel. However, it will only be possible for these measures to have impacts over the long term. Demand cannot be met in this way in the short or medium terms. On the contrary, it is to be feared that the problems addressed will still continue to exist over the longer term.

7 Women in the Bundeswehr

Increasing the proportion of women in the services

In comparison to the previous year, the number of women in the Bundeswehr rose slightly again during the period under review from 18,923 to 19,284. The proportion of women in the services is therefore just under eleven per cent (just under 39 per cent in the Medical Service). In comparison to this, for example, the proportion of women in Norway's Armed Forces is 17 per cent, while it is 15 per cent in both the French Armed Forces and the Armed Forces of the United States of America. The proportion of career soldiers who are women is 4.4 per cent, whereas it was 13.5 per cent at the end of the year under review among temporary-career volunteers and 13.9 per cent among military service volunteers. This means the proportion of women serving in the German Armed Forces is still lagging behind the level of 15 per cent (50 per cent in the Medical Service) prescribed in the Act on Equal Opportunities for Female and Male Military Personnel in the Bundeswehr. The rise in the proportion of female applicants from 15 per cent in the previous year to 17 per cent in the first six months of 2015 is encouraging.

However, even more has to be done to recruit women and retain them in the Bundeswehr. It has been a long time since the recruitment work done by the Bundeswehr was aimed exclusively at the male half of the population.

Some progress has been made on equality in the Bundeswehr since it was opened completely to women in 2001 as a consequence of a European Court of Justice judgement delivered in 2000. Nevertheless, women are still badly underrepresented in many areas, **combat forces** and special forces, for example. This does not help male comrades to acknowledge it as normal for women and men to be serving together.

It is not possible to concur with the abundantly familiar objection that women's lack of **physical strength** will lead to a loss of combat power in the Armed Forces and could have fatal consequences in action. It is not physical strength alone that is crucial in military service, but also mental fitness, strong leadership and, not least, technical skills. The generally demanded physical standards, for example the weight of the field pack, should be re-examined, something that should be done for women and men equally. In this respect, it must be investigated what requirements with regard to physical fitness are truly essential for the performance of the Armed Forces' tasks in the light of technological progress. This also ties in with the question of how existing technology can be further improved. Not only that, different

qualifications and skills are also needed for different posts. Not every servicewoman and man has to be equally well qualified for all assignments. In fact, there is no one, either male or female, of whom this can be said.

Women are still clearly underrepresented in **leadership positions** within the Bundeswehr. Given this situation, prospective female leaders are unable to see good career development opportunities for themselves in the military. The problems are well known and have led to the formation of a new Equal Opportunities Staff Element within the Federal Ministry of Defence, which is entrusted with the across-the-board management and coordination of action to ensure equality of opportunity between the genders as far as careers are concerned. Under the leadership of a female medical colonel, it has initially been compiling a situation report since May 2015. Above all, valid statistics are being gathered for this purpose. A causal analysis is to be conducted on the foundation of the situation report, from which measures and initiatives will be developed to promote equality of opportunity.

The data obtained to date only allow trends be identified. According to the figures, it appears that part-time employees tend to be appraised less favourably than full-time employees, irrespective of gender. The fact is, however, that more women are employed part time than men. Not only that, there is a tendency for women to do worse than men with the same performance rating in terms of their prospects for advancement, i.e. when it is appraised what career they are thought to be capable of. It may be that superiors have less confidence in women's capabilities during the years when they are starting their families. In consequence, limited transfer and assignment opportunities may lead to worse prospects of advancement. These trends still require further investigation. The Parliamentary Commissioner for the Armed Forces will follow this work with particular interest.

Apart from the question of possible **discrimination in relation to promotions**, it is also necessary to pursue the problem that too few women apply for acceptance into the employment status of a career soldier even though they are qualified to do so. For example, there are 1,012 servicewomen among the 18,300 members of the 1st Armoured Division, but only 33 of them are career soldiers.

The poor work-life balance is mentioned to the Parliamentary Commissioner for the Armed Forces in petitions and discussions as a reason for not wishing to become a career soldier. Servicewomen report, for example, that pregnancy, maternity leave and parental leave have negative impacts on the progress of their **training** because, among other things, part-time

employment is not possible during training. They also say, for example, that officer training is organised too rigidly. Career breaks for family reasons resulted in it not being possible to catch up on phases of training in good time. The consequence was a disproportionate delay in training to become an officer. In one individual case, after three pregnancies, the conclusion of officer training had only been possible in the servicewoman's 13th year of service. It is not just the servicewomen in question who are responsible for these delays: they are to be attributed to the inadequate planning of training courses. There is a need for greater flexibility to be shown here.

One servicewoman's case is exemplary: After announcing her **pregnancy**, she was asked by her superior to give up her place on an Air Traffic Service procedure designer training course that had already been planned in favour of a male comrade. She was told giving it up voluntarily would have a positive impact on her appraisal. Since the petitioner did not agree to this proposal, she was informed she would not be able to go on the training course on account of her pregnancy. The servicewoman felt she was being discriminated against and feared disadvantages in her career path. The review that was conducted found the plan had been changed out of falsely interpreted concern for her welfare and against the background of the need to ensure the permanent availability of the newly trained procedure designer. It was assumed in the formation that the servicewoman would not be available as a procedure designer for a protracted period on account of the parental leave that would follow on from her maternity leave. Yet she had absolutely no intention of taking parental leave. It was no longer possible to correct the wrong decision that had been taken in good time. However, the servicewoman is now to be trained as soon as possible, with allowances being made for her personal situation. Even though she had not ultimately suffered any disadvantages under the law pertaining to career paths, it was urgently necessary to draw superiors' attention to the rights and duties of pregnant servicewomen, and raise their awareness of the issues. This has been done in the mean time.

Uniform and body armour

The introduction of the feminine-cut variants of uniforms requested by servicewomen, which had been held out in prospect for 2014 did not go ahead in 2015 either. So far, the Working Group on the Feminisation of Bundeswehr Clothing established by the Federal Ministry of Defence has not got further than a cutting pattern. It is necessary for the work in this area to be speeded up.

On field visits, complaints are heard again and again that body armour cannot be procured in smaller sizes

although it is required for safety reasons. This is unacceptable negligence and discrimination against women, in particular. Such body armour should be procured in sufficient quantities immediately.

In contrast to states like Denmark, Norway, Sweden and Italy, the German Armed Forces do not have **uniforms for pregnant women**. Although there is no duty for pregnant women to wear uniform, wearing a uniform is compulsory on official occasions. A pregnant servicewoman must not have to let someone else represent her at such events because an appropriate uniform cannot be provided.

Military gender equality commissioners/officers

Military gender equality commissioners and officers have been working to ensure the implementation of the rules set out in the Act on Equal Opportunities for Female and Male Military Personnel in the Bundeswehr since 2005. They still complain of a lack of acceptance, support and information from those in charge of their units. They are not comprehensively involved and supported everywhere as organs of their units and so enabled to perform their statutorily anchored functions in full. Encouragingly, the Federal Minister of Defence has taken up these problems and issued Guiding Principles for Collaboration with Civilian and Military Commissioners for Gender Equality/Officers for Gender Equality. The hope is that these Guiding Principles will further increase sensitivity to the need to implement the requirements set out in equality legislation among all employees with superior functions – particularly those entrusted with the leadership of units.

According to the Federal Ministry of Defence, the revision of the **Implementing Provisions to the Act on Equal Opportunities for Female and Male Military Personnel in the Bundeswehr** urged in the last two Annual Reports is now at the cosignature stage. The Guiding Principles issued by the Minister are reported to have been incorporated into the draft legislation. The rights to information and representation demanded by the Parliamentary Commissioner for the Armed Forces have also been included. Overall, the position of the military gender equality commissioners and officers as integral parts of their units and not as individuals who represent special interests will be strengthened by detailed legal instruments. The Implementing Provisions must now enter rapidly into force.

8 Medical Service, and servicewomen and men's health

Personnel situation in the Medical Service

The Bundeswehr Medical Service has been understaffed for years. A total **personnel shortfall of nearly 300 specialist physicians** was calculated in the human medical specialisms in 2015. In order to cushion the understaffing in the clinical field, at least to some extent, the pool of locum staff had to be exploited to the full, and assistant house physicians in the last year of their postgraduate training and contracted civilian physicians had to be deployed. A slightly positive tendency is identifiable when it comes to the replacement of personnel in these specialisms. This development is to be attributed to an increase in places to study medicine and the higher numbers of applicants for appointment as a supervised medical officer candidate.

This shows that the Medical Service is definitely attractive as an employer, certainly for physicians at the beginning of their careers. By contrast, the hoped-for recruitment of fully trained specialists was less successful. Another problem is that each year more than ten per cent of medical officers belatedly refuse to serve in the forces as conscientious objectors following the successful conclusion of their studies. Although the most recent trend in applications indicates a slight fall here, the numbers of conscientious objectors are causing gaps in unit medical care.

With regard to acceptance as a career medical officer, as in the previous year the demand for locums could not be met in all specialisms. Apart from the applicants' lack of qualifications, it must be assumed that the employment status of a career soldier is not attractive and therefore not worth aspiring to in the eyes of all medical officers. It will not be possible for the personnel bottlenecks to be cleared unless the measures taken under the ongoing attractiveness programme for the Medical Service are implemented systematically.

One essential attraction is the continued payment of the **allowance for emergency doctors and medical specialists** who are required on deployments abroad, which has been granted since 2009 and is anchored in the Act to Increase the Attractiveness of Service in the Federal Armed Forces. However, the Federal Ministry of Defence refused once again to extend the **granting of this allowance** to further groups of personnel, such as dentist/maxillofacial surgeon medical officers, pharmacists and veterinary surgeons. The impression has been gained that the occupational groups excluded from this benefit, who also take part in deployments abroad, are regarded as

less deserving of support than physician medical officers. This is not appropriate.

Although the actual demand for personnel in the clinical field has now risen markedly as a result of the changed range of higher-value tasks carried out at the **Bundeswehr hospitals**, which have been adapted to meet civilian needs, no further posts for clinical personnel have been established to date. It is to be welcomed that note has now at last been taken of the insufficient clinical personnel resources available until now, and the Federal Ministry of Defence has promised 150 new posts for physicians to be filled at the Bundeswehr hospitals.

Despite the enlistment and retainment bonuses that can be granted under the Act to Increase the Attractiveness of Service in the Federal Armed Forces, the filling of posts for auxiliary and nursing staff remains a major challenge. There are still personnel shortages in the medical auxiliary careers (senior and junior medical staff sergeant). There is a roughly ten-per-cent shortfall in the medical staff sergeant career path categories. As in the previous year, only approximately two thirds of the demand for staff sergeants with specific specialist assignments (for example, emergency care assistants/paramedics or anaesthesia/theatre nurses) could be met. In addition to this, insufficient **auxiliary staff and nurses** are assigned **under the personnel structure** in order to be able to meet the raised quality requirements placed on medical services in modern, round-the-clock hospital operations. In consequence, new posts should also be created in these career path categories, as for physician medical officers.

The Bundeswehr will not be able to win the competition on the labour market without further-reaching attractiveness-raising measures, above all increased financial incentives for auxiliary and nursing staff, for instance in the form of special allowances. The pilot project of a nursing college at the Bundeswehr Hospital Ulm is only a small step towards at least ensuring the internal replacement of nursing staff.

The Federal Ministry of Defence has confirmed that the personnel situation in the Medical Service remains a major challenge against the background of the fact that the levels of applications vary from region to region, meaning there is a mismatch between the locations where recruits are available and the places around the country where posts in the Medical Service have to be filled while, at the same time, attempts have to be made to fulfil the aspirations to ensure compatibility between family/private life and service. The drafting of a new personnel strategy for which the Federal Minister of Defence has given instructions is intended to address this challenge.

This must also involve a concept for the management of vacancies that have arisen for family reasons, which place a particular burden on the Medical Service on account of the particularly high proportion of women among its personnel. Leaves of absence for family reasons usually burden the serving personnel who have to cover for the vacancies. The current proposals from the Federal Ministry of Defence envisage vacancies being compensated for by planned **new floating posts**. Of a total of 3,000 such posts, 996 will be designated for career paths in the Medical Service. Apart from this, the job-sharing made possible by part-time working is also to be implemented for military posts, just as it is for civilian personnel. However, it will only be possible for these measures to have an impact over the long term. The demand cannot be met in this way in the short or medium terms. On the contrary, it is to be feared that the problems addressed will still continue to exist over the longer term.

Basic medical care in Germany

The reform of the regional medical facilities is to be concluded at the end of 2017. By then, old agencies are to be closed and new agencies established without any interruption to the health care provided for servicewomen and men. The Medical Service will take account of this appropriately during the transitional phase by reinforcing individual facilities and continuing to operate medical facilities that are due for closure for transitional periods.

As things stand, the target structure consists of 148 regional medical facilities, which are to take over the primary medical care for 333 bases and stationing locations under the auspices of free unit medical care.

According to the organisational target structure for specialist medical care described in the last Annual Report, servicewomen and men are to reach their local healthcare facilities within half an hour or a journey of up to 30 kilometres. If the facility is not sited at their base anyway, the most local possible outpatient care is to be guaranteed for 97 per cent of all servicewomen and men. Only once the structure has been fully introduced will it be possible to judge whether this sensible goal can be achieved in practice in everyday military life. Up until now, only occasional critical remarks have been received from servicewomen and men on this topic.

Two to three per cent of servicewomen and men at (very small) bases will receive twin-track medical care once the new structure has been introduced. In acute cases, primary medical care will be provided by contracted civilian physicians at their practices. The experience gained to date suggests the demand can be met with approximately 30 contracted physicians.

Whether it will be possible to retain the services of these contracted physicians permanently remains questionable. In all other cases (including medical opinions and vaccinations), unit medical care will still be provided at the medical facilities specified for these (very small) bases, so that the servicewomen and men in question will sometimes have to travel long distances.

Even though the number of posts for unit physicians and auxiliary staff **is set to grow** in relative terms under the Target Structure 2020, by 20 per cent at the **major medical clinics** and by 25 per cent at the **medical clinics**, this improvement only exists on paper for the time being. In 2015, the proportion of unit physician posts filled lay at 85 per cent. In fact, however, in 2015 too an average staff attendance rate of 75 per cent could only just be achieved in the posts that are formally filled, and then merely because locum staff (from the medical squadrons), contracted doctors, reserve duty trainee doctors and personnel from the former recruiting agencies' medical service were called in. A few medical facilities even had to temporarily manage with less than half their permanent personnel.

Things looked even worse when it came to **auxiliary and nursing staff**. Apart from the vacancies that are currently open, the personnel shortage was exacerbated by the longer training for what are eventually to be better skilled future paramedics. It is a general problem that, as a result of the progress made in medicine, ever higher quality requirements will also have to be placed on auxiliary and nursing jobs. On the whole, only about 75 per cent of these posts could be filled, with the trend moving downwards. **At times, the staff attendance rate lay at 50 per cent** or less. This had impacts on, for example, the management of appointments. People who had newly fallen sick repeatedly reported that shortages of auxiliary staff meant medical facilities could only be contacted with difficulty by telephone, if at all, so that it was not always possible to obtain an appointment on the same day, and protracted waiting times had to be put up with.

In one case, a serviceman bemoaned the excessively long waiting times both for the procurement of necessary medicines and for unit dental care at his base. The delivery of the medicines requested by the petitioner had been delayed by six months. The Bundeswehr Medical Service Staff therefore gave instructions for the operational processes relating to medical goods at the competent supply and maintenance centre to be optimised. The medical centre responsible for the petitioner was also rightly criticised because it had not issued him with a prescription for the intervening period that could be taken to a civilian pharmacy. The long waiting time

for the dentist's appointment was to be attributed to the fact that, of three posts, just one was filled with a dentist, who was employed part time. According to the Bundeswehr Medical Service Staff, it will not be possible for this inadequate staffing to be remedied until April 2016. In the intervening period, military patients will increasingly have to resort to the civilian health system in their localities.

As a result of the personnel bottlenecks at the regional medical facilities, the **medical squadrons**, which have to provide personnel for deployments abroad, are also directly affected, for they are being mined to fill posts at the regional medical facilities. The personnel situation in the medical squadrons is very strained at times during routine operations. Apart from **staff attendance rates that average below 40 per cent**, only just under 70 per cent of all posts are filled. Routine activities suffer from this, particularly medical training for the troops and, in this field, first responder training above all. In consequence, only a limited group of participants is also available for deployments abroad, and the individuals in question have to bear a heavy burden during operations.

Furthermore, the **assistance for refugees** is also occupying numerous medical personnel at present, as a result of which they are no longer available for routine duties in the regional medical facilities and the medical squadrons. In addition to this, the Military Personnel Working Hours Ordinance, which entered into force at the beginning of the year, will result in yet more personnel being tied up. The permanent strain on medical personnel in the regional medical facilities is taking on ever greater dimensions. Proficiency training in basic military skills, physical education, gunnery training and civic education are increasingly suffering. Without additional personnel, it will not be possible to ensure the conduct of normal routine operations and the performance of the Squadrons' numerous other tasks for much longer. It is to be expected that their operations will be constrained.

As already described in the last few Annual Reports, it will be a long time before information technology support for patient data administration is up and running at the regional medical facilities. Yet it ought not to be difficult to procure a system of this kind. Such systems are deployed almost everywhere in the civilian health sector and are available on the market. A modern **medical practice information system** could significantly ease the burden of work on the personnel in the medical facilities, who are after all only available in limited numbers. Furthermore, this could resolve the problem of access to medical records at the locations where servicewomen and men are treated.

The delays in personnel decisions concerning new assignments that occurred on account of the closure of agencies in the course of the reorganisation of the Medical Service prompted criticism from the individuals affected and a number of petitions. The fact that the complex selection procedures resulted in delays is understandable. It is, however, difficult to explain why servicewomen and men only received their personnel orders two weeks before their transfers and were forced to forgo the three-month notice period in order to be able to take up their requested assignments in good time and/or not endanger those assignments.

Bundeswehr hospitals in upheaval

The reform of the Bundeswehr hospitals has been commented on critically in the last few Annual Reports. The integration of all five Bundeswehr hospitals into the regional civilian healthcare environment has created opportunities, but also posed challenges to the hospitals' function of caring for military personnel. Their involvement in civilian emergency care is helping them to acquire and retain the emergency care skills medical personnel need for deployments abroad. In addition to this, the acute and emergency care of seriously injured patients is assured by high-quality, multidisciplinary, multispecialty treatment, from which military patients also benefit.

In order to increase efficiency and the quality of their provision, the hospitals have started forming regional and supraregional centres of excellence with different specialist disciplines, trauma centres for example. These centres are intended to meet the demand for care from the civilian population and help the hospitals secure their position in the competitive environment. However, as a result of the different priorities they have set, the individual Bundeswehr hospitals are no longer able to do full justice to the specific demands of military health care because they offer a limited range of medical specialisms. A typical example is burns medicine, which is operationally relevant. For years, however, the Bundeswehr hospitals have only maintained a very limited level of expertise in the treatment of burns. Merely within the integrated system represented by all five hospitals, and thanks to cooperative arrangements and partnerships with civilian health facilities can **full service care** be guaranteed for servicewomen and men in all specialist disciplines.

Due to the positively assessed quality of the treatment in the Bundeswehr hospitals, the majority of military patients prefer in-patient treatment at a Bundeswehr facility. The entitlement to care from their employer, which means they will receive reliable medical treatment at all times, no matter where they are, would

be curtailed if the Bundeswehr hospitals further cut back their current, still relatively broadly based range of provision. It is therefore to be welcomed that, in its comments on the Annual Report 2014, the Federal Ministry of Defence made it clear the original intention to restrict or reduce the current range of medical specialisms had been abandoned.

On account of the staffing shortages in the Bundeswehr hospitals that have been described, they cannot exploit their capacities to the full in terms of either bed occupancy or surgical provision. Military patients suffer from this if they have to wait longer for appointments or to be referred to a civilian facility. The chronic illnesses suffered by a considerable number of specialist clinical personnel, in particular nursing staff, are also a symptom of the **overstretch caused by staffing shortages** that has to be taken seriously. The promised expansion of the body of clinical personnel must therefore be carried out immediately.

The Military Personnel Working Hours Ordinance, which entered into force on 1 January 2016, makes allowances for the **specific hours worked** in the Medical Service by permitting an exceptional arrangement to govern regular working times, for instance for surgical teams. The actual consequences of the introduction of the Military Personnel Working Hours Ordinance for the running of hospitals will only become apparent in practice. What is necessary is the introduction of automated time and attendance recording. Up until now, Bundeswehr hospitals have merely possessed a pure time and attendance recording system that does not permit working time accounting, for example to calculate remuneration for overtime. However, a personnel deployment planning tool of this kind would be particularly important for the Bundeswehr hospitals. Clinical staff are frequently unable to keep to the maximum working time specified by the legislation for reasons connected with their duties, so that there is a great need for working time accounting systems.

The introduction of the NEXUS hospital information system selected by the Bundeswehr has still not been completed. Despite a project phase that has lasted several years, hospital employees are still complaining about problems with its application. They criticise the time-intensive coding of activities, the fact that there are too few trained personnel for data maintenance and the lack of training courses. Apart from this, central patient data storage is not possible due to unresolved data protection law problems. In view of the current situation, the introduction of an electronic medical record is still a long way off. Interhospital data exchange is not possible either.

Deployment-related mental illnesses

The Bundeswehr's handling of **servicewomen and men with mental conditions** caused by traumatic events on deployments abroad, for example adjustment disorders or posttraumatic stress disorders, has been commented on critically in all the Annual Reports published over the last few years. It is therefore to be welcomed that the Bundeswehr is undertaking significant efforts in the fields of the **prevention and therapy** of mental illnesses. It has now established a broadly diversified range of psychosocial provision for disabled service personnel and their relatives, as well as the surviving dependents of Bundeswehr personnel who have lost their lives in the course of their duties. In addition to this, numerous options for assistance and advice are offered by private initiatives, institutions, self-help organisations and associations that have close ties with the Bundeswehr and are linked together by the Bundeswehr **Psychosocial Network**. Unit physicians, social workers, military chaplains and military psychologists collaborate in this network. At the moment, there are approximately 70 to 80 regional networks active under its umbrella. Nevertheless, the psychiatric and psychotherapy provision for servicewomen and men who suffer from mental strains and illnesses is still not adequate.

The challenge consists in responding even more effectively to the complex demand for the treatment of deployment-related mental conditions. In the absence of other statistically founded information, action still has to be based on the results of the **'Underreporting Study'** produced in 2012 by Dresden Technical University. According to the Study, only ten to 20 per cent of servicewomen and men who have fallen ill with mental conditions as a result of their experiences on deployments seek treatment within a year, while the great majority are not initially identified and do not receive any professional help. Growing demand for care is to be expected in view of the increasing improvements in education about mental illnesses and the way they are becoming destigmatised.

During the year under review, 235 servicewomen and men were examined, treated or assessed for the first time due to a deployment-related posttraumatic stress disorder. In 2014, this figure lay at 204. The number of treatment contacts, i.e. the sum of individuals suffering from new posttraumatic stress disorders who were treated for the first time and previous patients who presented again was 1,750 in 2015. The previous year, there had been 1,697 treatment contacts. The development over the last few years suggests that their illnesses have also increased in severity, which has resulted in longer treatment times. According to the findings of the Underreporting

Study, the risk of deployment-related mental disorders other than posttraumatic stress disorders, such as anxiety disorders, depression and increased alcohol dependence was underestimated until the study itself was conducted.

The options for treatment at the Bundeswehr hospitals must do justice to the continually rising demand for care. This is also necessary because years of experience have shown that, with the exception of follow-up care, servicewomen and men who have fallen ill overwhelmingly wish to be treated at facilities operated by the Bundeswehr. Since the clinical staffing in the **psychiatric departments of the Bundeswehr hospitals** has only been expanded moderately in response to the increased demand for treatment up until now, there are currently waiting times of as many as three months for servicewomen and men who require treatment. However, the waiting times at the civilian therapy facilities where servicewomen and men could alternatively have themselves treated are even longer. It is therefore to be welcomed that 13 additional specialist outpatient psychiatrist posts have been established at the regional medical centres since 1 January 2015. Nonetheless, personnel have not yet been secured to fill all these posts.

Increasing demand for outpatient treatment options was also found at the Bundeswehr hospitals. The new hospital organisation concept therefore provides for in-patient capacities to be supplemented with day clinic treatment capacities. However, sufficient personnel now have to be made available for the operation of **day clinics** as well. Day clinics must not be set up at the expense of in-patient bed numbers because the demand for in-patient therapy has not grown any less. In the mean time, 44 psychiatrist posts are provided for under the new target structure for the Bundeswehr hospitals and therefore ten more than previously. At present, it seems likely all these posts will only be filled in 2017. Apart from this, there is the challenge of replacing the psychiatrists who are set to go into retirement.

Due to the Bundeswehr's insufficiently large in-house capacities, it is necessary to involve civilian (rehabilitation) clinics and independent therapists in the treatment of personnel who have suffered mental disabilities due to deployments, but this is being hampered by the fact that too few trained civilian psychotherapists are available across Germany. It is therefore to be welcomed that, under the cooperation agreement concluded with the Federal Chamber of Psychotherapists, the regularly held advanced training events for civilian therapists are identifiably helping to spread high-quality practice. The therapists who attend are made aware of the specific features of the mental conditions suffered by deployment

participants, and are qualified to treat affected servicewomen and men.

The **screening procedure** for the diagnosis of servicewomen and men's mental fitness trialled in 2014 as a pilot project in the 21st Armoured Brigade has achieved robust results in terms of the preventive measures to be derived from it to maintain and/or bolster stress resilience and mental fitness. The screening, which consists of a questionnaire-based test and a standardised interview conducted with each participant by a military psychologist, has been assessed overwhelmingly positively by the servicewomen and men who have taken part. On the foundation of this procedure, starting from the individual baselines that are to be determined, servicewomen and men's mental fitness can be reviewed at regular intervals and boosted as necessary. The risk of stress disorders occurring on deployments can be markedly reduced in this way. Screening is therefore an instrument that should be introduced across the board in suitable forms, with the requisite personnel and technical resources being made available.

There must also continue to be a focus on **support for the relatives of service personnel disabled in action**. The family is the most important crutch for traumatised servicewomen and men while they are ill. As a result of this, however, relatives are themselves placed under severe mental pressures. In discussions, they repeatedly express a desire for attention and help from the Bundeswehr. It is therefore to be welcomed that the budgetary funds to finance welfare measures for relatives have been increased. For instance, relatives too can be involved in postdeployment workshops without incurring any costs. The Bundeswehr's Support and Care under One Roof workshop is to be highlighted in this connection. It is held several times a year and does not focus solely on the servicewomen and men affected but, above all, on their family situations, and the participating family members and surviving dependents. Exemplary work is being done by the individuals who provide support – psychologists, employees of the Social Services, Vocational Advancement Service and Medical Service, and care guides. The continuation and further funding of these workshops is therefore to be ensured.

The **family and relatives workshops** organised by the Psychotrauma Centre at the Bundeswehr Hospital Berlin and the Evangelical Lutheran Chaplain Service, as well as the relatives groups and couples weekends offered by Bundeswehr hospitals and the Catholic Chaplain Service also deserve to be recognised. Nonetheless, the costs for the treatment of family members who have themselves fallen ill due to the consequences of deployments are not paid as part of free unit medical care, but by the patients' health

insurance funds. However, since the health insurance funds do not reimburse all costs, it should be examined to what extent costs can be assumed in cases of this kind on account of the Federal Armed Force's responsibility to care for service personnel's families.

The experience gained to date indicates that the appointment of **care guides** has proved its worth as a way of providing low-threshold services that help personnel who have been disabled in action. The across-the-board provision of support by care guides in all the individual services and major organisational elements should therefore continue to be the aim. So far, nearly 300 servicewomen and men from all areas of the military have been trained as care guides at the Leadership Development and Civic Education Centre, but approximately ten per cent are not available to work in this role for various reasons. Where personnel are engaged in these activities alongside their other duties, superiors should ensure that care guides have sufficient time for the job, and conflicts of interest do not arise with their other official functions.

The **health care provided for former deployment participants** who do not suffer deployment-related mental illnesses until after they have left the Bundeswehr is still unsatisfactory. In the opinion of the Federal Ministry of Defence, the obligation to care for service personnel consequent upon Section 31 of the Legal Status of Military Personnel Act does not require free unit medical care to go on being granted to former servicewomen and men. However, the individuals affected complain that their entitlement to treatment and care that meet their needs can only inadequately be fulfilled by the civilian healthcare system. Many servicewomen and men who left the forces years ago and are ignorant of the relevant preconditions and points of contact find it difficult to gain recognition for mental impairments caused by deployments long before in the past. The Federal Ministry of Defence should therefore rethink its opposition in the spirit of a comprehensively understood idea of care for discharged servicewomen and men, and examine what additional options for welfare there are so that the best possible support is offered to former Members of the Bundeswehr who are suffering from the mental consequences of deployments. At the least, it should ensure that contact is maintained with discharged deployment participants. If they fall ill, it must be possible to draw on official military information, for instance about special incidents on deployments abroad and/or their health data, provided consideration is given to data protection issues.

Suicides and attempted suicides

Since 2009, almost four times more members of the Bundeswehr have died as a result of suicide than in the performance of their duties. 25 successful suicides (24 servicemen, one servicewoman) were reported in 2015, as well as 44 attempted suicides, including four by servicewomen. There has been no change in the reasons for these acts, which lie overwhelmingly in the private sphere. However, the pressures of military duties, such as the amounts of time spent on deployments, duty locations far from home and the associated commuting have **repercussions for individuals' private lives**. In addition to this, the suspicion confirmed by the investigations that Bundeswehr deployments abroad impose a high degree of mental strain must not be disregarded. The consequent posttraumatic stress disorders, anxiety disorders and incipient alcohol dependencies, combined with the risk of depressive episodes, may certainly be connected with suicides and attempted suicides.

Experience in the US Armed Forces proves that the pressures discussed above can be causal factors in suicides and attempted suicides even years after individuals have left the forces. Care therefore does not end when someone is discharged, especially as the overwhelming majority of the personnel in deployment contingents are temporary-career volunteers.

Disability benefits and pensions

The Federal Office of Bundeswehr Personnel Management has been responsible for all disability benefits and pensions since 1 January 2015, including pensions and benefits for surviving dependents. As a result of this, the delivery of 'disability benefits and pensions by a single provider' has finally been made a reality. It has been a major personnel and logistical challenge for the Federal Office to take over and standardise the benefits and pension files that were previously administered using various systems by the 66 pension offices and 27 orthopaedic care units in the 16 Länder. To date, for instance, there have been delays in the processing of applications, in particular for therapeutic treatment, medical treatment and orthopaedic care. The numbers of new pensions and benefits cases to be taken on had evidently been underestimated. An expansion of the Office's staff that has happened in the mean time is intended to deliver improvements, but will only have an impact over the medium term. Apart from this, the plans for information technology support suggest more rapid processing of applications is to be expected in future. Irrespective of the delays caused by the merging of the disability benefits and pensions systems at the

Federal Office of Bundeswehr Personnel Management, the **duration of procedures for the recognition of service-related disabilities** deserves to be criticised as well. The clear shortening of the amount of time required by these procedures that has been demanded for years could not be achieved to date. At present, about 30 clerical officers are processing approximately 5,000 benefits and pensions procedures at the Federal Office of Bundeswehr Personnel Management. On average, a procedure lasts approximately 15 months; however, not a few procedures have gone on for two years or more. This applies, in particular, for procedures concerned with the recognition of deployment-related mental conditions. The long waiting times are a particular strain for mentally ill people, which also has a negative influence on their recovery process. Especially against this background, decisions should therefore be taken more rapidly.

There have sometimes been protracted phases when no processing work was being done in the disability procedures conducted until now by the pension offices of the Länder, a consequence of the transfer of the files and their reorganisation at the Federal Office of Bundeswehr Personnel Management. Attributable as they were to the transitional situation, these delays were regrettable and associated with sometimes significant delays in payment for those concerned, but could not be completely avoided. In order to create transparency and not damage trust in the processing of the procedures, the individuals affected should at least be informed continuously about the progress made and regularly receive interim updates for the whole duration of such procedures.

The expert medical eligibility assessments required in service-related disability proceedings are drawn up centrally by the Medical Service for Social and Pension-Related Medicine at the Federal Office of Bundeswehr Personnel Management. On a positive note, it is to be remarked that two specialist psychiatrists with additional qualifications in 'social medicine' will be working there as assessors in future. As a result of this, it will no longer be necessary to exclusively have recourse to civilian assessors who are unfamiliar with the unique characteristics of the Armed Forces in procedures for the recognition of deployment-related mental conditions. It is to be desired that affected individuals will increasingly be heard personally in future and there will not just be reliance on the opinions assessors form on the basis of what they read in the files.

The Posttraumatic Stress Disorders Working Party is chaired by the Commissioner of the Federal Ministry of Defence for Operational Posttraumatic Stress Disorders and Personnel Disabled in Action, and has been in existence for several years. It has successfully

proved its worth, bringing together experts from the Ministry, and its subordinate agencies and offices to deliberate regularly on fundamental problems and issues connected with deployment-related conditions – posttraumatic stress disorders, in particular –, as well as individual cases. This exchange of information is valuable as a way of identifying further action that may be needed, and coordinating and streamlining disability procedures.

Benefits and pensions for special foreign assignments

The pieces of legislation on benefits and pensions for special foreign assignments passed by the German Bundestag have led to significant improvements in the social security benefits for servicewomen and men who have returned as invalids from deployments abroad.

Among other things, for instance, the start of the entitlement period for the consideration of increased **one-off compensation** was moved forward to 1 November 1991 by the Act to Increase the Attractiveness of Service in the Federal Armed Forces. This meant deployment-related accidents on the early UN missions to Cambodia, Somalia and former Yugoslavia would now be taken into consideration as well.

At present, subject to particular preconditions, the provisions on benefits and pensions for special foreign assignments are also being applied to deployments abroad that have not been mandated by the German Bundestag. This is to be welcomed. The principle should apply that, '**quasi-operational is operational**'.

In relation to quasi-operational commitments such as the non-mandated deployment of fleet service ships in the Mediterranean or the Air Policing operations in Estonia, a heightened hazard situation is currently the precondition for entitlement. Such a hazard situation is always determined retrospectively by the Federal Ministry of Defence if health damage is suffered, so that servicewomen and men affected by accidents are due pensions and benefits equivalent to the benefits and pensions for special foreign assignments.

Under the current legal instruments, by contrast, it is not possible to extend the pensions and benefits for special foreign assignments to disabilities suffered during the preparations for deployments. Nor does the Federal Ministry of Defence feel acceptance could be gained for an amendment to the legislation. This negative attitude should be rethought in the interests of disabled servicewomen and men because individual cases have come to light in which no satisfactory pensions and benefits could be granted.

The last Annual Report positively highlighted the **'presumption rule'** laid down in the Deployment-Related Accident Ordinance, which is intended to speed up procedures relating to benefits and pensions for special foreign assignments when individuals suffer deployment-related mental conditions. According to the text of the Ordinance, it is also possible for the rule to be applied to servicewomen and men who have not taken part in specific armed engagements, but have been exposed to comparable levels of stress. However, there have been deployment participants who had, for example, been involved in the investigation and/or opening of mass graves in former Yugoslavia, or who had been threatened with armed force and felt this had put their lives in danger, but did not fall under the presumption rule. The approach taken to the rule's interpretation is to be interrogated.

Mental illnesses that occur later than five years after the end of a special assignment abroad are expressly not covered by the Ordinance. This five-year time limit is too short, as shown by the cases of discharged former deployment participants that go back to former Yugoslavia, for example. They first exhibited mental symptoms more than five years afterwards. It is therefore to be recommended that the Deployment-Related Accident Ordinance also be extended to cover these cases.

Severely disabled servicewomen and men

About 700 severely physically and mentally disabled servicewomen and men are serving in the Bundeswehr at present, including individuals with deployment-related disabilities. The majority of them are assigned to commands and offices. The Bundeswehr is an attractive employer for severely disabled people because it offers numerous support and integration services. Far-reaching consideration is taken of health impairments in the organisation of duties, personnel planning and personnel development. The participation of severely disabled people in service in the Bundeswehr was already being promoted before the Plan to Implement the UN Convention on the Rights of Persons with Disabilities entered into force on 22 April 2015.

However, there are still unresolved problems as well. For instance, there is a lack of conceptual standards for the classification of posts as suitable for severely disabled people. Furthermore, apart from the benefits and pensions for special foreign assignments, no assurances can be given that the authorities will approve further assignments requested by temporary-career volunteers who have suffered a severe disability as a result of a service-related accident. Here too, the Bundeswehr should accept their responsibility to care for service personnel.

Progress on problems with radar radiation

For what is now 15 years, problems with radar radiation have been the subject of disputes in disability procedures concerning former service personnel who came into contact with radar equipment (radar technicians and support personnel) during the period from 1960 to 1985. To the present day, disabled individuals have to claim their entitlements to compensation through extremely complex administrative procedures that involve time-consuming investigations into the facts of the matter and the examination of competing risk factors (nicotine consumption, for example). Frequently, they have their claims turned down and are forced to pursue them further in court proceedings that drag on for years. The majority remain unsuccessful because, up until now, the courts have overwhelmingly confirmed the authorities' approach to the recognition of such entitlements. Only very recently have several courts decided in favour of individuals with disabilities when they evaluated the evidence, clearly criticising the unsatisfactory cooperation of the Bundeswehr administration. In about 240 cases, former **radar technicians have already died**. Some died while court proceedings were still ongoing without having their illnesses recognised as radiation-related disabilities. Due to the great age and severe illnesses of many of the individuals concerned, it is to be feared that such outcomes will become increasingly common. More than 50 cases of this kind are still pending before the courts.

To date, the approach taken to the recognition of disabled individuals has been based on the expert findings of the Radar Commission established by the Defence Committee of the German Bundestag in 2002. In line with the latest scientific findings on radiation exposure at that time, the Commission recommended that only malignant tumours and cataracts should be recognised as 'qualifying diseases' in service-related disability procedures without concrete evidence of a causal connection between the work personnel did on radar equipment and their later illness being demanded. As far as other clinical symptoms were concerned, insufficient probability for their causation by radar equipment was seen. To date, it has merely been possible for approximately 30 per cent of disability procedures to be decided in the claimant's favour on the basis of these recommendations.

It is to be criticised that to the present day the Bundeswehr authorities and/or the pension and benefits administrations of the Länder that have been responsible for former service personnel have clung to these recommendations without considering new scientific findings on radiation exposure at all. Nor has the Federal Ministry of Defence taken up the

proposals for the resolution of still open questions about radar radiation made by the interest group that represents those affected by such conditions and the League for the Support of Radar Victims (Radar Radiation League). In mid-2015, the Petitions Committee of the German Bundestag addressed the topic of radar radiation and forwarded a petition to the Federal Ministry of Defence with the aim of achieving a favourable reduction in the burden of proof for all disabled former radar technicians in pension and benefits procedures. The Ministry should therefore now finally examine **new scientific findings** on the causation of illnesses by radar radiation and, where applicable, change its approach to the recognition of these conditions. The basis for this could be the results of the expert symposium held in February 2015, which was led by the chairman of the Awards Committee of the Trust Foundation for the Support of Hardship Cases in the Bundeswehr and the former National People's Army (Foundation for Hardship Cases). The symposium focussed on the connections between ionising radiation and the occurrence of particular conditions that had not been recognised by the Radar Commission as qualifying diseases. Apart from this, there was discussion of genetic defects in descendants of individuals contaminated by radar radiation. Clarity has still not been established concerning the social security provision for these genetically damaged children, which is also unsatisfactory from the point of view of the Parliamentary Commissioner for the Armed Forces.

German Foundation for Hardship Cases

The German Foundation for Hardship Cases supports active and former Bundeswehr servicewomen and

men, former members of the National People's Army and their families in cases of particular hardship caused by health damage suffered in the course of their duties if regular pension and benefits procedures have resulted in them not being granted any compensation. Since 2012, the Foundation has dealt with 261 applications for support and awarded about €3.2m of financial support. 167 applicants, 121 of whom have been radar victims and/or their relatives, have received support payments of between €1,000 and €110,000. It is to be highlighted that the support payments do not have to be either taxed as income or offset against social assistance. The Foundation's Awards Committee decides on the award of payments without being bound by directions from the Federal Ministry of Defence. The Foundation for Hardship Cases deserves gratitude for the unbureaucratic support it gives to active and former servicewomen and men who would otherwise not have received any pensions or other benefit payments.

Dr Hans-Peter Bartels

Parliamentary Commissioner for the
Armed Forces

9 Annexes

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 23 December 2014 (*Federal Law Gazette I*, p. 2438)

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.

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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 Type A General Publication ‘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.

Statistical overviews

Overview of cases processed in 2015

In total, **4,344** cases were recorded in the period under review. **236** 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, **4,108** processed cases remain for the period under review.

Breakdown of cases	Number
Fundamental issues relating to leadership development and civic education, the Bundeswehr in state and society, restructuring	77
Comments and remarks on the work of the Parliamentary Commissioner	20
Military personnel deployed abroad*	205
Leadership/military discipline	962
Women in the Armed Forces	156
Compatibility of family/private life and service	434
Establishment and modification of service relationships	308
Assignment planning/deficiencies in personnel management/leave	364
Promotion	110
Admission to career paths	31
Security screening/personnel organisation	46
Personnel issues relating to military service volunteers (EVSCs)	80
Matters relating to reservists/reserve duty training	216
Free medical care	249
Accommodation/catering/clothing/welfare	172
Pay and subsidiary areas of pay law	553
Social affairs/pensions and benefits	125
Total cases processed	4,108
Cases not relating to the jurisdiction of the Parliamentary Commissioner for the Armed Forces**	123
Anonymous cases	40
Cases not pursued further owing to their subject matter	26
Enquiries concerning the statutory mandate of the Parliamentary Commissioner for the Armed Forces	47
Total cases recorded	4,344

* Apart from servicewomen and men deployed abroad on mandated deployments, 83 servicewomen and men stationed abroad contacted the Parliamentary Commissioner for the Armed Forces.

** 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.

**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 Bundeswehr in state and society, restructuring	16	0	1	6	0	44	2	1	1	1	5	77
Comments and remarks on the Commissioner's work	1	0	0	0	0	15	0	0	0	0	4	20
Service personnel deployed abroad	89	8	6	5	0	5	1	55	3	17	16	205
Leadership/military discipline	269	15	8	12	0	31	0	38	6	546	37	962
Women in the Armed Forces	28	90	3	8	1	14	0	3	0	0	9	156
Compatibility of family/private life and service	297	84	22	3	1	5	0	2	0	0	20	434
Establishment and modification of service relationships	175	27	10	22	0	66	0	4	0	0	4	308
Assignment planning/deficiencies in personnel management/leave	300	27	3	7	0	21	0	4	0	0	2	364
Promotion	98	9	0	0	0	0	0	1	0	0	2	110
Admission to career paths	27	2	1	0	0	0	0	0	0	0	1	31
Security screening/personnel organisation	25	0	0	0	0	3	0	11	0	0	7	46
Personnel issues relating to military service volunteers (EVSCs)	38	12	11	3	1	11	0	1	0	0	3	80
Matters relating to reservists/reserve duty training	8	0	0	188	1	9	1	2	0	0	7	216
Free medical care	131	39	12	18	0	35	1	3	0	7	3	249
Accommodation/catering/clothing	130	10	1	3	1	9	0	14	0	2	2	172
Pay and subsidiary fields of pay law	330	29	12	71	4	87	0	13	0	3	4	553
Social affairs/pensions and benefits	72	9	2	15	0	17	0	2	0	6	2	125
Total	2,034	361	92	361	9	372	5	154	10	582	128	4,108

**Breakdown of processed cases
by major organisational elements of the Bundeswehr**

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 Bundeswehr	Total
Fundamental issues relating to leadership and civic education, the Bundeswehr in state and society, restructuring	0	2	0	3	8	1	1	62	77
Comments and remarks on the Commissioner's work	0	0	1	0	0	0	0	19	20
Service personnel deployed abroad	1	24	14	20	85	12	4	45	205
Leadership/military discipline	1	394	116	79	154	68	51	99	962
Women in the Armed Forces	0	41	12	8	28	36	4	27	156
Compatibility of family/private life and service	0	95	64	41	81	74	12	67	434
Establishment and modification of service relationships	1	56	23	14	50	40	12	112	308
Assignment planning/deficiencies in personnel management/leave	1	102	71	28	71	42	18	31	364
Promotion	1	33	13	1	25	19	5	13	110
Admission to career paths	0	10	2	2	9	4	2	2	31
Security screening/personnel organisation	0	13	9	5	6	1	4	8	46
Personnel issues relating to military service volunteers (EVSCs)	0	16	9	8	12	11	1	23	80
Matters relating to reservists/reserve duty training	0	12	9	2	22	7	10	154	216
Free medical care	0	56	19	12	36	38	12	76	249
Accommodation/catering/clothing	0	55	20	12	25	21	10	29	172
Pay and subsidiary fields of pay law	1	100	64	33	82	43	17	213	553
Social affairs/pensions and benefits	0	17	21	6	12	11	10	48	125
Total	6	1,026	467	274	706	428	173	1,028	4,108

**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 Bundeswehr	Total
Fundamental issues relating to leadership and civic education, the Bundeswehr in state and society, restructuring	0	3	6	0	9	1	3	55	77
Comments and remarks on the Commissioner's work	0	0	1	0	0	0	0	19	20
Service personnel deployed abroad	1	18	16	8	54	13	9	86	205
Leadership/military discipline	3	32	43	50	225	117	268	224	962
Women in the Armed Forces	0	6	3	5	55	26	32	29	156
Compatibility of family/private life and service	1	18	23	24	207	84	42	35	434
Establishment and modification of service relationships	0	8	17	15	75	46	67	80	308
Assignment planning/deficiencies in personnel management/leave	0	28	25	18	169	59	46	19	364
Promotion	0	11	14	3	66	9	6	1	110
Admission to career paths	0	0	2	1	12	7	9	0	31
Security screening/personnel organisation	0	4	2	2	10	5	2	21	46
Personnel issues relating to military service volunteers (EVSCs)	0	0	0	2	4	5	45	24	80
Matters relating to reservists/reserve duty training	0	41	18	12	73	14	37	21	216
Free medical care	0	25	14	10	83	32	32	53	249
Accommodation/catering/clothing	1	12	18	7	63	13	32	26	172
Pay and subsidiary fields of pay law	2	54	43	26	209	53	58	108	553
Social affairs/pensions and benefits	0	4	5	6	47	20	20	23	125
Total	8	264	250	189	1,361	504	708	824	4,108

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

Career soldiers	967
Temporary-career volunteers	1,830
Reserve duty trainees, reservists	373
Unknown or no specification possible	842
Military service volunteers	96
Total	4,108

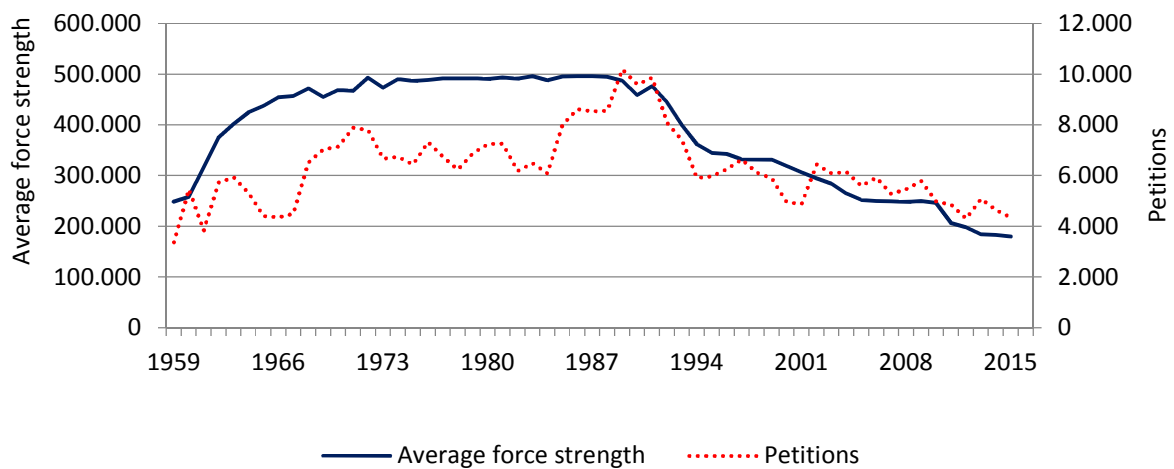
Development of the number of petitions and other cases between 1959 and 2015

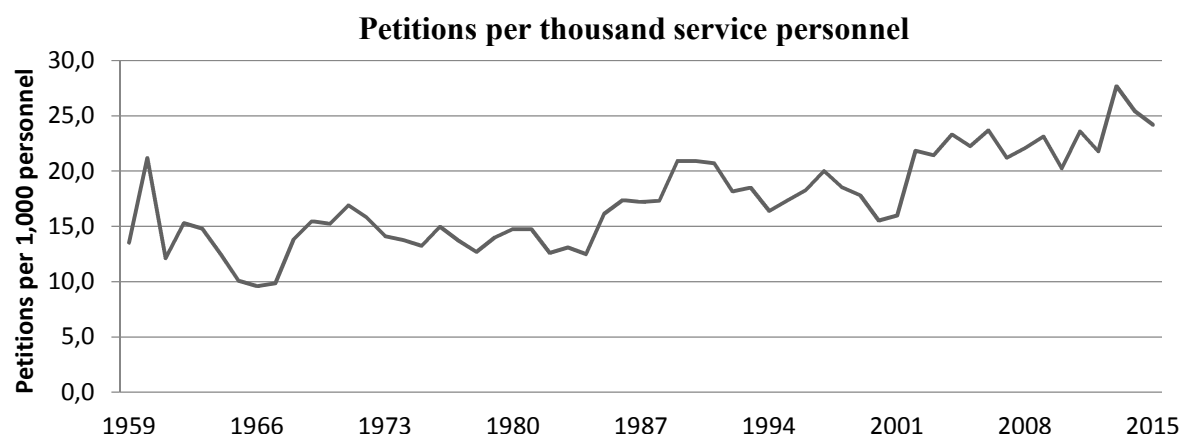
Year under review	Total number of petitions received	Submissions outside the jurisdiction of the Parliamentary Commissioner for the Armed Forces	Collective petitions	Anonymous petitions	Petitions within the jurisdiction of the Parliamentary Commissioner for the Armed Forces	Other cases	Average force 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 personnel
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	182,703	25.4
2015	4,344	123	0	40	4,108	73	179,633	24.2
Total	360,144	12,895	70	1,172	341,928	4,206		

Comparison of petitions with average force strength





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
20.01.	Augustdorf	21st Armoured Brigade
21.01.	Geilenkirchen	Bundeswehr Verification Centre
21.01.	Geilenkirchen-Teveren	German Element, NATO E-3A Component
18.02.	Regen	Armoured Infantry Battalion 112
19.02.	Manching	Technical Centre 61
09.-12.03.	Prizren, Cviljen, Camp Novo Selo, Pristina/Kosovo	German KFOR Mission Contingent
16.04.	Germersheim	Air Force Training Battalion
27.04.	Schwarzenborn	Light Infantry Regiment 1
28.04.	Fritzlar	Attack Helicopter Regiment 36
28.04.	Rotenburg	Company 9, Military Police Regiment 2
28.05.	Munster	Armoured Infantry Battalion 371
02.06.	Eckernförde	1st Submarine Squadron
04.06.	Hanover	Bundeswehr Military Police and Headquarters Service School
08.06.	Wunstorf	Air Transport Wing 62
26.06.	Weißenfels	Operational Medical Support Command
06.08.	Idar-Oberstein	Artillery Demonstration Battalion 345
11.08.	Bischofswiesen	Mountain Infantry Battalion 232
18.08.	Bückerburg	Army Aviation School/International Helicopter Training Centre
20.-21.08.	Rome/Italy	European Union Naval Force Operation Headquarters – Mediterranean

	Catania/Italy	Tender Werra
25.08.	Hanover	1st Armoured Division
31.08.-01.09.	Le Luc/France	German Element, German/French Tiger Training Centre
14.-15.09.	Ämari/Estonia	German Baltic Air Policing Contingent
22.09.	Coblenz	Leadership Development and Civic Education Centre
25.09.	Husum	Special Engineer Battalion 164
28.09.	Gotha, Ohrdruf	Reconnaissance Battalion 13, Ohrdruf Training Area (assistance for refugees)
11.-13.10.	Kahramanmaras/Turkey	German Active Fence Turkey Mission Contingent
16.10.	Berlin	Territorial Tasks Command
19.-20.10.	Erbil/Iraq	Training Support Iraq
22.10.	Euskirchen	Bundeswehr IT Centre
22.10.	Grafschaft	Strategic Reconnaissance Command
22.10.	Rheinbach	Strategic Reconnaissance Command, Computer Network Operations Group
29.10.	Wilhelmshaven	Flotilla 2
18.11.	Burg	Saxony-Anhalt Land Command, Family Support Centre
30.11.	Feldkirchen	Medical Instruction Regiment, 'Feldkirchen Waiting Area'
07.-09.12.	Bamako, Koulikoro, Gao/Mali	German MINUSMA Mission Contingent, EUTM

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 **169** 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 **113** 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 **58** fact-finding visits. They visited units, headquarters, agencies and authorities of the individual services and major organisational elements.

4. Visitor groups

60 visitor groups were welcomed to the Office by the Parliamentary Commissioner for the Armed Forces or his staff. For instance, servicewomen and men from, among other institutions, the Petty Officer School, the Army and Air Force officer schools, Army Headquarters, the Joint Forces Operations Command, the Rapid Response Forces Division and the Bundeswehr hospitals were informed about the constitutional status of the Parliamentary Commissioner for the Armed Forces, his tasks and the priorities of his work. In addition to this, international guests visited the Office, including the UK Joint Services Higher Command and Staff Course, numerous servicewomen and men on partnership workshops held by the Leadership Development and Civic Education Centre, and international armed forces workshops organised by various political foundations. Finally,

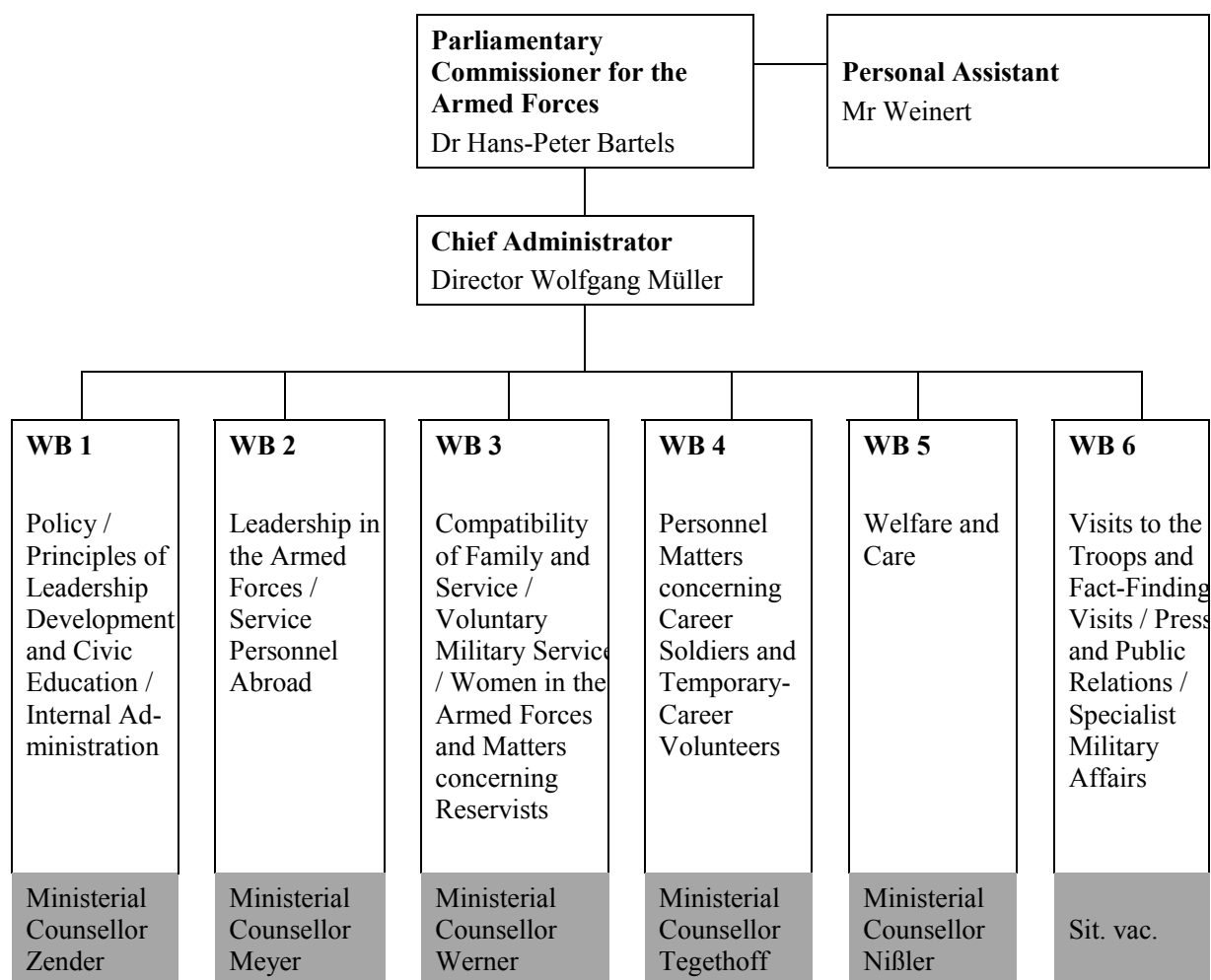
the visitors also included groups from the Bundeswehr Association and the Armed Forces Reservists Association, as well as military chaplains.

Overview of the Annual Reports from 1959 to 2015 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 Nr. 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	18/6093	23 April 2015 and 3 December 2015	100 143	pp. 9551 C ff. pp. 13981 C ff.
2015	26 January 2016	18/7250				

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