



Deutscher Bundestag

The Parliamentary Commissioner for the Armed Forces

Guardian of Service Personnel's Basic Rights and
Auxiliary Organ of the German Bundestag in Exer-
cising Parliamentary Oversight of the Armed Forces





4	Foreword by Hellmut Königshaus
6	Introduction
8	Historical development
12	The constitutional position of the Parliamentary Commissioner
14	The Parliamentary Commissioner's official status
16	Statutory mandate and terms of reference
18	The basic rights of service personnel
19	The principles of <i>Innere Führung</i>
22	The Parliamentary Commissioner's official powers
22	Rights to information
24	Right to make proposals and recommendations
26	The right of service personnel to petition the Parliamentary Commissioner
30	The Parliamentary Commissioner's annual report
34	Petitions to the Parliamentary Commissioner and other forms of legal protection
36	The staff of the Parliamentary Commissioner for the Armed Forces
40	The Parliamentary Commissioners since 1959
46	Background information
48	Statistics: Development of submissions to the Parliamentary Commissioner for the Armed Forces between 1959 and 2011
49	Statutory foundations
58	Publishing details

Contents

‘A Parliamentary Commissioner for the Armed Forces shall be appointed to safeguard basic rights and to assist the Bundestag in exercising parliamentary oversight of the Armed Forces.’ The mandate the Basic Law, Germany’s constitution, assigns to the Parliamentary Commissioner for the Armed Forces is unequivocal and clear. This mandate consists of two elements: protecting the basic rights of service personnel and supporting the Bundestag in the exercise of parliamentary scrutiny of the armed forces.

The Parliamentary Commissioner for the Armed Forces possesses comprehensive rights that enable him or her to perform this important mandate. For example, he can demand information and access to records from the Federal Minister of Defence and all agencies that are subordinated to him at any time, and he can visit any agency of the German Armed Forces at any time – even unan-

nounced. These extensive rights, which are exclusive in this particular form, are indicative of the significance that has been attributed to the Office of the Parliamentary Commissioner for the Armed Forces since its establishment in 1956.

The Office has lost none of its significance in spite of numerous changes in the forces. The Parliamentary Commissioner for the Armed Forces merely has to deal with different problems and questions. For example, the Federal Armed Forces’ foreign deployments and, above all, the mission in Afghanistan have made questions of equipment and training considerably more important.

The pivotal issue in the work done by the Parliamentary Commissioner for the Armed Forces is and will remain the principle of *Innere Führung* (‘Internal Leadership’ or ‘leadership development and civic education’). After all, the people who serve in our armed forces are not just there to obediently carry out their orders, they are critical

women and men who think for themselves, citizens in uniform. The task of the Parliamentary Commissioner for the Armed Forces is to watch closely to ensure that *Innere Führung* remains firmly rooted in the culture of our armed forces, especially at a time when they are operating in many different parts of the world. I take this important task and the protection of our service personnel’s basic rights very seriously.

This brochure provides information on the Office of the Parliamentary Commissioner for the Armed Forces, his functions and the previous holders of this office. In addition to this, it offers an overview of the Office’s development, the powers and duties of the Parliamentary Commissioner for the Armed Forces, and their legal foundations.

Foreword by Hellmut Königshaus



By virtue of their mission, their structure and the instruments of power vested in them, the armed forces occupy a special position in the body politic of each country. It is in the interests of the state that the armed forces should only bring their influence to bear in line with the constitutional order. This applies not only to the use of military force as such, but also to the treatment of service personnel.

Introduction

Depending on the form of government – democratic or authoritarian – the mechanisms for ensuring that the armed forces act in accordance with the constitution are highly diverse. In democratic states, efforts are made to integrate the armed forces into society and to ensure effective scrutiny of their exercise of power. In this respect, parliamentary oversight has a special role to play.

The instruments of parliamentary oversight can take many forms, ranging from the right of Parliament to fix the budgetary resources allocated to the armed forces and the accountability of the civilian defence minister before Parliament, to measures that safeguard the rights of service personnel.

In democratic states, the way Parliament exercises oversight of the armed forces has developed along what are, in some respects, very varied lines. The form such scrutiny takes can often only be understood in the light of history. This applies in particular to the Federal Republic of Germany.



Federal Armed Forces personnel on the visitors' gallery of the German Bundestag.

A historical review of the constitutional provisions concerning the armed forces in Germany reveals that up until the end of the 'Third Reich' in 1945 the head of state was also commander-in-chief of the armed forces.

In 1949, the population in the western part of Germany adopted a new constitution based on the same principles of democracy and the rule of law as prevailed in other countries of Western Europe and North America. It did not envisage the creation of armed forces.

Historical development

Only a few years later, however, as the East-West conflict deepened, the USA and Britain urged that the young Federal Republic of Germany too should make a military contribution to the preservation of freedom in the West. An impassioned debate ensued among the political parties, and in society in general, over the need to re-establish armed forces this would entail. Memories of the involvement of parts of the Wehrmacht in the crimes of the Nazi dictatorship were still very much alive. The mere thought of an army produced anxiety and mistrust.

Ultimately, for reasons of foreign policy, the establishment of armed forces became inevitable. There was broad political agreement that the armed forces would require special mechanisms of oversight if, from the outset, the possibility of any future misuse of power by the military was to be ruled out, and the principle of the primacy of politics guaranteed without reservation. This fun-

damental policy decision was put into effect by placing the armed forces, as part of the executive, under the control of a minister accountable to Parliament, and by setting up a Defence Committee endowed with special rights otherwise enjoyed only by committees of inquiry.

At the time, the parliamentary opposition also demanded that, in order to strengthen the mechanisms of parliamentary oversight, the constitution should make provision for a vote of no confidence not only in the Chancellor, as it already did, but also in the Minister of Defence. This demand was rejected emphatically by the ruling majority. As a compromise, the two sides agreed to set up the Office of the Parliamentary Commissioner for the Armed Forces as an auxiliary organ of Parliament and an additional instrument of parliamentary scrutiny.



1956: Personnel serving in the newly founded Federal Armed Forces read *Die ersten Schritte*, a magazine published by the Defence Ministry.

To implement this article of the Basic Law, the Act on the Parliamentary Commissioner for the Armed Forces entered into force on 27 June 1957. On 3 April 1959, the first Parliamentary Commissioner, Helmuth von Grolman, took office. He was followed in office by Hellmuth Guido Heye, Matthias Hoogen, Fritz Rudolf Schultz, Karl Wilhelm Berkhan, Willi Weiskirch and Alfred Biehle. In 1990, an amendment of the Act on the Parliamentary Commissioner for the Armed Forces made it possible for candidates who had not served in the armed forces to be elected to this position. In 1995, Claire Marienfeld-Czesla became the first woman to be elected Parliamentary Commissioner. She has been followed in office by Dr Willfried Penner, Reinhold Robbe and Hellmut Königshaus.

Hence, the Parliamentary Commissioner for the Armed Forces is an institution without precedent in German constitutional history, one conceived in emulation of the Swedish *Militieombudsman* (Military Ombudsman).

On 19 March 1956, as one of the new constitutional provisions relating to the armed forces, Article 45b was incorporated into the Basic Law. It describes the mandate and status of the Parliamentary Commissioner for the Armed Forces as follows: ‘to safeguard basic rights and to assist the Bundestag in exercising parliamentary oversight of the Armed Forces. Details shall be regulated by a federal law.’



By stating that the Commissioner 'shall assist the Bundestag' and by giving him the title 'Parliamentary Commissioner for the Armed Forces', Article 45b of the Basic Law and the federal law enacted pursuant to it make it quite clear that this institution is in all respects part of the German Bundestag, and thus of the legislature.

The Federal Ministry of Defence, over which the Parliamentary Commissioner exercises oversight, is part of the executive. As a consequence of the principle of the separation of powers, the Defence Minister has no right to issue instructions to the Parliamentary Commissioner. The converse also applies.

The constitutional position of the Parliamentary Commissioner

Furthermore, the following legal provisions govern the relationship between Parliament and the Parliamentary Commissioner for the Armed Forces:

- The Bundestag and the Defence Committee have limited rights to issue instructions to the Parliamentary Commissioner.

- The Parliamentary Commissioner cannot take any action if the Defence Committee has made the matter in question the subject of its own deliberations.
- The Parliamentary Commissioner for the Armed Forces has duties to report to the Bundestag.
- The Bundestag and the Defence Committee may at any time request that the Parliamentary Commissioner attend their deliberations.



The Parliamentary Commissioner for the Armed Forces, Hellmut Königshaus (right), and Defence Minister Thomas de Maizière (CDU/CSU, left) talking with a wounded soldier at the Parliamentary Commissioner's annual reception in 2011.

The Parliamentary Commissioner is neither a Member of the Bundestag nor a civil servant. He holds office under public law in accordance with the provisions of the Act on the Parliamentary Commissioner for the Armed Forces. In defining his legal status, the lawmakers took as a basis the rights and duties of a parliamentary state secretary.

During his term of office, the Parliamentary Commissioner may not hold any other paid office, engage in any trade, practise any profession or hold any political office.

In accordance with the Act on the Parliamentary Commissioner for the Armed Forces, the Parliamentary Commissioner's deputy is the Chief Administrator, who exercises his rights, with the exception of the right to make unannounced personal visits to military units, should the Parliamentary Commissioner be prevented from discharging his duties. Likewise, when the Parliamentary Commissioner leaves office, the Chief Administrator exercises his rights until a successor is installed.

The Parliamentary Commissioner's official status

The German Bundestag elects the Parliamentary Commissioner by secret ballot without prior debate. Candidates may be nominated by the Defence Committee and the parliamentary groups in the Bundestag. The candidate who receives the majority of the votes cast by the Members of the Bundestag is elected.

Any German citizen over the age of 35 may be elected. There is therefore no formal requirement that candidates should have experience of military service.

The Parliamentary Commissioner is appointed by the President of the Bundestag and sworn in before Parliament. He commences his term of office upon being handed his letter of appointment or upon being sworn in, if this is done at an earlier date.

The Parliamentary Commissioner's term of office is five years and thus one year longer than the electoral term of Parliament. This helps to safeguard his independence should there be a change in the parliamentary majority following new elections. Re-election, even for more than two terms of office, is admissible.

His term of office ends upon completion of his tenure, upon his death, upon his dismissal by Parliament, or upon his resignation.



The President of the German Bundestag, Norbert Lammert (right, CDU/CSU), swears in the new Parliamentary Commissioner for the Armed Forces, Hellmut Königshaus (left).

Pursuant to the constitution, the Parliamentary Commissioner's mandate is to 'safeguard basic rights and to assist the Bundestag in exercising parliamentary' of the Federal Armed Forces. His functions are set out in detail in the Act on the Parliamentary Commissioner for the Armed Forces.

The Parliamentary Commissioner's mandate is defined in Section 1(2) and (3) of the Act on the Parliamentary Commissioner for the Armed Forces, which state that the Parliamentary Commissioner takes action for two reasons:

- upon instructions from the Bundestag or the Defence Committee to investigate specific matters (Section 1(2) – scope of action taken under instructions)
- or
- on his own initiative and at his due discretion when circumstances come to his attention that suggest a violation of the basic rights of a member of the armed forces or of the principles of *Innere Führung* (Section 1(3) – scope of action taken on own initiative).

Statutory mandate and terms of reference

In addition to the area of scope defined in Section 1(3), in which the Parliamentary Commissioner may exercise oversight on his own initiative, the area of scope upon instructions laid down in Section 1(2) covers the entire spectrum of parliamentary oversight in the defence field. This makes it clear that the Parliamentary Commissioner's parliamentary mandate to exercise oversight extends beyond the 'basic rights of service personnel' and the 'principles of *Innere Führung*'.

In practice, since 1959 the Bundestag has never issued instructions to the Parliamentary Commissioner and the Defence Committee has done so in only 26 cases. The Parliamentary Commissioner may request that the Defence Committee issue instructions to investigate specific matters.

The focus of the Parliamentary Commissioner's activities is clearly the action he takes on his own initiative. The circumstances that prompt the Parliamentary Commissioner to investigate a matter may come to his attention during field visits, through information from Mem-

bers of the German Bundestag, through submissions from service personnel or in other ways, for example through press, television or radio reports, or as a result of the evaluation of reports from units addressed to the Federal Minister of Defence about 'special incidents'.

His scope of action on his own initiative encompasses the Federal Ministry of Defence and all its subordinate formations, units and agencies. The Parliamentary Commissioner does not take action where the Defence Committee has made the matter a subject of its own deliberations.

However, the functions of the Parliamentary Commissioner are not limited to exercising parliamentary oversight of the Federal Armed Forces on behalf of the Bundestag. The Act on the Parliamentary Commissioner for the Armed Forces also assigns him the task of dealing with petitions submitted by service personnel. All members of the forces have the right to contact the Parliamentary Commissioner directly without going through official channels.



The basic rights of service personnel

The 'basic rights of service personnel' are identical with the general basic rights enshrined in the German constitution. Service personnel are part of a hierarchy founded on the principle of obedience to orders. There is, therefore, a high degree of tension between the freedoms and rights of each individual member of the armed forces on the one hand, and the special demands of military service on the other. It is an imperative of Germany's constitution that the country's service personnel, be they voluntary service conscripts, temporary-career volunteers or regular soldiers, should be guaranteed the same freedoms and rights as are enjoyed by other citizens. To this extent, therefore, they continue to be citizens when they join the services: 'citizens in uniform'. Their basic rights may, however, be restricted in line with constitutional provisions, but only insofar as this is absolutely essential to meet the requirements of their military duties.

This requires a basis in law. Service personnel continue to enjoy the following rights, for example:

- the unrestricted right to respect for and protection of their dignity as human beings: no matter how tough the training, for instance, service personnel may not be subjected to humiliating or degrading treatment;
- the basic right to freely express their opinions: the functional capability of the Federal Armed Forces may impose restrictions on service personnel's freedom of expression, but service personnel are free, when they are off duty, to become active in political parties, for example;
- the basic right to protection against violation of their rights by public authority: this means that, like all other citizens, they have recourse to the courts.



The principles of *Innere Führung*

In the debate over the establishment of the Federal Armed Forces, the concept of *Innere Führung* was seen as a way of reforming the armed forces through a conscious departure from earlier traditions. It was also incorporated into the Act on the Parliamentary Commissioner for the Armed Forces without, however, being precisely defined. Down to the present day, its essence and impact have been subjects of lively debate. It is generally agreed that the principles of *Innere Führung* provide basic guidelines for the internal organisation of the Federal Armed Forces, and their integration into state and society.

Internally, the aim is to ensure that principles of modern leadership are applied. *Innere Führung* serves to reduce to a tolerable level any tensions or conflicts that arise between the individual rights and freedoms of service personnel as citizens on the one hand, and the demands of their military duties on the other.

The leadership behaviour of superior officers must be imbued with respect for human dignity – the basis of our constitutional order. Societal, political and social developments and trends in the Federal Republic of Germany, as well as the results of changes in military technology, have to be taken into account. The principles of *Innere Führung* should find expression 'in leadership and training, in the exercise of disciplinary power, in the provision of civic education and information for service personnel, in care and concern for the human being, in the fostering of a sense of community outside duty hours', as Wolf Count Baudissin, one of the spiritual fathers of the concept for the reform of Germany's armed forces, noted on 10 January 1953.

A further requirement of modern leadership is that the parameters of everyday life in the armed forces, defined as they are by organisational forms, the principles of personnel management and the forces' infrastructure, ensure that each member of the armed forces is respected as an autonomous, responsible individual.

Externally, the objective is to foster the integration into state and society of the Federal Armed Forces as an institution, and of all service personnel as individual citizens. They should see themselves, and be seen by others outside the armed forces, as an integral component of society as a whole. The aim is to dispel any worries that the Federal Armed Forces could become a 'state within the state' – a danger inherent in all armed forces.

The discussion within the Federal Armed Forces about the concept of *Innere Führung* came to a provisional conclusion in February 1993, when Joint Service Regulation 10/1 – *Innere Führung* – was issued. It describes the concept as follows.

The objectives of *Innere Führung* are

- to make personnel fully aware of the political and legal reasons for military action, as well as the purpose and meaning of the military mission;
- to promote the integration of the Federal Armed Forces and their service personnel into state and society, and to create greater public awareness and understanding of their mission;
- to strengthen the willingness of service personnel to perform their duties thoroughly, and to maintain discipline and cohesion within the armed forces;
- to ensure that the internal order of the armed forces is organised on the basis of respect for human dignity and of the legal and constitutional order, so that the armed forces perform their mission efficiently.

Hellmut Königshaus visiting the Richthofen Fighter Wing at Wittmund.

The actual substance and objectives of *Innere Führung* in everyday military life are primarily laid down in a series of laws, orders and service regulations. The statutory basis is the Legal Status of Military Personnel Act, which describes the rights and duties of service personnel, in particular in their roles as superiors and subordinates.

However, the application of specific regulations is not the only aspect of *Innere Führung*. This applies in special measure to the manner in which superiors treat their subordinates in everyday military life. They are expected to lead not only by the letter of the law but also with empathy and sensitivity. Service personnel, as citizens in uniform, should retain their freedom as individuals. They should act as responsible citizens while maintaining their operational readiness. They are not called upon to show blind obedience, but obedience born of understanding.



In carrying out his constitutional mandate, the Parliamentary Commissioner has the legally sanctioned power to demand access to information, and to make proposals and recommendations.

Rights to information

The Parliamentary Commissioner has the right to demand information, and access to records, from the Federal Minister of Defence, and all his or her subordinate agencies and personnel. For instance, he is able, when reviewing petitions, to request that the Federal Armed Forces or other agencies investigate a certain matter, comment on the findings of the investigation and submit relevant documents to him. Furthermore, the right to demand information is the basis on which he and his staff hold meetings with personnel in the purview of the Federal Minister of Defence in order to gather information and establish working contacts.

The Parliamentary Commissioner's official powers

When acting on instructions from the Bundestag or the Defence Committee to investigate a specific matter, and dealing with petitions in which the petitioner expresses a specific grievance, the Parliamentary Commissioner has the right to hear the petitioner as well as experts and witnesses in person.

The Parliamentary Commissioner may at any time and without prior announcement visit any units, headquarters, installations or administrative agencies of the Federal Armed Forces – also outside Germany. This right is vested exclusively in his person.

Field visits enable the Commissioner to meet and talk to service personnel of all ranks and thereby to gain a first-hand impression of conditions within the Federal Armed Forces. During such visits, he learns above all about any difficulties service personnel encounter in performing their everyday military duties, problems that relate to training and equipment, and their personal worries and concerns, which are often not expressed

fully, if at all, in petitions. This allows the Parliamentary Commissioner to take preventive action by immediately passing on any important findings to the Federal Minister of Defence.

The Parliamentary Commissioner has another major source of information: his right to request reports on the exercise of disciplinary power in the Federal Armed Forces and to attend criminal or disciplinary proceedings in court as an observer.





The Parliamentary Commissioner for the Armed Forces, Hellmut Königshaus (2nd from left), on a visit to German troops in Afghanistan.

Right to make proposals and recommendations

The Parliamentary Commissioner may give the agencies involved in a certain matter an opportunity to settle it themselves. For instance, following the completion of an investigation that has revealed deficiencies or incorrect behaviour, he may request that certain measures be taken to ensure that there is no recurrence. He may also refer a matter to the authority responsible for initiating criminal or disciplinary proceedings.

The Parliamentary Commissioner's right to make proposals and recommendations enables him to be actively involved in the further development of the principles of *Innere Führung*. His proposals and recommendations do not take the form of binding instructions or orders. The fact that the Parliamentary Commissioner's powers are limited to gathering information and making recommendations might suggest that he is able to bring little real influence to bear. In practice, however, this is not the case. The

very existence of an independent parliamentary commissioner, to whom every member of the armed forces from private to general may have recourse, has a positive effect on the leadership behaviour of many superiors. Of importance in this respect above all is the Parliamentary Commissioner's power to involve higher authorities, up to and including the Federal Minister of Defence, and to bring any deficiencies he detects to the attention of the Bundestag in his annual and special reports.

The influence the Parliamentary Commissioner wields is not, therefore, based solely on his statutory powers but also on his moral authority, which the agencies concerned cannot easily ignore.

All service personnel have the right to contact the Parliamentary Commissioner directly without going through official channels. In exercising their right of petition, service personnel can, without having to observe specific time limits, bring to the attention of the Parliamentary Commissioner any matter they feel reflects wrong or unfair treatment.

In contrast to complaints submitted in accordance with the Military Complaints Regulations, petitions do not have to be based on what is termed a 'grievance'. For this reason, they can refer to the entire spectrum of official, personal and social problems service personnel may encounter in their everyday military routines. They include matters relating to the broad field of leadership and personnel management (e.g. rights and duties of service personnel, leadership style and behaviour, military training, and the application of disciplinary regulations, complaint regulations, regulations regarding the representation of service personnel and duty-hour regulations), aspects of personnel management relating to regulars, temporary-

career volunteers and voluntary service conscripts (e.g. questions about career paths, transfers and temporary duties or assessments), and matters relating to health care, accommodation, clothing and counselling, as well as pay regulations and entitlements on leaving the armed forces.

Service personnel are not required to bring their concerns to the attention of the Parliamentary Commissioner themselves. Petitions addressing their concerns may also be submitted by comrades, elected spokespersons or family members; often, soldiers' wives make submissions concerning family difficulties caused by their husbands' duties. In such cases, the servicemen concerned are asked for their consent before the matter described in the petition is investigated.

All service personnel are informed about the functions and powers of the Parliamentary Commissioner when they begin training, and again when they are transferred to their parent units (see Section 10 of the Order: 'Service Personnel and the Parliamentary Commissioner'). Service personnel who submit petitions to the Parliamentary Commissioner may

not be subjected to any disciplinary or discriminatory action for doing so. They are protected by their right of petition.

Of course, this right to petition the Commissioner does not cover assertions or claims that are deliberately false, insulting or slanderous in nature. In such cases, the petitioner bears full responsibility under disciplinary regulations and criminal law. However, in exercising their right of petition, service personnel are given broad scope to express what are regarded as admissible views and opinions. The aim is to allow petitioners to unburden themselves without having to fear discrimination. Petitioners are protected against any punitive measures even if their submissions are based on exaggerations, overhasty conclusions or emotional rather than rational arguments.

Civilian staff of the Federal Armed Forces cannot submit petitions to the Parliamentary Commissioner. However, a matter made known by civilian personnel may prompt him to take appropriate action. The same applies to information received from persons outside the Federal Armed Forces.

The right of service personnel to petition the Parliamentary Commissioner



As a rule, the review procedure for petitions is as follows: The Parliamentary Commissioner checks whether the matter brought to his attention in the petition suggests a violation of the basic rights of service personnel or of the principles of *Innere Führung*. Should this be the case, the Parliamentary Commissioner requests comments from the agencies in the purview of the Defence Minister that appear best placed to conduct unbiased, expert and swift investigations into the matter described in the petition and take remedial action if appropriate. In the case of petitions that touch on relations between superiors and subordinates, this is normally a battalion-level agency. In the case of legally complex or very serious matters, division-level agencies are generally involved from the outset.

Once the Parliamentary Commissioner receives the comments and records he has requested, he reviews whether the investigations have been conducted properly, whether evidence and the facts of the matter have been correctly assessed, and whether any misconduct has been appropriately sanctioned. If this is the case, the petitioner is notified of the results of the review. The relevant agencies of the Federal Armed Forces receive a copy of the Parliamentary Commissioner's concluding letter.

In the vast majority of cases, the investigations and comments of the agencies concerned satisfy the Parliamentary Commissioner's requirements. Nevertheless, there are many cases in which another higher-level agency is requested to conduct further investigations. Sometimes, even the Defence Minister himself is requested by the Parliamentary Commissioner to comment on the matter at

hand. In a not inconsiderable number of cases that concern issues of fundamental or special political significance, the Minister is understandably the Parliamentary Commissioner's main point of contact.

If, parallel to the submission of a petition, proceedings under military complaints regulations, disciplinary regulations, criminal law or civil administrative law are pending, it is standard practice, in view of the separation of powers, for the Parliamentary Commissioner generally not to interfere by submitting his own assessment of the case. He suspends his investigations until a non-appealable ruling has been made. An exception is conceivable if a given incident provides grounds for considerations and conclusions that extend beyond the confines of the matter in question.

Understandably, the Parliamentary Commissioner's performance of these two functions – exercising oversight of the Federal Armed Forces and reviewing the petitions of service personnel – is not always free of conflict. As an organ of parliamentary oversight, it is his task to ensure that the constitution and federal laws are complied with. In this context, compliance with regulations that are designed to ensure the operational readiness of the Federal Armed Forces occasionally clashes with the personal interests of petitioners.



The Parliamentary Commissioner is required to submit an annual report to the Bundestag for each calendar year. There are no detailed guidelines regarding its content.

He must therefore base his report on the dual function assigned to him by the constitution, i.e. that of exercising oversight and reviewing petitions. Consequently, it deals largely with negative occurrences and incidents in the Federal Armed Forces. For this reason, past holders of the office have regarded the annual report primarily as a report on deficiencies and not on the overall state of the Federal Armed Forces.

The Parliamentary Commissioner's annual report

In addition to monitoring the Government's adherence to the constitution and federal laws, the purpose of parliamentary oversight is to enable Parliament, on the basis of its own findings, to be directly involved in identifying difficulties and unwelcome developments and, as a result, to put forward ideas and suggestions for remedial action. In his annual reports the Parliamentary Commissioner therefore deals with violations by superiors and military authorities of the basic rights of service personnel and of the principles of *Innere Führung*; however, he also looks in depth at the general conditions under which the Federal Armed Forces operate and service personnel carry out their duties.

In particular, he provides important indications as to the effects of existing laws and regulations insofar as they touch upon the principles of *Innere Führung*. He thus acts as a kind of early warning system for Parliament. Naturally, his remarks and comments cannot always be free of political and parliamentary considerations.

The Parliamentary Commissioner's annual reports are used by Parliament, in particular by the Defence Committee, as a basis for discussion of and decisions on the internal development of the Federal Armed Forces. Thus, they draw the attention of Parliament to the special concerns and worries not only of individual members of the armed forces but also of the Federal Armed Forces as a whole. By virtue of his reports, therefore, which initially cast him in the role of watchdog, the Parliamentary Commissioner becomes a kind of intermediary between service personnel and the Bundestag.



From left to right: Christoph Schnurr (FDP), Anita Schäfer (CDU/CSU), Hellmut Königshaus, Parliamentary Commissioner for the Armed Forces, Norbert Lammert (CDU/CSU), President of the German Bundestag, Susanne Kastner (SPD), chairwoman of the Defence Committee, and Karin Evers-Meyer (SPD) at the presentation of the Parliamentary Commissioner's 2010 annual report.

The Parliamentary Commissioner's annual report has always met with a great deal of media interest. Media coverage of the report helps to inform the general public about the concerns and problems of the Federal Armed Forces, and to promote public acceptance of the need for any remedial action. At the same time, it helps to focus Parliament's attention on the report.

Because the annual report examines negative incidents and trends in the Federal Armed Forces, there is a danger of the media coverage it attracts being one-sided and, occasionally, sensationalist. However, this cannot be a reason for the Parliamentary Commissioner not to fulfil his statutory mandate by providing a true and thorough account of his findings. Moreover, in the interests of our country's free and democratic fundamental order, the Basic Law stresses the importance of freedom of the press and freedom of reporting by the media in general. Isolated cases of biased and ill-informed reporting are the price that has to be paid for such constitutionally enshrined freedoms.

Hellmut Königshaus (2nd from left), Parliamentary Commissioner for the Armed Forces, visiting the Federal Armed Forces Medical Corps at the Gäuboden Barracks in Feldkirchen.

The Parliamentary Commissioner's annual report is addressed to Parliament. The report on the previous calendar year is usually submitted to the President of the German Bundestag at the end of January and published as a Bundestag printed paper. Immediately after publication, it is distributed among service personnel. The President refers the report to the Defence Committee, which calls upon the Defence Minister to comment on it.

Once the Defence Minister has submitted his comments, the Defence Committee discusses the report. In the course of its deliberations both the Defence Minister and the Parliamentary Commissioner have opportunities to elucidate and expand upon their views. The Defence Committee concludes its deliberations by drafting a report and a recommendation for a decision of Parliament, both of which are referred to the plenary for a public parliamentary debate. During the debate, the Parliamentary Commissioner is given leave to speak if this is requested by one of the parliamentary groups or at least five per cent of the Members of the Bundestag. This is regularly the case.

In his comments on the Parliamentary Commissioner's annual report, the Federal Minister of Defence also elaborates on measures needed to remedy the deficiencies it describes. The following year, Parliament is informed about the progress made in this respect.



Submitting a petition to the Parliamentary Commissioner does not preclude service personnel from resorting to other forms of legal protection or redress such as, for instance, reports, counterstatements, complaints submitted under the Military Complaints Regulations, or petitions addressed to the Petitions Committee of the German Bundestag. When a petition is submitted to the Parliamentary Commissioner, any time limits set, for example on complaints filed in accordance with the Military Complaints Regulations, continue to apply. Especially in the case of disciplinary and administrative matters, therefore, service personnel must observe the statutory time limits if they do not wish to lose their formal right to legal protection.

Petitions to the Parliamentary Commissioner and other forms of legal protection

Because service personnel may request a parliamentary review of their submissions both by the Parliamentary Commissioner and the Petitions Committee of the Bundestag, these two agencies must work together. They do so in accordance with special rules of procedure, which, in order to avoid duplication and ensure the consistency of decisions, establish channels of consultation and notification. If the Petitions Committee and the Parliamentary Commissioner are requested to review the same matter, the latter takes the lead in processing it.

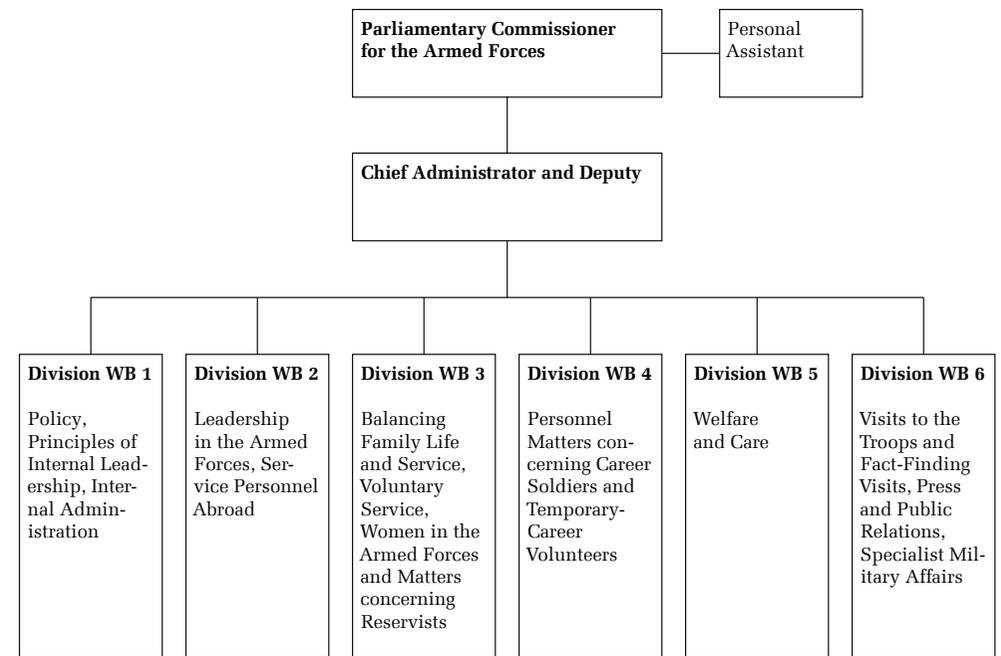
Here, reference must also be made to the Military Personnel Representation Act, which is intended to enhance the rights of service personnel. Under this Act, service personnel of each rank group elect a spokesperson, the aim being to foster cooperation in a spirit of trust between superiors and their subordinates, and to strengthen comradeship among service personnel.



When the Office of the Parliamentary Commissioner for the Armed Forces was set up, it was assumed that the Parliamentary Commissioner would require only a small staff to enable him to perform his statutory functions. However, owing to a rapid increase in the number of submissions, his staff soon had to be expanded. This was the only way to ensure that the various Parliamentary Commissioners were at the same time able to carry out the task of exercising parliamentary oversight of the Federal Armed Forces.

The staff of the Parliamentary Commissioner for the Armed Forces

Organisational structure of the Office of the Parliamentary Commissioner for the Armed Forces



At present, the Office of the Parliamentary Commissioner for the Armed Forces has a staff of around 50, about half of whom are higher-intermediate and higher service personnel directly concerned with the review of matters brought to the attention of the Parliamentary Commissioner.

The Parliamentary Commissioner's staff are members of the Bundestag Administration, within which they form a separate Parliamentary Commissioner for the Armed Forces Directorate-General. With regard to their work, they are under the sole supervision of the Parliamentary Commissioner; with regard to service regulations, they are under the supervision of the Secretary-General of the German Bundestag as the head of the Bundestag Administration.

The Office of the Parliamentary Commissioner for the Armed Forces is headed by a Chief Administrator, and is subdivided, in accordance with the principles of ministerial organisation, into divisions, the number and competencies of which are adapted to the Office's tasks and priorities. Currently, there are six divisions.



The Parliamentary Commissioners since 1959

1959-1961: Helmuth von Grolman

Helmuth von Grolman (6 November 1898-18 January 1977) served as a soldier before completing an apprenticeship as a bank clerk and studying economics. He joined the Reichswehr in 1924, and was promoted to the rank of lieutenant general in 1944. After the War, von Grolman became State Secretary in the Lower Saxon Ministry for Expellees in 1955.

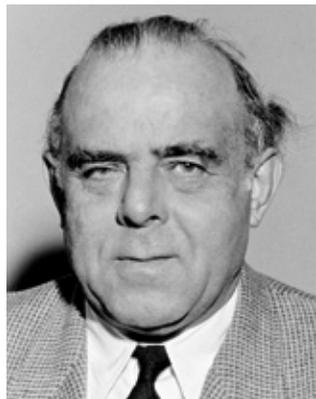
On 19 February 1959, the Bundestag elected him as the first Parliamentary Commissioner for the Armed Forces by 363 votes to 16 with 32 abstentions. He took office on 3 April 1959. His first annual report, in which he also criticised inadequate equipment and training opportunities, led to the establishment of a subcommittee of the Defence Committee to deliberate on the rights held by the Parliamentary Commissioner for the Armed Forces. The subcommittee reached agreement with von Grolman that the Parliamentary Commissioner would not comment on political decisions taken by Parliament and the Government. On 14 June 1961, he handed in his resignation, which was accepted the same day.



1961-1964: Hellmuth Guido Heye

Hellmuth Guido Heye (9 August 1895-10 November 1970) joined the Imperial Navy in 1914 and became a vice-admiral in 1944. After the War, he went into politics and was a Member of the Bundestag for the Christian Democratic Union (CDU) from 1953 to 1961.

Heye was elected as Parliamentary Commissioner for the Armed Forces unanimously by acclamation on 8 November 1961, and was sworn in and took office the same day. Right at the beginning of his term of office, the Armed Forces came under suspicion of harbouring sadistic training officers who bullied recruits brutally. A field visit to Nagold gave Heye the strong impression that conditions there were inhumane. He warned against an excessive *esprit de corps* among the forces and believed the principles of *Innere Führung* were being questioned by some high-ranking officers. The Federal Ministry of Defence felt able to disprove his claims 'point by point'; after a number of accusations were made against Heye, some of which came from parliamentary figures, he handed in his resignation on 10 November 1964, and it was accepted the following day.



1964-1970: Matthias Hoogen

The lawyer Matthias Hoogen (25 June 1904-13 July 1985) was called up for service in the Wehrmacht in 1940. After the War, he was a member of the Bizone Economic Council from 1947 to 1949; he then sat in the Bundestag as a Member for the CDU from 1949 to 1964, chairing the Committee on Legal Affairs from 1953 to 1964.

On 11 December 1964, the Bundestag elected him as the third Parliamentary Commissioner for the Armed Forces by 270 votes to 174 with 11 abstentions. He was sworn in and took office that same day. Hoogen's term of office saw several fatal shooting accidents that, in his view, highlighted gaps in the safety regulations and a tendency for them to be applied laxly. He regarded it as his role to assist and support Parliament in scrutinising policymaking and overseeing government business, and worked on a substantive definition of *Innere Führung* in the Federal Armed Forces. In his reports, he warned on several occasions of an impending shortage of qualified trainers.



1970-1975: Fritz Rudolf Schultz

Fritz Rudolf Schultz (19 February 1917-2 March 2002) fought in the Second World War from 1939 to 1945, reaching the rank of major of the reserve. He was elected to the *Land* Parliament of Rhineland-Palatinate for the Free Democratic Party (FDP) in 1953, and became the *Land* Parliament's Second Vice-President in 1955. He was a Member of the Bundestag for the FDP from 1957 to 1970.

On 11 March 1970, the Bundestag elected Fritz Rudolf Schultz Parliamentary Commissioner for the Armed Forces by 268 votes to 127 with 50 abstentions. He was sworn in and took office that same day. His period in office came at a time when German society was searching for new frames of reference. In his first report, Schultz noted the worrying spread of drug-use within the Federal Armed Forces. In addition to this, he had to deal with a rising number of applications from conscientious objectors to be exempted from military service. Towards the end of his term of office, Schultz evinced disappointment at the parliamentary response to his work. At the same time, he intensified the pressure for a revision of the Act on the Parliamentary Commissioner for the Armed Forces.



1975-1985: Karl Wilhelm Berkhan

The mechanical engineer Karl Wilhelm Berkhan (8 April 1915-9 March 1994) did compulsory labour service in 1939, then served as a soldier during the Second World War until 1945. After the War, he studied education, and became a technical school teacher in 1947. He was a member of the Hamburg City Parliament from 1953 to 1957, and sat in the Bundestag for the Social Democratic Party of Germany (SPD) from 1957 to 1975. Between 1969 and 1975, he was Parliamentary State Secretary to the Federal Minister of Defence.

On 19 March 1975, the Bundestag elected Berkhan as the fifth Parliamentary Commissioner for the Armed Forces by 418 votes to 21 with 21 abstentions. He was sworn in and took office the same day. On 17 January 1980, Berkhan was re-elected by 416 votes to 30 with six abstentions and two invalid votes. Among other things, Berkhan warned that the discussion of *Innere Führung* in the Armed Forces should not become an end in itself, and that leadership and civic education should not be neglected.

1985-1990: Willi Weiskirch

The journalist Willi Weiskirch (1 January 1923-11 September 1996) served in the forces from 1942 to 1945. He studied journalism, history and philosophy after the War. He became editor-in-chief of *Wacht*, the central organ of the Federation of German Catholic Youth, in 1952 and subsequently took charge of the magazine *Mann in der Zeit*. He was the CDU's spokesman from 1970 to 1976, sat in the Bundestag for the CDU from 1976 to 1985 and was the chairman of the CDU/CSU parliamentary group's working group on defence.

On 14 March 1985, the Bundestag elected Weiskirch Parliamentary Commissioner for the Armed Forces by 366 votes to 42 with 24 abstentions and one invalid vote. He took office on 20 March 1985, and was sworn in on 28 March 1985. Weiskirch opposed customary practices in everyday military life that had come to be regarded as 'necessities', even though they endangered the health or lives of service personnel. In the course of the upheavals in the GDR, he argued for an 'open exchange of ideas between the Federal Armed Forces and the National People's Army'.

1990-1995: Alfred Biehle

Alfred Biehle (b. 15 November 1926) fought in the Second World War in 1944/45. After the War, he was employed as an industrial administrator and began working as a journalist in 1950. He joined the Young Union (the CDU/CSU youth organisation) in 1948 and the Christian Social Union (CSU) in 1950. He held various political positions until 1990, including CSU county chairman, second mayor and county councillor. He was a Member of the German Bundestag for the CSU from 1969 to 1990 and sat on the Defence Committee, which he chaired from 1982 to 1990.

On 27 April 1990, the Bundestag elected Biehle Parliamentary Commissioner for the Armed Forces by 275 votes to 200 with 16 abstentions. He was sworn in and took office that same day. Biehle's term of office was dominated by the accession of the GDR to the Federal Republic of Germany and the incorporation of parts of the National People's Army into the Federal Armed Forces. At the same time, the Federal Armed Forces were required to implement massive personnel cuts and get by with significantly less funding, as well as taking on a wide range of new functions outside Germany.

1995-2000: Claire Marienfeld-Czesla

To date, the pharmaceutical-technical assistant Claire Marienfeld-Czesla (b. 21 April 1940) is the only woman to have held the office of Parliamentary Commissioner for the Armed Forces. She joined the CSU in 1972 and the CDU in 1976. She held various political positions up until 1990, serving as a member of Detmold Town Council and the town's deputy mayor. She sat in the Bundestag for the CDU from 1990 to 1995 and was a member of the Parliamentary Assembly of the CSCE/OSCE from 1992 to 1995.

On 30 March 1995, the Bundestag elected Marienfeld-Czesla Parliamentary Commissioner for the Armed Forces by 459 votes to 139 with 46 abstentions and two invalid votes. She took office on 28 April 1995 and was sworn in on 11 May 1995. She placed particular emphasis on pastoral care and interpersonal relationships in the armed forces. Marienfeld-Czesla also devoted considerable attention to the increasing numbers of incidents inspired by far-right ideas and the proliferation of accidents in which personnel were injured while handling weapons.



2000-2005: Willfried Penner

After studying law and obtaining a doctorate, Willfried Penner (b. 1936) worked as a public prosecutor from 1965. He joined the SPD in 1966, since when he has held various political positions. He sat in the Bundestag as a Member for the SPD from 1972 to 2000 and was Parliamentary State Secretary to the Federal Minister of Defence from 1980 to 1982. He took on the deputy chairmanship of the SPD parliamentary group in the Bundestag between 1985 and 1991, and was the chairman of the Committee on Internal Affairs from 1995 to 2000.

On 14 April 2000, the Bundestag elected Penner as the ninth Parliamentary Commissioner for the Armed Forces by 424 votes to 77 with 42 abstentions and two invalid votes. He was sworn in and took office on 11 May 2000. Penner's term of office was overshadowed by protracted reforms and a restructuring of the Federal Armed Forces. For the first time, women were able to join up as volunteers in all parts of the forces. Later in his term of office, he focussed his attention on the problems service personnel face trying to balance family life with their military duties.



2005-2010: Reinhold Robbe

After training as a commercial clerk, Reinhold Robbe (b. 9 October 1954) initially worked as a publishing administrator at the Rheiderland newspaper, then did civilian service in 1975/76. He was the works council chairman of Leer Mental Disability Support Association from 1976 to 1986, and press spokesman and manager for the Weser/Ems district branch of the SPD between 1986 and 1994. He has held various political positions since 1976 and was elected as a Member of the German Bundestag in 1994. He was a member of the Defence Committee from 1998 to 2005, becoming its chairman in 2002.

On 14 April 2005, the Bundestag elected Robbe as Parliamentary Commissioner for the Armed Forces by 307 votes to 276 with 15 abstentions and one invalid vote. He was sworn in and took office on 12 May 2005. The tough process of force transformation and dangerous foreign missions were central topics in Robbe's annual reports. It was a particular concern for Robbe to gain an unvarnished view of the forces, which he did above all by making numerous unannounced visits.



2010-: Hellmut Königshaus

Hellmut Königshaus (b. 28 July 1950) did military service as a temporary-career volunteer from 1970 to 1972 and then studied law until 1977. He became a judge in 1980, and was a senate counsellor in the Senate Department for Urban Development and Environmental Protection in Berlin from 1986 to 1993. From 1993 to 2004, he was engaged as the general agent of a major German company. Königshaus joined the FDP in 1985, since when he has held various leading positions in the party. He was a Member of the German Bundestag from 2004 to 2010, serving as a member of the Defence Committee from 2009.

On 25 March 2010, the Bundestag elected Königshaus Parliamentary Commissioner for the Armed Forces by 375 votes to 163 with 41 abstentions. In his first annual report, Königshaus criticised defects in the equipment service personnel were supplied with for foreign missions. Furthermore, he identified deficits in training provision and called for steps to improve the balance between family life and personnel's military duties as the Armed Forces were being reoriented.

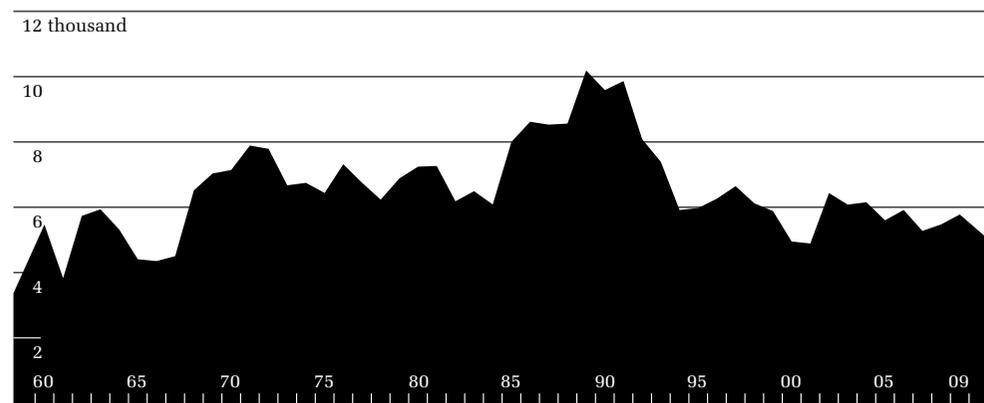




Background information

Statistics: Development of submissions to the Parliamentary Commissioner for the Armed Forces between 1959 and 2011

1959	3,368	1986	8,619
1960	5,471	1987	8,531
1961	3,829	1988	8,563
1962	5,736	1989	10,190
1963	5,938	1990	9,590
1964	5,322	1991	9,864
1965	4,408	1992	8,084
1966	4,353	1993	7,391
1967	4,503	1994	5,916
1968	6,517	1995	5,979
1969	7,033	1996	6,264
1970	7,142	1997	6,647
1971	7,891	1998	6,122
1972	7,789	1999	5,885
1973	6,673	2000	4,952
1974	6,748	2001	4,891
1975	6,439	2002	6,436
1976	7,319	2003	6,082
1977	6,753	2004	6,154
1978	6,234	2005	5,601
1979	6,884	2006	5,918
1980	7,244	2007	5,276
1981	7,265	2008	5,474
1982	6,184	2009	5,779
1983	6,493	2010	4,976
1984	6,086	2011	4,864



Statutory foundations

I. Excerpt from the Basic Law for the Federal Republic of Germany

Article 1 [Human dignity – Human rights – Legally binding force of basic rights]

(1) Human dignity shall be inviolable. To respect and protect it shall be the duty of all state authority.

(2) The German people therefore acknowledge inviolable and inalienable human rights as the basis of every community, of peace and of justice in the world.

(3) The following basic rights shall bind the legislature, the executive and the judiciary as directly applicable law.

Article 4 [Freedom of faith and conscience]

(1) ...

(2) ...

(3) No person shall be compelled against his conscience to render military service involving the use of arms. Details shall be regulated by a federal law.

Article 12 [Occupational freedom]

(1) All Germans shall have the right freely to choose their occupation or profession, their place of work and their place of training. The practice of an occupation or profession may be regulated by or pursuant to a law.

(2) No person may be required to perform work of a particular kind except within the framework of a traditional duty of community service that applies generally and equally to all.

(3) Forced labour may be imposed only on persons deprived of their liberty by the judgement of a court.

Article 12a [Compulsory military and alternative civilian service]

(1) Men who have attained the age of eighteen may be required to serve in the Armed Forces, in the Federal Border Police, or in a civil defence organisation.

(2) Any person who, on grounds of conscience, refuses to render military service involving the use of arms may be required to perform alternative service. The duration of alternative service shall not exceed that of military service. Details shall be regulated by a law, which shall not interfere with the freedom to make a decision in accordance with the dictates of conscience, and which shall also provide for the possibility of alter-

native service not connected with units of the Armed Forces or of the Federal Border Police.

(3) Persons liable to compulsory military service who are not called upon to render service pursuant to paragraphs (1) or (2) of this Article may, when a state of defence is in effect, be assigned by or pursuant to a law to employment involving civilian services for defence purposes, including the protection of the civilian population; they may be assigned to public employment only for the purpose of discharging police functions or such other sovereign functions of public administration as can be discharged only by persons employed in the public service. The employment contemplated by the first sentence of this paragraph may include services within the Armed Forces, in the provision of military supplies, or with public administrative authorities; assignments to employment connected with supplying and servicing the civilian population shall be permissible only to meet their basic requirements or to guarantee their safety.

(4) If, during a state of defence, the need for civilian services in the civilian health system or in stationary military hospitals cannot be met on a voluntary basis, women between the age of eighteen and fifty-five may be called upon to render such services by or pursuant to a law. Under no circumstances may they be required to render service involving the use of arms.

(5) Prior to the existence of a state of defence, assignments under paragraph (3) of this Article may be made only if the requirements of paragraph (1) of Article 80a are met. In preparation for the provision of services under paragraph (3) of this Article that demand special knowledge or skills, participation in training courses may be required by or pursuant to a law. In this case the first sentence of this paragraph shall not apply.

(6) If, during a state of defence, the need for workers in the areas specified in the second sentence of paragraph (3) of this Article cannot be met on a voluntary basis, the right of German citizens to abandon their occupation or place of employment may be restricted by or pursuant to a law in order to meet this need. Prior to the existence of a state of defence, the first sentence of paragraph (5) of this Article shall apply *mutatis mutandis*.

Article 20 [Constitutional principles – Right of resistance]

(1) The Federal Republic of Germany is a democratic and social federal state.

(2) All state authority is derived from the people. It shall be exercised by the people through elections and other votes and through specific legislative, executive, and judicial bodies.

(3) The legislature shall be bound by the constitutional order, the executive and the judiciary by law and justice.

(4) All Germans shall have the right to resist any person seeking to abolish this constitutional order, if no other remedy is available.

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 19 [Restriction of basic rights – Legal remedies]

(1) Insofar as, under this Basic Law, a basic right may be restricted by or pursuant to a law, such law must apply generally and not merely to a single case. In addition, the law must specify the basic right affected and the Article in which it appears.

(2) In no case may the essence of a basic right be affected.

(3) ...

(4) Should any person's rights be violated by public authority, he may have recourse to the courts. If no other jurisdiction has been established, recourse shall be to the ordinary courts. The second sentence of paragraph (2) of Article 10 shall not be affected by this paragraph.

Article 26 [Securing international peace]

(1) Acts tending to and undertaken with intent to disturb the peaceful relations between nations, especially to prepare for a war of aggression, shall be unconstitutional. They shall be made a criminal offence.

(2) Weapons designed for warfare may be manufactured, transported or marketed only with the permission of the Federal Government. Details shall be regulated by a federal law.

Article 45a [Committees on Foreign Affairs and Defence]

(1) The Bundestag shall appoint a Committee on Foreign Affairs and a Defence Committee.

(2) The Defence Committee shall also have the powers of a committee of inquiry. On the motion of one quarter of its members it shall have the duty to make a specific matter the subject of inquiry.

(3) Paragraph (1) of Article 44 shall not apply to defence matters.

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 of the Armed Forces. Details shall be regulated by a federal law.

Article 45 c [Petitions Committee]

(1) The Bundestag shall appoint a Petitions Committee to deal with requests and complaints addressed to the Bundestag pursuant to Article 17.

(2) The powers of the Committee to consider complaints shall be regulated by a federal law.

II. Act on the Parliamentary Commissioner for the Armed Forces (enacted pursuant to Article 45b of the Basic Law – WBeauftrG)

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 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 *Innere Führung*. 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 Minister of Defence personally or his or her permanent official deputy; the 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 Disciplinary 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 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. Re-election 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 as laid down in Article 56 of the Basic Law.

(5) For the duration of his term of office, the Commissioner shall be exempt from military service.

Section 17 – Representation of the Commissioner

(1) If the Commissioner is prevented from performing his functions, and from the end of his term of office to the beginning of the term of office of his 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 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 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)

53

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 chapter of the Bundestag budget.

III. Order: 'Service Personnel and the Parliamentary Commissioner'

A. Constitutional status of the Parliamentary Commissioner for the Armed Forces

1. The German Bundestag shall appoint the Parliamentary Commissioner for the Armed Forces as an auxiliary organ in exercising oversight of the armed forces. His or her tasks shall be to protect the basic rights of service personnel and to monitor compliance with the principles of *Innere Führung*.

Upon instructions from the Bundestag or the Defence Committee, the Parliamentary Commissioner may also investigate matters that serve neither the protection of basic rights nor the monitoring of compliance with the principles of *Innere Führung*. Details shall be regulated by the Act on the Parliamentary Commissioner for the Armed Forces (enacted pursuant to Article 45b of the Basic Law) as published in the Notification of 16 June 1982 (*Federal Law Gazette I*, p. 677 and *Federal Ministry of Defence Gazette*, p. 193), which entered into force on 24 June 1982.

B. Tasks and powers of the Parliamentary Commissioner

2. The Parliamentary Commissioner shall take action:

- upon instructions from the Bundestag or the Defence Committee to examine certain matters;
- on his or her own initiative and at his or her due discretion if matters come to his or her attention that suggest a violation of the basic rights of service personnel or of the principles of *Innere Führung*.

3. In carrying out the tasks assigned to him or her, the Parliamentary Commissioner shall have the following powers:

- a) He or she may demand information and access to records from all agencies and personnel subordinate to the Federal Ministry of Defence. He or she may be denied this right only on compelling grounds of secrecy.
- b) If instructed by the Bundestag or the Defence Committee to investigate a certain matter, and in the case of petitions based on a complaint, he or she may hear the petitioner as well as experts and witnesses.
- c) 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 notice. The right to make such visits shall be vested exclusively in the person of the Parliamentary Commissioner. The Chief Administrator shall also exercise this right if authorised to do so by the Defence Committee. This right may only be denied on compelling grounds of secrecy.
- d) He or she may attend proceedings of criminal courts, administrative courts and military service courts that

are concerned with his area of activity, even if they are not open to the public; in such cases, he or she has the same right of access to records as the parties involved in the proceedings.

e) He or she may give the agencies concerned an opportunity to settle the matter.

f) He or she may refer a matter to the authority responsible for the institution of criminal or disciplinary proceedings.

With the exception of the right to make unannounced visits pursuant to Section 3(c), the powers of the Parliamentary Commissioner may be exercised by his or her staff. Fact-finding visits by his or her staff shall be announced in advance.

C. Procedural arrangements

4. Matters relating to the Parliamentary Commissioner shall be dealt with as matters of urgency. Should an extended period of time be required to deal with such matters, the Parliamentary Commissioner shall be informed of progress at regular intervals by the agencies responsible for commenting on the matter.

Should, in the case of requests by the Parliamentary Commissioner for information or access to records, doubts arise as to:

- whether the matter in question suggests a violation of basic rights or the principles of *Innere Führung*, or whether instructions have been issued by the Bundestag or the Defence Committee;
- whether compelling reasons of secrecy stand in the way of compliance with his requests;
- or should, in the case of a visit by the Parliamentary Commissioner, doubts arise as to:
- whether compelling reasons of secrecy stand in the way of the visit;

a decision of the Federal Ministry of Defence shall be sought immediately. The Parliamentary Commissioner shall be informed of this decision.

5. The following arrangements shall apply for dealing with requests submitted by the Parliamentary Commissioner:

- a) If the Parliamentary Commissioner writes to service personnel of the Federal Armed Forces personally, the latter shall respond themselves.
- b) If the Parliamentary Commissioner contacts an agency, the head of the agency shall be responsible for responding to the request; he or she shall sign the final comments himself. The investigations shall be conducted by the disciplinary superior responsible in each case. Any deficiencies identified shall be remedied.

c) If higher superiors are asked to comment, they shall arrange for the matter in question to be examined and shall convey the findings, together with their own comments, to the Parliamentary Commissioner.

d) Command headquarters from division-level upwards and corresponding agencies shall, in the case of matters of fundamental or far-reaching importance, submit their comments to the Federal Ministry of Defence, together with the principal records compiled, through official channels once they have been dispatched.

e) Furthermore, once they have been dispatched, all the comments made by agencies of the Federal Armed Forces shall be submitted to the Federal Ministry of Defence, together with the main records compiled, through official channels, if:

- the matter is of political or public significance or
- disciplinary or criminal proceedings have been or are to be initiated in the given case.

f) Insofar as service personnel release doctors or medical experts from their duty to observe confidentiality in connection with petitions submitted by the personnel to the Parliamentary Commissioner, this shall in case of doubt apply exclusively to comments made directly by them to the Parliamentary Commissioner.

Copies of these comments, as well as annexes to them, which shall be submitted to other authorities, including the Federal Ministry of Defence, should therefore as a rule contain no facts or opinions that are subject to medical confidentiality.

If need be, comments to be submitted to the Parliamentary Commissioner should be drafted in such a way that statements subject to medical confidentiality are contained in a separate annex and conveyed directly to the Parliamentary Commissioner alone together with the original copy of the letter.

g) With regard to petitions, their contents and the comments upon them, all concerned shall have a duty to observe confidentiality in accordance with Section 14 of the Legal Status of Military Personnel Act insofar as this does not concern the direct processing of petitions. The case may only be used for instruction purposes once the procedure has been completed. The names of those involved may not be divulged.

h) The procedure shall as a rule be deemed to have been completed if within two months of submitting a report no reply is received from the Parliamentary Commissioner. If the Parliamentary Commissioner provides notification that the procedure has been completed, this as well as the findings of his or her examination shall be made known to the agencies involved and to those persons affected by the petition.

As a matter of principle, petitions transmitted by the Parliamentary Commissioner to agencies with a request for their comments may not be construed as constitut-

ing complaints within the meaning of the Military Complaints Regulations, unless the petitioner expressly so requests.

6. If the Parliamentary Commissioner exercises his or her right to hear petitioners, experts and witnesses (Section 3(b)), he or she shall be given every support in doing so. The Parliamentary Commissioner shall advise the petitioners, experts or witnesses as to their rights at the hearing; there shall be no obligation to give evidence. If necessary, service personnel shall be granted exemption from duty or special leave to attend the hearing in accordance with Section 9 of the Leave Regulations for Service Personnel (SUV), in conjunction with Section 72 of the implementing provisions relating to the SUV (Joint Service Regulation 14/5 F 511).

Insofar as subjects are dealt with at the hearing that are subject to confidentiality, the person being heard may give evidence on matters up to classification level 'restricted' (VS-NfD). In the case of matters with a higher security classification, the Parliamentary Commissioner must obtain permission for the person in question to give evidence from the latter's disciplinary superior.

If the competent disciplinary superior cannot grant permission, he or she shall request a decision by his or her superior. The right to deny permission shall rest ultimately with the Federal Ministry of Defence.

The persons heard shall be reimbursed in accordance with the Act on Compensation of Witnesses and Experts (as published in the Notification of 1 October 1969 (*Federal Law Gazette I*, p. 1756), most recently amended by Article 11 of the Act of 26 November 1979 (*Federal Law Gazette I*, p. 1953 and 1980, p. 137)). Witnesses shall file their requests for reimbursement with the Parliamentary Commissioner within three months after the hearing; experts shall do so within the time limit set by the Parliamentary Commissioner.

7. If the matter dealt with in a petition to the Parliamentary Commissioner is also the subject of a complaint lodged in accordance with the Military Complaints Regulations or the Military Disciplinary Code, the following shall apply:

- a) If a member of the Armed Forces lodges a complaint in accordance with the Military Complaints Regulations, including a disciplinary complaint pursuant to Section 38 of these regulations, and submits a petition in the same matter to the Parliamentary Commissioner, the Parliamentary Commissioner shall be informed of the current status and progress of the measures taken to deal with the complaint. A copy of the decision shall be conveyed to him or her immediately. He or she shall be informed separately of any recourse to legal remedies or of the non-appealability of a ruling.
- b) If the petition submitted to the Parliamentary Commissioner by a member of the armed forces also refers to matters that are not a subject of the complaint, this part of the petition shall be dealt with in the same way as other petitions.

D. Notification of service personnel

10. All service personnel shall be informed about the tasks and powers of the Parliamentary Commissioner by their disciplinary superior at the beginning of their basic training and again following their transfer to their units. They must be informed of the following in particular:

a) All service personnel have the right to submit petitions to the Parliamentary Commissioner directly without having to go through official channels. Petitions/letters from members of the Federal Armed Forces to the Parliamentary Commissioner for the Armed Forces of the German Bundestag shall also be carried by the internal postal service, they may be posted in the unit/agency. The address of the Parliamentary Commissioner is: The Parliamentary Commissioner for the Armed Forces of the German Bundestag, Platz der Republik 1, 11011 Berlin.

In accordance with Section 230 of Joint Service Regulation 10/5, 'Life in the military community', the address shall be displayed on the unit/agency information board.

b) Service personnel may only submit individual petitions to the Parliamentary Commissioner.

c) Anonymous petitions shall not be dealt with (Section 8 of the Act on the Parliamentary Commissioner for the Armed Forces).

d) If, before submitting their petitions, service personnel contact their disciplinary superiors, they shall receive advice and assistance. It shall be considered a disciplinary offence and a punishable act pursuant to Section 35 of the Military Penal Code if superiors seek by means of orders, threats, promises or gifts, or in any other way that runs counter to service regulations, to persuade a subordinate not to submit a petition or to suppress petitions. Any attempt to do so shall also be punishable and may be deemed to constitute a disciplinary offence.

e) Service personnel may not be disadvantaged in any way for submitting petitions to the Parliamentary Commissioner. If a petition contains insults or libellous remarks, for example, this may be punishable as a disciplinary offence or prosecuted before the criminal courts (see also Joint Service Regulation 14/3 B 127).

f) Documents with a security classification higher than 'restricted' may not be appended to petitions to the Parliamentary Commissioner. Nor may facts with security classifications higher than 'restricted' be included in petitions to the Parliamentary Commissioner. If the petitioner is of the opinion that the Parliamentary Commissioner should be made aware of such circumstances, he or she may bring them to the Commissioner's attention.

E. Final remarks

11. All superiors are expected to cooperate with the Parliamentary Commissioner in a spirit of mutual trust and thus to enable him or her to gather any information he or she requires quickly and thoroughly.

This can help to foster service personnel's understanding of our country's constitutional and legal system, as well as their confidence in democracy and in the Federal Armed Forces.

12. All disciplinary superiors are called upon to report on their experiences through official channels to the Federal Ministry of Defence.

13. The Order: 'Service Personnel and the Parliamentary Commissioner' in the version published in the *Federal Ministry of Defence Gazette*, 1984, p. 59, is hereby rescinded.

Federal Ministry of Defence, 28 May 2001

IV. Excerpt from the Rules of Procedure of the German Bundestag

Rule 7 Duties of the President

(1) The President shall represent the Bundestag and conduct its business. ...

(2) ...

(3) ...

(4) All the civil servants of the Bundestag shall be subject to the supreme authority of the President. They shall be appointed and engaged by him or her in accordance with the statutory and general administrative provisions, and be placed by him or her on the retired list. Public employees of the Bundestag other than civil servants shall likewise be engaged and dismissed by the President. Measures under the second and third sentences shall be taken by the President, in the case of officials of the higher service or of salaried public employees of an equivalent grade in consultation with the Vice-Presidents and, where senior civil servants (A 16 and above) or salaried public employees of an equivalent grade are engaged, promoted or upgraded, with the consent of the Presidium.

(5) Paragraph (4) shall also apply to the staff assigned to the Parliamentary Commissioner for the Armed Forces. Measures under paragraph (4), fourth sentence shall be taken in consultation with the Parliamentary Commissioner for the Armed Forces. The nomination, appointment, transfer, reassignment and superannua-

tion of the Chief Administrator and Deputy of the Parliamentary Commissioner for the Armed Forces shall be carried out in agreement with the Parliamentary Commissioner. The Parliamentary Commissioner shall be entitled to make proposals concerning all decisions pursuant to paragraph (4).

(6) ...

Rule 108 Competence of the Petitions Committee

(1) The Petitions Committee to be set up by the Bundestag in accordance with Article 45c of the Basic Law shall deal with requests and complaints addressed to it pursuant to Article 17 of the Basic Law. The functions and powers of the Parliamentary Commissioner for the Armed Forces shall remain unaffected.

(2) ...

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*.

c) The Parliamentary Commissioner shall be informed if disciplinary investigations are initiated as a result of the submission of a petition to the Parliamentary Commissioner. On completion of the investigations, he or she shall be informed of the findings. In the case of proceedings before a disciplinary court, he or she shall also be informed of any significant interim rulings.

8. With regard to the processing of cases that are referred by the Parliamentary Commissioner to agencies of the Federal Armed Forces with a request for them to deal with these cases on their own responsibility, the following shall apply:

a) If the case involves action against a member of the armed forces, it shall be referred to his or her immediate disciplinary superior. Other cases shall be referred to the agency responsible for assessing their content.

b) The agency specified in Section 8(a) shall notify the person who made the submission of any decision through official channels. The decision may be disclosed orally by the disciplinary superior of the person who made the submission. The Parliamentary Commissioner shall be informed of the way in which the matter has been dealt with.

c) A petition to the Parliamentary Commissioner shall not be a substitute for legal remedies pursuant to the Military Complaints Regulations and the Military Disciplinary Code. Even if a petition to the Parliamentary Commissioner is to be regarded as a complaint or a request in accordance with the Military Complaints Regulations or the Military Disciplinary Code, the time limits stipulated therein shall be deemed to have been observed only if the petition is received by the agency responsible for the receipt of complaints and requests within the given time limit.

9. The Federal Ministry of Defence shall be informed by fax of any field visits to be made by the Parliamentary Commissioner on special grounds (e.g. in connection with special incidents, or if several identical or similar petitions are submitted concerning the same unit). Such notifications shall take the following form:

Address: Federal Ministry of Defence – FÜ S I 3

Copy to: Staff of the service or organisational area concerned

(FÜ H I 1, FÜ L I 2, FÜ M I 1, FÜ San Pers Z, FÜ S I 3)

Re: field visit by the Parliamentary Commissioner on special grounds

- date and time,

- unit,

- location and living quarters,

- reason.

Published by: German Bundestag, Public Relations Division

Author: Dr Karl Gleumes (revised by Fritz Günther and Sebastian Hille, 2012)

Coordination: Herbert Fleischhauer

Edited by: Georgia Rauer, Berlin

Translated by: Language Service of the German Bundestag in cooperation with Martin Pearce

Design: Marc Mendelson, Berlin

Bundestag eagle: Created by Prof. Ludwig Gies, revised in 2008 by büro uebele, Stuttgart

Photos: Cover German Bundestag (DBT)/Parliamentary Commissioner for the Armed

Forces; p. 2 DBT/Marc-Steffen Unger; p. 5, p. 7 DBT/Marco Urban; p. 9 ullstein bild/AP;

p. 11 DBT/JUNOPHOTO/Julia Nowak-Katz; p. 13 DBT/Anke Jacob; p. 15 DBT/Lichtblick/

Achim Melde; p. 17 DBT/Parliamentary Commissioner for the Armed Forces; p. 18 DBT/

Werner Schüring; p. 21 DBT/Arndt Oehmichen; p. 23, p. 24 DBT/Parliamentary Com-

missioner for the Armed Forces; p. 27 DBT/Arndt Oehmichen; p. 29 DBT/Simone M.

Neumann; p. 31 DBT/Lichtblick/Andi Hill; p. 33 Federal Armed Forces/Jan Pissarek;

p. 35 DBT/studio kohlemeier; p. 39 DBT/JUNOPHOTO/Julia Nowak-Katz; p. 40 left Ger-

man Federal Government; p. 40 right German Federal Government/Rolf Unterberg; p. 41

left German Federal Government; p. 41 right Foto Rimbach, source: DBT; p. 42, p. 43

DBT/Parliamentary Archives; p. 44 left DBT/bildTeam Berlin, H. Barrientos; p. 44 right

DBT/Renate Blanke; p. 45 DBT/Marco Urban; p. 46, p. 59 DBT/Arndt Oehmichen

Printed by: Wachter GmbH & Co. KG, Bönningheim

As at: February 2012

© German Bundestag, Berlin

All rights reserved

This publication is produced by the German Bundestag in the framework of parliamentary public relations work. It is not intended for resale. It may not be used by parties, parliamentary groups, Members of the Bundestag or candidates in their public relations activities – particularly for campaign purposes.



The Parliamentary Commissioner for the Armed Forces
of the German Bundestag
Platz der Republik 1, 11011 Berlin
Tel.: +49 (0)30 227 38100
Fax: +49 (0)30 227 38283
Internet: www.wehrbeauftragter.de
Email: wehrbeauftragter@bundestag.de