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Annual Report 2023 (65th Report)

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Foreword

In 2023, I spent 123 days on the road with the Bundeswehr. I sum up with 3 ongoing issues, 2 events and 1 observation.

Unsurprisingly, the three ongoing issues are personnel, materiel and infrastructure.

Our troops are continuing to get older and numbers to fall. A number of units have major personnel shortfalls. There is a shortage of materiel, from major equipment to spare parts. The shortage has become even greater as a result of the deliveries to Ukraine. The infrastructure is disastrous in many places. I receive letters from parents whose children have just started service – in barracks with dilapidated quarters, mouldy showers and blocked toilets. The parents are outraged. And rightly so. The poor condition of the barracks in Germany is in some cases disgraceful and completely inappropriate for our service personnel.

Unfortunately, I have to record that, even in the second year following the Federal Chancellor's *Zeitenwende* ("turning point") speech, substantial improvements in personnel, materiel and infrastructure have yet to materialise. On top of all this, processes and structures are excessively bureaucratic. Health records are sent by post and timesheets are created in Excel, printed out in triplicate and filed. And digitalisation? It is a whole new world!

It must also be emphasised that important steps have been taken and projects launched in many areas – even if it will still take time for troops to feel the results. The political and military leadership, the Federal Ministry of Defence and the Bundestag have passed laws and issued decrees, an unprecedented number of 25-million euro requests have been approved and almost two thirds of the special fund are tied to contract. Personnel as a topic is finally at the top of the agenda, and a task force has been set up to recruit and retain personnel.

So a lot is happening, but has not yet got over the line. The one major exception is personal equipment, which is getting through to our troops. Physically and mentally. On many field visits, I see the eyes of service personnel lighting up as they proudly present their new equipment. That is something not to be underestimated. It is a way of appreciating and giving recognition to our troops, making the *Zeitenwende* tangible and visible.

When I visit the troops, I no longer hear that helmets and armoured vests are missing, but I do hear about the lack of lockers. The new personal equipment is so comprehensive that there is not enough room to store it. It may sound banal, but this illustrates a central point. If the Bundeswehr is to be fully operational, it needs more than just improvements in personnel, materiel and infrastructure. We have to move forward in all three areas in step, which means continue to work on it at tempo.

Two events were particularly memorable for the troops (and for me personally) in 2023:

The first was the Invictus Games in Düsseldorf. Service personnel who had been injured on operations competed for medals in a wide range of sports – as a way to return to a normal life. This was a sporting competition as a means of rehabilitation and as a platform for showing recognition, appreciation and respect. The Invictus Games were a great success, both moving and emotional.

I very much hope that the Games will not be the start and end, but will be followed by further measures – for the athletes in particular and for veterans and wounds to body and soul in general.

The second event was the withdrawal from Mali. Over 20,000 German service personnel were deployed to the West African country for more than ten years. A dozen were wounded and three service personnel lost their lives. The last contingent was given a very dignified reception in Wunstorf – with a large number of military and political personnel present.

This marked the end of the Bundeswehr's second major mission abroad after Afghanistan. The results are similarly sobering. The withdrawal from Mali also symbolises the end of an important chapter for the Bundeswehr, as missions abroad on such a scale and size are becoming less likely with the refocus on national and collective defence. Thinking in terms of contingents and optimised operational readiness of sub-units and individual personnel for months, sometimes years, in advance will be replaced by full readiness and cold-start ability of brigade-size units.

Nevertheless, our troops have to remain operational for international crisis management missions as well. This also became clear in 2023 with the evacuation operation in Sudan and preparation for a rescue mission in Israel.

This leads to my overall observation for all the formations and units at home and abroad in 2023 – that the Bundeswehr is under huge pressure.

Our troops have so much to do. From national and collective defence and missions abroad, to establishing our own operational readiness through training and exercises. On top of that, there is the training of Ukrainian forces, which ties up personnel, materiel and training grounds. Not to mention administrative assistance deployments, which see the Bundeswehr repeatedly providing support, because civilian civil defence and disaster relief structures are inadequate.

The large number and variety of tasks and the fact that they occur simultaneously are pushing our troops to their limits. It has not been unusual for service personnel to tell me about overtime into the range of three digits, about being away from their families for several months and about missing phases for regeneration. After the mission is before a mission and between missions it is all about training, training and more training.

The huge strain on our troops is largely due to the inadequate conditions. And it comes down to the ongoing issues. Where there are too few personnel, the same people have to keep working. When there is not enough materiel, you need creative troop solutions. If there are not enough quarters, the only option is to have camp beds in sports halls. All that saps strength, physically and mentally.

So it is even more remarkable that no task is refused and no exercise cancelled. The troops are not calling it in. They are not passing the buck. They are not saying it is all impossible or why a task cannot be done. Our troops simply away find a way.

Every day, I am struck by the professionalism, loyalty, commitment and creativity with which our service personnel perform their service and complete their many missions. Even more so, as they have a job like no other. They guarantee freedom, peace and democracy – with their own lives if necessary. They deserve the greatest recognition and appreciation for their service. That is why I thank them all, from the heart!

Including all those who look after our service personnel as well. From the foundations (the Protestant Support Association for Soldiers (EAS), the Catholic Working Group on Service Personnel Welfare (KAS), the Foundation for Hardship Cases (Deutsche Härtefallstiftung) and many more), the military chaplaincy and the Bundeswehr Psychosocial Network, to all the other organisations represented in the Bundeswehr Assistance Network, such as “Angriff auf die Seele e.V.” and the Bundeswehr Welfare Association – they support our service personnel and their families to bear the many hardships and burdens.

With this in mind, I would like to thank all the employees at the Office of the Parliamentary Commissioner for the Armed Forces. They also look after the concerns of our service personnel on a daily basis with a sympathetic ear, huge commitment and a wealth of experience. They give me extraordinary and outstanding support in processing petitions and in preparing field visits and the annual report.

I had hoped that the 2022 Annual Report would provide impetus for all our political and military leaders. And it certainly did. The Annual Report was discussed twice in the plenary of the German Bundestag – with a lot of Members present at the most important times. It was read carefully, discussed seriously and used as the basis for working on concrete solutions at the Federal Ministry of Defence. That work is recognised in this Annual Report, which not only identifies shortcomings, but progress as well.

Nevertheless, such progress so far has been selective rather than comprehensive – surface-level rather than substantial. There is still a lot to do in terms of personnel, materiel and infrastructure. And it comes down to the ongoing issues. That is why I hope the Annual Report 2023 will provide further impetus to unlock even more energy and commitment for improvement.

The year under review in brief

The year under review saw a lot of foreign policy challenges, which once again made it clear that peace, freedom and democracy cannot be taken for granted. The brutal and inhumane attack by the Islamist terrorist organisation Hamas on the State of Israel on 7 October 2023, which claimed the lives of 1,400 people; Russia's two-year war against Ukraine; regional conflicts, such as in Sudan; Serbia's escalation in Kosovo; the battle for Nagorno-Karabakh; and, last but not least, China's harassment of Taiwan – they are not just causing massive changes in the international order. They show above all that military power is becoming increasingly important. Never since the worst years of the Cold War has the external security of Germany and Europe been so threatened and the ability to provide national and collective defence been so necessary. International stability in Europe and the world is essential for our country; as the basis for security and prosperity. It is therefore in our own interest to counter the increasing tyranny of aggressors who do not share our values, with effective and credible deterrence. Germany must face up to the current crises and be prepared for future scenarios – politically, economically, as well as militarily.

Under the title “Robust. Resilient. Sustainable.”, the Federal Government present a National Security Strategy for the first time in June of the year under review. This saw the Minister of Defence and the Chief of Defence present the new Defence Policy Guidelines for the *Zeitenwende*. The Guidelines define the mission and tasks of the Bundeswehr for the coming years and describe the foundations for an effective Bundeswehr in future. These starting points now need to be translated into a new capability profile for the Bundeswehr and a military strategy.

It is already the case that Bundeswehr service personnel have taken on the tasks set out in the Guidelines. They have been contributing to the *Zeitenwende* since 24 February 2022, which marked the start of the war in Ukraine. They know that the situation is serious, that missions could be imminent at any time and that things then have to move quickly. However, a broad majority of society also has to be prepared to support a strengthened Bundeswehr. We need to raise public awareness that our democratic values and our freedom cannot be taken for granted and that only a robust democracy will last.

In past decades, the Bundeswehr was primarily focussed on major international crisis management missions. The complete withdrawal from Mali at the end of the year under review brought the period of such missions abroad, which have changed our troops, to an end for the time being. For ten years, a total of more than 20,000 Bundeswehr service personnel were deployed in Mali. Just as the 93,000 service personnel who were deployed in Afghanistan over the past 20 years, they have completed their mission in an outstanding and professional manner. While rotating battalion-size units with a long planning lead time were essential for the large mandated missions abroad, the evacuation operation in Sudan and the readiness of forces for the conflict in the Middle East after 7 October, as an example, have illustrated the change in orientation of the Bundeswehr's international crisis management: It has to be ready for rapid deployment.

As the importance of national and collective defence has increased, the tasks for and demands placed on the German forces are shifting. Structures and procedures in particular need to be fundamentally changed and adapted, because we need brigade-size units again, ready for deployment. At the end of the 1980s, which was the last time national and collective defence was the main focus of our forces, there were still twelve divisions with 36 active brigades that were firmly integrated into a multinational NATO defence plan. The Bundeswehr, with three divisions in the year under review, has looked very different for years.

The NATO Force Plan and its New Force Model will give the Bundeswehr a clear and ambitious mission to fulfil from 2025. NATO has stepped up the protection of its eastern flank since the Russian invasion of Ukraine. From Estonia in the north to Romania on the Black Sea, parts of the NATO Response Force (NRF) are ready for deployment, with the Bundeswehr maintaining a presence primarily in the Baltic states. The highly successful Air Defender 2023 exercise ran in June of the year under review as an important test of the defence preparedness of NATO and the Bundeswehr, under the leadership of the Air Force.

To be able to quickly deploy troops to NATO in an emergency, Germany announced a number of years ago that it would set up a cold-start-capable division by 2027. As a result of the Russian war of aggression, the project has been brought forward to 2025. Division 2025 of 15,000 service personnel will be made up of the 12 Armoured Brigade and 37 Armoured Infantry Brigade of Armoured Division 10. In June 2023, the Minister of Defence also announced that a German brigade would be permanently stationed in Lithuania until 2027, as part of Division 2025. This is a novelty in the history of the Bundeswehr, which is why the Lithuania brigade is seen as a “lighthouse project” for the Bundeswehr for the *Zeitenwende*. The contingent of the newly established

42 Armoured Brigade for Lithuania is to be gradually increased to up to 4,800 military personnel and an additional 200 civilian.

In addition to protecting NATO's eastern flank from Russian aggression, the Bundeswehr has continued to support Ukraine with materiel in the year under review, such as by supplying equipment, ammunition and weapons from its own stocks, as well as via state-financed deliveries from industry. An average of around 1,500 service personnel were also particularly active in training the armed forces of Ukraine. They put a lot of commitment, passion and time into their service in the European Union's training mission, the EU Military Assistance Mission Ukraine (EUMAM UA). A total of 10,000 Ukrainian service personnel successfully received training on weapon systems, urban combat, Medical Service, as engineers, infantry, in the form of mission-oriented training.

The service personnel carry out the diverse range of additional tasks with novel challenges with high-level professionalism, commitment and conscientiousness, accepting the ever-increasing burden that comes with them. The strain on a lot of units was already extremely high in the year under review. A lot of our service personnel are at the limit of their strength because of repeat assignment, which primarily means special assignments without enough regeneration. The number of vacant military posts above the junior ranks also contributes to the disproportionate strain on lots of service personnel who have to fill the gaps. In the year under review, the number of vacant positions rose from 15.8 per cent to 17.6 per cent compared to the previous year. Further strain has arisen in many areas from the many bureaucratic hurdles that significantly complicate and delay work and administrative processes.

At the end of the year under review, a total of 23,100 service personnel were engaged on missions, standby commitments, standing operational tasks and other tasks. Despite the reduction in the Bundeswehr's involvement in international crisis management, there were 10 per cent more service personnel involved in international crisis management (21,100) than in the previous year. Of the 23,100, a total of 16,700 service personnel were part of the NATO Response Force (NRF). In 2023, Germany was also the framework nation for the Very High Readiness Joint Task Force (VJTF), for the second time since 2019.

The effectiveness of the deployment of Bundeswehr personnel goes above and beyond what should reasonably be expected. In the year under review, 181,514 service personnel served in the Bundeswehr. That is 1,537 fewer than in 2022, continuing the downward trend of recent years.

The number of applications fell only slightly compared to the previous year thanks to the large increase in applications for voluntary military service. Recruitment was roughly on a the same level as the previous year. However, the dropout rates during the six-month probationary period are still very high at around 26 per cent of those who started their service in 2022 and 21.5 per cent by the end of the year under review of those who started their service in the year under review, although the probationary period had not yet ended for all those who started at that time. The average age further increased from 33.5 in 2022 to 33.8 in the year under review.

In recent years, the Bundeswehr has tried to improve recruitment, to attract more personnel and to maintain the current high quality of personnel selection. It has brought in many different measures for this to optimise the recruitment process and make it more proactive. Unfortunately, the hoped-for success has not yet happened.

One building block would be to focus even more intensively on recruiting women, as their potential in the Bundeswehr is far from exhausted. The amendment to the Act on Equal Opportunities for Female and Male Military Personnel of the Bundeswehr (SGleiG) increased the previous statutory quota of 15 per cent for all areas – with the exception of medical service – to 20 per cent from 2024. In the year under review, the number of female soldiers rose slightly to 24,380 (including 1,815 military service volunteers), but in many areas this does not even come close to the original 15 per cent. Women are still significantly underrepresented, particularly in leadership positions, including in the Medical Service, where they have been serving since 1975 and where the proportion of women has been very high for years. The small number of female soldiers with top-calibre careers cannot hide this fact. And yet role models play a key role in reflecting discernible career opportunities to encourage women to seek a career in the Bundeswehr. Further efforts are needed in the areas of gender equality and equal opportunities, appropriate personal equipment, establishing family-friendly working hours and career models and expanding childcare to make the Bundeswehr attractive to women.

In June of the year under review, the Minister of Defence expressed doubts for the first time as to whether it would still be possible to achieve the target of increasing the Bundeswehr's personnel strength to 203,000 service personnel and 60,000 reservists by 2031. He set up the Personnel Task Force, which presented its report at the end of the year under review. The report has good ideas worthy of support, the consistent implementation of which must make it possible to improve and permanently ensure the Bundeswehr's personnel readiness in 2024.

In this light, the Minister announced at the end of 2023 that he wanted to change the structures of the Bundeswehr and present corresponding reform proposals by Easter 2024. The central task of structural reform will be to break up dysfunctional structures, do away with unnecessary units and commands, increase the size of the fighting force, transfer tasks to civilian areas wherever possible and thereby strengthen the internal market. The key is to use a smaller pool of personnel more effectively. There is therefore much to be said in favour of harmonising structure and for realistic personnel strength. The aim must be to create an army that is fully ready for deployment from day one.

According to the Ministry of Defence, although the Bundeswehr can fundamentally fulfil its alliance obligations within NATO, it still has to accept major restrictions in a number of areas. Despite the acceleration in procurement, there are gaps in materiel, spare parts and ammunition that can only be closed in the medium term. On a positive note, according to the ministry, the Bundeswehr Procurement Acceleration Law (BwBBG) is now being applied to around a third of all defence- and security-specific contract awards and is speeding up the contract award processes. In the course of a lot of field visits by the Parliamentary Commissioner for the Armed Forces, service personnel were also happy to report that the long-awaited personal safety equipment and clothing has finally arrived and brought about a significant improvement. This was possible thanks to the € 2.4 billion in additional budget funds approved by the German Bundestag's Budget Committee in 2022 for bringing forward full resourcing. In future, it will be important to make this overall positive development permanent. Using new standard items for day-to-day duties requires regular maintenance, repairs and even the complete replacement of materiel. For this to be guaranteed, the Bundeswehr is dependent on sufficient financial resources in each budget year.

At € 58.5 billion in total, the financial resources provided for the Bundeswehr increased significantly in the year under review compared to previous years. The defence budget (section 14) was slightly lower at € 50.1 billion compared to € 50.4 billion in 2022. However, an additional € 8.4 billion was available from the € 100 billion special fund for the Bundeswehr. The goal of each NATO member state investing two percent of its gross domestic product in defence has therefore not yet been achieved in 2023, even though this is expected to change with the 2024 budget. It is already clear now that once the special fund has been exhausted – it is expected to be almost completely spent by the end of 2027 – a significant increase in the defence budget in the order of several billion euros will be necessary.

The progress made by the Bundeswehr in the year under review towards modern infrastructure that is attractive to users right across the board is easily comprehensible. Unfortunately, dilapidated barracks and service buildings are still far too often a reality. The Parliamentary Commissioner for the Armed Forces has heard complaints about a lack of quarters, very poor sanitary facilities, and about sports halls and mess halls in need of renovation, on a lot of field visits. The Ministry of Defence is trying to push forward with the need for new buildings and renovation. However, there are still too many projects that take decades to complete. This is not least the result of the hesitant cooperation provided by many of the federal and Land authorities involved, with the latter often reaching their limits in terms of personnel and prioritising Land construction projects against the interests of the Bundeswehr.

Rapid review and approval of projects by the Federal Ministry of Finance would be desirable, among other things. The Federal Government should also work with the Länder to find a solution to how Bundeswehr sites throughout Germany can be raised to a comparable build standard in the near future. The key factors are strong political will and pressure to achieve this jointly recognised objective without delay, smooth civil-military cooperation with just low turnover of personnel and the consistent and unhesitating use of all the options with the legal framework. All the parties involved have to accelerate and must not delay and prevent any longer.

Unfortunately, the expansion of the Bundeswehr's digital infrastructure still does not meet modern standards in many areas and is not moving forward quickly enough. The Bundeswehr's system for providing service personnel with IT equipment is no longer up-to-date, and the digitalisation of staff and administrative processes must be driven forward. It is unacceptable, for example, that there is still no electronic health record.

The *Zeitenwende* demands even greater flexibility and mobility from all our service personnel. One of the Bundeswehr's key tasks is therefore to establish a framework that makes compatibility of family and duty possible, even in the context of the altered security situation. It is positive that the Ministry of Defence is continuously expanding its support. One of the key concerns for service personnel with parental obligations is still to have childcare in place that meets their needs and takes into account the specific demands of a career in the military. Even if there is a legal entitlement to a childcare place from cities and municipalities, the Bundeswehr

have to continue to expand its provision quickly and substantially. This applies in particular to the number of places, opening hours and childcare options during missions and exercises.

Once again, for the past year under review, I am pleased to report that extremism in the Bundeswehr only involves a small minority of service personnel. In 2023, the Ministry of Defence submitted 204 reportable events related to extremism to the Parliamentary Commissioner for the Armed Forces. The vast majority of members of the Bundeswehr are fully committed to applying the Basic Law and represent and defend its values. It has to be clear to all members of the Bundeswehr that there is no place for extremism in the ranks of our troops. Freedom of expression in the barracks and on social media does not mean that hatred, racism and anti-Semitism are tolerable. Effective measures, such as the amendment to the Legal Status of Military Personnel Act (SG) that came into force in the year under review to accelerate the dismissal of career soldiers and temporary-career volunteers, are consistent and correct. In Section 46(2a) in conjunction with Section 55(1) sentence 1 of the Legal Status of Military Personnel Act (SG), the legislator has formulated several offences resulting in dismissal, for which it is important that the individual concerned must be pursuing or have pursued certain activities in a serious manner. Specifically, these are activities that are directed against the free democratic basic order, the existence or security of the Federation or a Land or that aim to unlawfully interfere with the official conduct of the constitutional bodies of the Federation or a Land or of their members. Activities that put the foreign interests of the Federal Republic of Germany at risk by employing violence or acts in preparation for violence are also included. The section also covers activities that are directed against the idea of international understanding, in particular against the peaceful coexistence of peoples. In all cases, it is also necessary that the service personnel staying in service would seriously put at risk military order or public confidence in the Bundeswehr's ability to function.

The pre-employment screening for soldiers, which has to be completed at the start of basic training or at the latest at the start of weapons training, is intended to keep extremists out of the Bundeswehr. However, this is not possible if the screening takes too long. Although the Federal Office of Military Counter-Intelligence (BAMAD) prioritises this form of security clearance check, processing times were longer in the year under review than in the previous year.

In the year under review, the Parliamentary Commissioner for the Armed Forces received 385 reportable events and 49 petitions relating to suspected offences against sexual self-determination. There were therefore 15 petitions and 28 reportable events more than in the previous year, which represents a further increase on the already high figures of recent years. It is therefore to be welcomed that the new service regulation on "Dealing with sexuality and sexual misconduct in the Bundeswehr", with its clearly structured requirements and a modern understanding of personal rights came into force in September of the year under review.

The first rays of hope were seen in the year under review on the way to finally effectively reducing the excessive length of judicial disciplinary proceedings, as the Bundeswehr disciplinary and complaints courts received additional personnel. Nevertheless, at an average of two and a half years, the duration of proceedings at the Bundeswehr disciplinary and complaints courts was still one and a half years longer than the one-year processing time granted to the courts by the Federal Administrative Court. The reform of the Military Disciplinary Code, which has been planned for some time, may bring further acceleration, which is why the amendment to the act should now be swiftly introduced to the German Bundestag. This is because reducing the large number of often complex legacy cases, some of which can take eight to ten years, remains critical. These excessively long cases not only place a psychological and career-related burden on those affected, for example because of debarment from promotion, but they can also lead to mitigating consideration being taken into account. This means that a significantly milder disciplinary measure is imposed than would be appropriate for the incident itself. Excessively long proceedings also run counter to the purpose of disciplinary law, which is to discipline and educate service personnel promptly.

Military psychologists in the Bundeswehr provide a wide range of tasks: from leadership advice to relevant military superiors; teaching and training on psychological topics; preparing for and following up on missions abroad and personal counselling for service personnel and their families on personal or service-related problems; through to crisis intervention. The *Zeitenwende* and the nature and extent of the tasks associated with this turning point is increasingly linked to a high level of stress, including psychological stress. The Bundeswehr therefore needs to ensure promptly that a sufficient number of posts for military psychologists are available.

The Act on the Continued Employment of Personnel Injured on Operations is an important legal basis, the aim of which is restore the fitness for service or work of those who have been injured on operations. Until now, it has required an accident on assignment and has therefore covered any special assignment abroad or a comparable assignment outside Germany. Given the refocus on national and collective defence, however, the scope of the Act

now seems too narrow. Exercises simulating realistic deployment on the principle of “train as you fight” are continuing to grow significantly and, like missions themselves, come with an increased risk of serious injury to body and mind. Service personnel can also suffer lasting injury in Germany. This should be taken into account in the ongoing evaluation of the Act on the Continued Employment of Personnel Injured on Operations.

The Invictus Games in Düsseldorf, which were held for the first time in Germany on 9-16 September 2023, were a major highlight in the year under review. Around 500 athletes – including service personnel and members of the fire brigade and police – from 21 countries took part, accompanied by their families and friends. The week had standout moving moments, impressive performances and, in keeping with the motto of “A Home for Respect”, there was a lot of recognition and appreciation for the competitors. The Invictus Games 2023 had a very positive response from the public, politicians and the media. The Games should be used to establish and consolidate a veteran culture in Germany. All participants and visitors to the Games, including a great number of school classes, were impressed by what it means to suffer an injury or illness with lasting physical and mental consequences during deployment or service and to fight your way back to life, often after a long period of rehabilitation. Even before the games, the Parliamentary Commissioner accompanied the German team, learnt about the training and saw for herself the excellent conditions at the Bundeswehr Sports School and the Centre for Sports Medicine in Warendorf. She attended the opening and closing ceremonies, a lot of the competitions, presented medals and engaged in intensive dialogue with the team and many of the service personnel watching the games. It was therefore natural to invite the whole German team to the Parliamentary Commissioner for the Armed Forces’ annual reception in October, which was an opportunity to thank them as well.

Finally, special thanks also go to everyone who once again performed outstandingly in a variety of situations and with great physical effort in the year under review. The range of rescue and assistance provided by Bundeswehr service personnel was again broad, ranging from international humanitarian aid to everyday civic courage locally. Following the major earthquake in Turkey and Syria, more than 100 active service personnel supported Turkey to deal with the consequences on the ground. The Bundeswehr also successfully evacuated around 800 people from more than 40 nations from the crisis-hit country of Sudan over a period of three days.

All of this, as well as the achievements set out in the report, once again are an impressive illustration of the fact that we can always rely on the Bundeswehr – all the 181,514 women and men and 43,065 reservists.

1. Defending democratic values

The year under review once again has painfully demonstrated that peace, freedom and democracy cannot be taken for granted. On 7 October 2023, 1,400 people fell victim to the brutal and inhumane attack on the State of Israel by the Islamist terrorist organisation Hamas. The attack shocked the Western world and left Israel fighting for its existence. Once again, there was reason to emphasise that Israel's security is part of Germany's *raison d'être* and that Germany stands firmly on Israel's side.

Despite the escalating and concerning situation in the Middle East, the war in Ukraine must not take a back seat. It is another state with democratic legitimacy that is fighting for its status in the international community, its freedom and its territory – and already in a second year. The occupation and annexation of Crimea in breach of international law and the Russian invasion of Ukraine are a fundamental threat to the European peace and security architecture. The common feature of both wars is that they are changing the global order. The world is becoming more multipolar, and there are more and more crises, conflicts and wars.

They are also affecting our country and our democracy. Never since the worst years of the Cold War has the external security of Germany and Europe been so threatened. Our solidarity with Israel and Ukraine therefore has to mean we become stronger ourselves. Security and defence belong at the top of the list of priorities, because – without security and credible deterrence – there can be no freedom or stability in Germany, Europe and the world.

Under the title “Robust. Resilient. Sustainable.”, the Federal Government present a **National Security Strategy** for the first time in June of the year under review. This holistic, interministerial strategic vision states, among other things:

“We are strengthening the Bundeswehr as a cornerstone of defence in Europe. National and collective defence is the core task of the Bundeswehr, and this task includes our contribution to NATO's deterrence capabilities. We will allocate two percent of our GDP, as an average over a multi-year period, to reaching NATO capability goals, initially in part via the newly created special fund for the Bundeswehr.”

Immediately following on from the strategy, the Minister of Defence and the Chief of Defence presented the new **Defence Policy Guidelines** for the *Zeitenwende* at the Bundeswehr Conference in November 2023. The Guidelines replace the 2016 White Paper and the 2018 Bundeswehr Concept as a fundamental document and policy. Taking into account the current security policy challenges, the new Guidelines formulate the Bundeswehr's mission for the coming years and set out the foundations for an effective Bundeswehr of the future. The report states that:

“As the most populous nation and a strong economy in the heart of Europe, we have a responsibility. We must be the backbone of deterrence and collective defence in Europe. [...] The Bundeswehr is a core instrument of our robustness against military threats. As such, it must be warfighting-capable in all areas. This means that Bundeswehr personnel and equipment are geared toward fulfilling its demanding tasks.”

The next step is to translate the requirements of the Defence Policy Guidelines into a new capability profile for the Bundeswehr and a military strategy. We have to wait and see what the results are, and the Parliamentary Commissioner for the Armed Forces will keep a close eye on the process. However, it is already clearly the case that Bundeswehr service personnel have taken on the task set out in the Guidelines. They have been contributing to the *Zeitenwende* since 24 February 2022. In return, the troops are entitled to expect the personnel, equipment and infrastructure, as promised in the Guidelines, that will enable them to handle their demanding tasks.

It is important that a broad majority of society is prepared to support a strengthened Bundeswehr. While the nation has recognised the need for its armed force again, in some cases even for the first time, following its administrative assistance during the pandemic and because of the war in Ukraine, it is still necessary to raise public awareness that our democratic values and our freedom cannot be taken for granted. Democracy is the order on the side of freedom, and it has to be robust and capable of defence. And it is not the sole responsibility of the Bundeswehr. Every citizen is called on to make their contribution, which can be in a variety of ways. Citizens who treat service personnel with appreciation, recognition and gratitude, for example, strengthen the position of our personnel and help to ensure that the necessary equipment for the Bundeswehr becomes a natural imperative and requires no further justification. Every generation has to internalise the value of our free democratic basic order afresh and live their lives accordingly. That is why **schools** should already be talking about war and peace, the role and tasks of the Bundeswehr and the Defence Policy Guidelines – including as a point of controversy for argument. In addition to the youth officers-, there are many other participants in the peace and security policy who could be

brought onboard for this purpose. The aim has to be to spark a broad public debate and anchor the Bundeswehr firmly in the heart of society.

The Parliamentary Commissioner for the Armed Forces therefore welcomes the debate on the introduction of a **society year (Gesellschaftsjahr)** and supports the Federal President's initiative from 2022, which he has rightly been pursuing intensively since then. It is good for everyone to spend some time working for the community, which strengthens social cohesion. The provision for a society year should be attractive, with as much of a voluntary element as possible and as much obligation as necessary. This is not about the reintroduction of compulsory military service, which has been suspended since 2011. The Bundeswehr is not prepared for a return to compulsory service, as there is not enough accommodation, equipment or instructors. Instead, it is about young people – women and men – committing themselves to our society and for our society for a certain period of time. This may include the Bundeswehr, but also social and charitable organisations, in art and culture or in environmental and climate protection. The introduction of a society year would have substantial social implications and should therefore be supported by a broad majority from the heart of society. One idea would be to make this a matter for a **citizens' assembly** at the German Bundestag.

It is also positive that more pledge ceremonies are once again taking place in public, bringing attention of the public to the Bundeswehr. All recruits swear an oath of allegiance to the values of the Basic Law at the start of their service – while military service volunteers vow allegiance instead. In the year under review, events of this kind were organised in the presence of the Parliamentary Commissioner for the Armed Forces and with great interest from the public, such as at the Südermarkt in Meldorf, the market square in Plön and in Germersheim's city park.

2. Military assistance for Ukraine

The defence of our democracy presents the country with a lot of challenges. In the year under review, supporting Ukraine with military equipment and training Ukrainian service personnel once again made an important contribution to the defence of democracy. It cannot be emphasised often enough that Ukraine is not just fighting for its own survival, freedom and right to self-determination. As these values are the foundation of our European order, Ukrainians are ultimately defending European freedom.

The Bundeswehr is making a substantial contribution to supporting Ukraine. Firstly, with equipment and weapons deliveries from its own stocks and state-financed deliveries from industry, Bundeswehr is providing material military support, such as armoured combat vehicles, air defence equipment, artillery and logistics, engineering and sustainability capabilities, as well as protective and special equipment for the armed forces of Ukraine. That is the right thing and important. However, any materiel that is provided has to be replenished as quickly as possible to ensure accomplishment of our own mission.

Secondly, the Bundeswehr is also supporting the European Union's training mission, the EU Military Assistance Mission Ukraine (**EUMAM UA**). Since autumn 2022, the Mission has been providing military support during the ongoing Russian invasion – primarily by training Ukrainian forces on the territory of EU member states. The Bundeswehr is also training Ukrainian service personnel in Germany as part of the Mission. This is important and necessary, as a means for them to acquire military skills and thereby effectively be able to use the weapons and major equipment that is supplied. The Bundeswehr and the deployed training and support personnel have correspondingly high expectations in general and for the training, which is being run at various Bundeswehr sites. The troops have quickly and reliably succeeded in creating the infrastructural and organisational framework for the training too.

However, the training to be provided also represents a challenge. Russia and Ukraine are engaged in an international armed conflict that is partly being waged as trench warfare on a front line. That situation is substantially far from the field in which the Bundeswehr has qualified service personnel from previous contingent training for missions abroad. The training is fundamentally focused on the needs identified by the Ukrainian side and is being condensed down to the absolutely essential content. For the Ukrainian forces, it is the training that means they can survive at the front. The participants hugely appreciate the quality of the training and are grateful to receive it. To date, the Bundeswehr has successfully trained a total of around 10,000 Ukrainian service personnel, mainly on Western weapon systems, urban combat, Medical Service, as engineers and infantry, in the form of mission-oriented training. In addition to military training, it is also important for the German instructors to familiarise their Ukrainian comrades with the principle of leadership development and civic education. As

Ukrainian comrades find themselves back in Ukraine after training in Germany in a fierce conflict and therefore legally at war, legal instructors from the Bundeswehr also teach them the basics of international humanitarian law.

The **manpower expenditure** to deliver the training mission is high. The number of training and support personnel is double the number of the Ukrainian service personnel. Given the commitment in terms of personnel and materiel, the troops have had to postpone, cut short or cancel various of their own training projects. There has also been a displacement of activities at Bundeswehr training facilities and training areas. It is therefore pleasing that, according to the Federal Ministry of Defence, prioritising training time and other organisational measures have so far not resulted in any career disadvantages for service personnel.

During field visits at various locations in the year under review, the Parliamentary Commissioner for the Armed Forces was able to get a personal impression of the training provided to the armed forces of Ukraine. The great commitment, seriousness and high level of professionalism with which the service personnel perform their tasks under difficult conditions are impressive. The visits also revealed the challenges that the service personnel have to overcome in their daily training.

Everyone involved is under considerable time pressure. The aim is to provide Ukrainian personnel with the necessary skills as quickly as possible, so that they can be deployed back to Ukraine as soon as possible. Extensive content for training therefore has to be taken in and processed over a very short period of time – often just a few weeks. Teaching often lasts up to twelve hours a day for six days a week. It is therefore remarkable that the deployed service personnel are highly motivated and committed to their service on a day to day basis, despite this huge physical strain.

For the training personnel and the service personnel deployed for the language service, the training mission means putting aside their personal interests and accepting limits. They are often not home for weeks at a time, and the deployment times are frequently unclear, so that they and their relatives sometimes have no certainty when planning their lives.

Without **translators and interpreters**, the training of the armed forces of Ukraine would not be possible at all. They do not just do interpreting, but also translate training documents for key content. The majority are Bundeswehr service personnel with a Russian or Ukrainian background and are not trained interpreters. Some of them also only have a rudimentary knowledge of Russian or Ukrainian and cannot read or write the Cyrillic alphabet. During her field visit to the troops in Lehnin, the Parliamentary Commissioner for the Armed Forces learnt that around 60 translators and interpreters are constantly needed for the training there, but that requirement is only met to a limited extent

At the end of the year under review, there were positive developments on the deployment of translators and interpreters. Based on ministerial instructions, the percentage of personnel to be provided is being distributed across all organisational areas of the Bundeswehr, so that different people can always be deployed from the available service personnel that has language skills. In addition to the language skills stored on the personnel system, the Federal Office of Languages also runs a language test to check the actual language skills of the relevant service personnel. This ensures that the quality of the translation service is at a consistent level. For 2024, there are also plans to recruit and deploy Ukrainians for the language service, via a recruitment agency.

In addition to the substantial physical demands placed on the service personnel deployed for translation, they are also under psychological strain. They are in direct contact with the Ukrainian forces and have to go through and process not just first-hand accounts of the war, but also distressing videos and images, as well as stories of personal combat experiences. Appropriate follow-up for the deployment of such personnel is therefore essential. This also applies to everyone else involved in the training.

The Ukrainian service personnel has also sometimes questioned the loyalty of Bundeswehr Russian-speaking service personnel and has sometimes viewed them as hostile. Those involved in training have already been able to reduce this anxiety with good communication.

It is also important that all service personnel involved have adequate equipment including modern armoured vests, such as in training sections where weapons and ammunition are handled, which are replacing the load-carrying equipment that is still in use. In addition, the Ukrainian forces should also complete the training with the personal equipment and gear that will be available to them later on in combat. The equipment provided by NATO partners for the Ukrainian service personnel is currently being replaced by Bundeswehr equipment for the purposes of training in Germany. On the principle of “**train as you fight**”, however, it would be more expedient to replace this artificial environment with realistic training. The fact that the German instructors and the Ukrainian

participants have different equipment might be addressed by appropriate instructions and measures from the training personnel during the individual training sections.

Despite these challenges and the pressures involved, all our service personnel welcome and support the various forms of assistance for Ukraine – even where that means pressure and forgoing certain things themselves. There was no single doubt about this during any of my field visits. It was clear in fact that the Bundeswehr itself is drawing lessons from the training of the armed forces of Ukraine and the knowledge that is being gained. The medical service in particular has adapted its training to scenarios from the awful events of war and the resulting physical and psychological injuries.

3. Alliance and operations

The withdrawal from Mali, which ended at the end of the year under review, means that – for the first time in decades – fewer than 1,000 Bundeswehr service personnel are committed to mandated missions. However, this must not leave the impression that the workload of the troops is decreasing. It merely reflects a decline in military involvement in international crisis management missions compared to collective defence – particularly on NATO’s eastern flank. The commitment of the NATO Very High Readiness Joint Task Force (VJTF), the “spearhead force”, for which Germany assumed command responsibility in the year under review, should be mentioned in this regard, as should the increasing commitment of forces in the Baltic Sea region. The announcement that a brigade will be permanently stationed in Lithuania by 2027 adds a mammoth task for the Bundeswehr. This step, which sees the Bundeswehr entering uncharted waters, means that service personnel and their families are likely to be stationed far away from home for years. The refocusing on national and collective defence is thereby becoming even more keenly felt by the troops.

Troop commitments

At the end of 2023, 805 service personnel in total were deployed on nine different mandated missions abroad. As part of the COUNTER DAESH/CAPACITY BUILDING IRAQ mission, 270 service personnel were deployed in Jordan and Iraq, as the largest contingent. 60 members of the SEA GUARDIAN mission were stationed on Mediterranean missions, 197 in UNIFIL and 18 in IRINI. Up to 170 service personnel were deployed as part of the NATO support mission in the Aegean. In the Balkans for the multinational stabilisation missions, Germany provided 72 service personnel for KFOR in Kosovo and 31 to EUFOR Althea in Bosnia and Herzegovina. In the middle of the year under review, 1,125 troops were still stationed at the MINUSMA mission in Mali. Following the end of this mission and the withdrawal thereafter, which was completed in December of the year under review, only the small contingents of 14 personnel for UNMISS in South Sudan and three forces for MINURSO in Western Sahara are still on the African continent. At the end of the year under review, a further 140 service personnel were at the Niamey air transport base in Niger and the air transfer point in Senegal to secure the repatriation of MINUSMA mission materiel.

A lot of service personnel are also tied up in standby commitments, standing operational tasks and other tasks. The first group includes a total of 1,078 service personnel on NATO’s eastern flank in Lithuania and Slovakia. The Bundeswehr also provided 16,700 service personnel for the NATO Response Force (NRF) in Germany in the year under review. The majority of these forces were assigned to the VJTF. For the units affected, this means that they have to be ready to deploy within 48 to 72 hours in an emergency. If the missions, standby commitments, standing operational tasks and other commitments are taken as a whole, a total of 23,100 service personnel from the Bundeswehr were committed at the end of the year under review, representing an increase of around 10 per cent compared to the previous year (2022: 21,000), primarily because of providing the lead unit within the VJTF.

Collective defence on NATO’s eastern flank

In response to the Russian war of aggression against Ukraine, NATO further increased its troop presence on its eastern flank. Since the annexation of Crimea in 2014 in breach of international law, NATO’s presence had already been continuously growing. In the year under review, the Bundeswehr was involved with contingents in Lithuania, Poland, Estonia and Slovakia and covered various capabilities, such as a framework nation for the battlegroup in Lithuania, by protecting Slovakian and Polish airspace and by providing a tank company in Slovakia, as well as contributing to enhanced Air Policing South in Romania. By 2025, the Bundeswehr wants to

provide the Alliance with a fully operational army division of around 15,000 service personnel – which will be **Division 2025**.

As a result of Russia's war of aggression in breach of international law, the Bundeswehr introduced the concept of Medium Forces to the Army. These wheeled, highly mobile units can be deployed quickly and without long preparation times throughout NATO's theatre of operations. As they have armoured wheeled vehicles, they can deploy large numbers of personnel and powerful weapons – including over long distances. The Bundeswehr is thereby closing the gap between our familiar Light and Heavy Forces. Our 21 Armoured Brigade in Augustdorf is the first of three future German Army brigades to be assigned to the new **Medium Forces** category. On field visits at the 91 Light Infantry Battalion in Rotenburg/Wümme and at the Army Combat Training Centre, the Parliamentary Commissioner for the Armed Forces learned about the role and tasks of our Medium Forces.

In addition, the **Air Defender 2023** exercise, conducted primarily in German airspace and under the leadership of the German Air Force in June of the year under review, demonstrated solidarity within the Alliance and transatlantic ties. Involving around 10,000 service personnel from 25 nations, it was the largest air force deployment exercise since NATO was founded and was viewed as an important test of the defence preparedness of NATO and the Bundeswehr. The exercise was a complete success, as the Parliamentary Commissioner for the Armed Forces saw for herself during a field visit to the Wunstorf Air Base. Air Defender demonstrated strength and sent a clear signal to Russia, without contributing to escalation of the tense situation.

Military vehicles travel to and through Germany almost every day to take part in exercises, to fulfil operational and Alliance obligations, to reinforce NATO's eastern flank and to support Ukraine. To travel, they need **movement credits**, which sometimes require authorisation from the civilian authorities in addition to the military reporting procedure:

- *Back in 2022, during her visit to 803 Armoured Engineer Battalion in Havelberg, a soldier described problems with the Saxony-Anhalt Land administrative office when applying for movement credits for moving with folding floating bridges. His unit would not be allowed to drive in convoys and be subject to various time restrictions, among other things. Despite the exceptions that were already agreed, the conditions were too restrictive and the application process took too long.*

Following the visit to Havelberg, the Parliamentary Commissioner for the Armed Forces wrote to the Federal Minister of Transport urging him to change the civilian authorisation procedure for the Bundeswehr. In the year under review, the Bundestag and the Bundesrat received the draft of the Tenth Act to Amend the Road Traffic Act, which included a provision to speed up the procedure. The Act was passed by the German Bundestag in October 2023, but the Bundesrat rejected it at the end of November, although this was not because of the specific rights for military transport. This means that the restrictions that prevent troops from practising potential national and collective defence scenarios remain in place for the time being.

Lithuania

In June 2023, the Minister of Defence announced that a German brigade would be permanently stationed in Lithuania until 2027, as part of Division 2025. This is partly at the request of the Lithuanian government, but is also a part of a larger military presence to strengthen NATO's eastern flank. The Lithuania brigade is a commitment to the security of our Baltic Alliance partners. The contingent of the newly established 42 Armoured Brigade for Lithuania is to be gradually increased from the current forces to up to 4,800 military personnel and an additional 200 civilian. To build up the forces, 203 Tank Battalion from Augustdorf and 122 Armoured Infantry Battalion from Oberviechtach are being deployed to Lithuania once the infrastructural and logistical requirements have been met. They are being supplemented by the existing enhanced Forward Presence (eFP) Battle Group. It is to be welcomed that the Ministry of Defence is planning to apply the principle of voluntariness to future deployment in Lithuania. In contrast to past deployment, this means that service personnel may go to Lithuania not just for six months, but for several years – and take their families with them. The planned, permanent stationing of a brigade-size unit outside Germany is a new chapter in the history of the Bundeswehr. During her field visits, the Parliamentary Commissioner for the Armed Forces found that service personnel have a positive view of the **Lithuania brigade**.

In addition to full resourcing, a carefully considered and modern stationing concept is also essential. Bundeswehr service personnel need planning certainty, transparent procedures and good conditions if they are to be stationed abroad for three years or longer with their families.

In consultation with the Lithuanian government, the Ministry plans to station the brigade in Rūdninkai and Rukla, near the major cities of Vilnius and Kaunas. This location has been selected with the aim of creating the most attractive conditions for deployment possible. At the end of the year, the defence ministers of both countries signed a roadmap with details and a timeline for the planned stationing. An advanced detachment is to be deployed in the second quarter of 2024 and organising staff is being set up in Lithuania in the fourth quarter of 2024. The Brigade will then be brought into service with formal muster in 2025, where the exact date of stationing will depend on completion of the required infrastructure. According to the Ministry, the gradual deployment and upgrading is to start in 2025 at the earliest and be completed by 2027.

Suitable housing and the necessary school and daycare places are to be provided for the families of service personnel in the cities of Vilnius and Kaunas. For accommodation, the Bundeswehr, working with the Lithuanian government, plans to use existing housing stock in both cities, as well as to build new apartments. Details on this still need to be clarified, and many other issues, such as the welfare and pay for service personnel and jobs for their families, are still unresolved. Legal status and pension issues in particular have to be clarified to make deployment in Lithuania attractive to service personnel. Early and open communication is crucial. Given the extent of the permanent deployment of thousands of service personnel, discussion in detail of the stationing plans, in the committees and at the plenary of the German Bundestag, is desirable, as is the care for all aspects of national and collective defence.

Germany has been leading the **enhanced Forward Presence (eFP)** Battle Group in Lithuania since August 2017. Belgium, Croatia, Luxembourg, the Netherlands, Norway and the Czech Republic take it in turns to join this multinational Battle Group. At the end of the year under review, 816 German service personnel were deployed in what has now become the 14th German contingent deployed in Lithuania. Since 2022, Germany has also been committed to Lithuania by providing the **enhanced Vigilance Activities (eVA)** Brigade, which is stationed almost entirely in Germany. Only the Forward Command Element, which was deployed in advance with ten personnel at the end of the year under review, is permanently based in Lithuania for the eVA Brigade. The Forward Command Element is a permanent link between the Lithuanian armed forces and the Brigade stepped up in Germany. The Forward Command Element also creates the conditions for the Brigade to be deployed to Lithuania immediately if the threat intensifies, so the Brigade can be integrated into the Lithuanian defence structures.

During her on-site field visits, the Parliamentary Commissioner for the Armed Forces heard criticism of the **procurement of spare parts**:

- *It has only been possible to compensate for the defects that have been found in the MARDER infantry combat vehicle by cannibalising a vehicle that had been carried by troops in excess of the demand reported to NATO. If the necessary spare parts had been delivered from Germany, it would have been months before it was possible to carry out the repairs.*

While this was a pragmatic solution for the troops, to guarantee the operational readiness of major equipment at all times, including when it is used intensively, stockpiling of spare parts should be agreed by contract in future, before a weapon system is introduced. This case also demonstrates that the MARDER weapon system is only partially operational, because of the increased need for repairs as a result of its age.

There is also a need to optimise **personal equipment**:

- *One soldier deployed in Rukla complained about the snow camouflage equipment only being permanently provided to mountain infantry and some other infantry forces. The Ministry of Defence did not consider his proposal that the winter contingents at least should get this equipment to be worth implementing.*

In the medium term, given the changed security situation and the increasing importance of national and collective defence, all Bundeswehr service personnel should be given snow camouflage equipment.

There has also been dissatisfaction with the **catering** for years:

- *Service personnel repeatedly complain about the quality of the food. The field canteen run by the Bundeswehr in Rukla, which was set up next to the Lithuanian mess hall to supplement the catering facilities, is heavily used and urgently needs to be expanded.*

Experience from previous deployments has shown that relying on the catering provided by the host country in each case often does not match the eating habits of German service personnel. This can have a negative impact on the motivation of personnel deployed away from home for months at a time. The Bundeswehr should therefore

develop solutions within a multinational context that guarantee high-quality and balanced catering for troops for all deployments abroad.

Temperature control at the **accommodation** in Rukla, which was already the subject of criticism on a field visit in 2021, was once again an issue:

- *Although heating fans were installed at the time, they can only keep the room temperature at a constant level, not lower the temperature. That is why Joint Forces Operations Command has now commissioned a performance assessment of the fans to identify any requirement for air conditioning units and the anticipated higher load on the power grid. In specific cases, it may already be possible to replace heating fans with air conditioning units, within available capacity.*

It is incomprehensible why such a test of suitability was not carried out before procurement of the heating fans.

Things that are taken for granted, such as tasty food and comfortable accommodation, have to be improved quickly for the conditions for service personnel to be positive and deployment in Lithuania to be attractive. This is important not least because stationing of the new Brigade is a “lighthouse project” for the Bundeswehr.

Informing participants in the exercise well in advance of potential entitlements in terms of **time off in lieu** and the differences between a temporary assignment and a standby commitment before the start of the deployment could also have prevented resentment:

- *The service personnel on temporary assignment had exercised together with the Forward Command Element of the eVA Brigade and only received time off from duty and only in exceptional cases financial compensation, while the Forward Command Element’s standby commitment was compensated by the foreign assignment allowance.*

Estonia

The Bundeswehr has been supporting the three Baltic states of Estonia, Latvia and Lithuania in the defence of their airspace since 2014, as part of NATO’s Reinforcement Air Policing Baltic States mission. Germany takes part in a joint force contingent for at least four months each year.

A female soldier came up against **bureaucratic hurdles** for this, which the Ministry happily wants to solve:

- *She objected to the fact that she had to make advance payments as a ‘self-payer’ to use the services of civilian doctors and outpatient clinics in Estonia. The Ministry is reviewing the introduction of a procedure where medical services provided are invoiced to the Bundeswehr by the local civilian healthcare system in the country of deployment and are paid directly by the field offices of defence administration.*

Poland

At the invitation of the Polish government, up to 300 Bundeswehr service personnel were deployed in Zamość in eastern Poland, around 50 kilometres west of the Ukrainian border, during the year under review. Alongside other nations, they were part of the NATO enhanced Vigilance Activities (eVA) programme and contributed to protecting Polish airspace, using the Patriot air defence system. After the mission was transferred to the Polish army in mid-November 2023, the Bundeswehr service personnel returned to Germany in December.

The **military postal service** did not run smoothly in Poland:

- *Three service personnel on the mission criticised the fact that the postal service was interrupted for almost two weeks around the Easter holidays – gifts were delayed by the same time. According to Joint Forces Operations Command, this was caused by the short-notice failure of the logistics company responsible for the military postal service, following a new award of contract. It was reported that the company had only announced two days before the start of the contract that it did not have the necessary certification, which is why the original contract partner had to step in again at short notice. For future awards of contract, the goal is to ensure that the necessary approvals are in place early on.*

The anger among those involved is understandable. The affected units, which are operating the air defence missiles, have been under increased operational pressure since the Russian war of aggression against Ukraine,

with deployments regularly lasting six months. Communication with family is essential under such circumstances in particular.

As in Lithuania, **catering** was also an issue for petition in Poland:

- *One soldier criticised the catering provided by the host country as monotonous and not meeting German standards. However, the Ministry of Defence found the catering to be nutritionally adequate and hygiene standards to be safe. Nevertheless, it recognised that there were limits in terms of variety and quality. It has therefore been agreed that the contingent can procure specific parts of catering itself on site, for which a discretionary cash allowance is provided. There is also communication with the host country to expand the catering range appropriately.*

Providing a discretionary cash allowance for the purpose of buying additional food promises to be an unbureaucratic solution that addresses the personal needs of service personnel and is therefore expressly to be welcomed.

The **foreign assignment allowance** was also the subject of criticism for this deployment as well:

- *A lot of service personnel deployed in Poland complained that level 2 of the foreign assignment allowance set for deployment in Poland was too low, at € 69 per day tax-free. In Lithuania and Slovakia, service personnel would get € 85 per day under comparable conditions. According to the Ministry of Defence, the level set for Poland is because of the specific time conditions for the assignment. Although the costs of accommodation were estimated to be higher compared to Germany, they were not estimated to be higher than level 2. The conclusion was that the armed forces have not described costs that exceed level 2.*

The Ministry of Defence's assessment of the conditions of deployment is sound. It is gratifying that the Ministry has taken the petitions as an opportunity to re-assess the level of the foreign assignment allowance set for the standby commitment in Poland. The order has already been given for the armed forces to establish up-to-date conditions of deployment. The outcome of this review remains to be seen.

Slovakia

An Air Force Patriot unit was also stationed in Slovakia until mid-2023. A reinforced armoured infantry company has been deployed in the country as well since then. It is also part of the multinational NATO enhanced Vigilance Activities (eVA) battlegroup. In addition to protecting our Ally, it contributes to building Slovakian capability for the LEOPARD 2 main battle tank. Slovakia is getting the weapon system as part of the 'backfill' deals, after having handed over its own tanks to Ukraine. In December, the weapon system was swapped from the LEOPARD main battle tank to the PUMA infantry combat vehicle.

Deploying troops to Slovakia by plane is not always the quickest route:

- *One soldier reported that driving directly for his unit stationed in southern Bavaria would take less than eight hours. In contrast, deploying to the airport in Wunstorf plus the flight the following day would take much longer. Given the high number of single deployments of service personnel from different agencies, the Ministry of Defence nevertheless prefers to deploy them together by plane, as otherwise the coordination effort would be significantly higher.*

This reasoning is sound. Nevertheless, Joint Forces Operations Command took the case as an opportunity to prepare rules for deployment overland, which is to be possible in exceptional cases. Given the increasing challenges on NATO's eastern flank, intra-European deployments are likely to increase. There is much to be said in favour of reviewing the best means of transport in each case, depending on the contingent, home base and mission.

The opportunities for **recovery** after returning from mission also sometimes lead to dissatisfaction among those affected:

- *One female soldier criticised the fact that she and some of her comrades had not been given the opportunity to take time off for recovery or reduce overtime accrued after returning from Slovakia. Initially, the only reason for this was taking part in a parade of returned service personnel. Then no time off was granted thereafter either, because of the need for follow-up after the mission. The Ministry of Defence found the decisions to be correct.*

Communication with explanation could have prevented some resentment here. To maintain or restore health and ensure operational readiness and deployability, the Ministry should, nevertheless, ensure that compensating time is possible shortly after a mission.

The Ministry of Defence has found a pragmatic solution for rapid **procurement**, including for standby commitments:

- *One soldier criticised the fact that the contingent was unable to procure housekeeping supplies and sports equipment itself. This is because of the mission's status as a standby commitment. Even small items such as first-aid kits would have to be requested via Joint Forces Operations Command following a lengthy and bureaucratic process. The Ministry of Defence stated that Slovakia was primarily responsible as the host country. However, it recognised the need for action in this area. In 2024, a separate budget item is therefore to be created for standby commitments. This should allow the contingents to cover needs at short notice and flexibly, similar to mandated missions abroad, to quickly resolve any lack of resources.*

Very High Readiness Joint Task Force (VJTF)

The NATO Response Force (NRF) has been operating as NATO's rapid reaction force since 2004. It means that the Alliance can react quickly and effectively to crises and conflicts worldwide. The NRF is a multinational force and currently is made up of 50,000 service personnel from land, air and maritime forces, of which Germany provided 16,700 – around a third – in the year under review. The forces within the NRF have to deploy to theatre at different speeds. The Very High Readiness Joint Task Force (VJTF), which is known as NATO's '**spearhead force**', has the highest readiness level within the NRF. It was set up by NATO in 2014 in response to the Russian annexation of the Ukrainian Crimea in breach of international law and has to be ready for deployment to theatre within three to five days. In 2023, Germany was the VJTF's framework nation for the second time after 2019. Added to this was the responsibility as the framework nation for the special forces headquarters, which coordinates joint special operations for the Alliance.

Since January 2023, the German Navy has also been leading a Maritime Task Force within VJTF Maritime (VJTF-M), which itself has been operating since March 2022. The German contribution consisted of up to 700 Navy personnel during the period under review. The German Air Force also provided around 2,600 service personnel for the VJTF. All other military areas of organisation of the Bundeswehr also provided personnel.

Inadequate **equipment** in terms of weapons and night vision devices has been a source of irritation in the Bundeswehr for years, including in the VJTF:

- *In response to criticism from a soldier whose unit was scheduled for the VJTF in 2023, the Ministry of Defence has stated the following: Rifles and pistols are supplied as equipment depending on the task to be performed. That is why there are currently no plans to equip all VJTF service personnel with one long and one short firearm as standard. The majority of the available night vision devices are also unsuitable for driving motor vehicles. A delivery of suitable night vision devices is expected in 2024.*

From the experience gained on missions abroad, it should be a matter of course for all service personnel to be equipped with rifles and pistols, including for national and collective defence. The shortage of night vision devices has been a known problem for so many years that rapid supply of the latest generation to ensure operational readiness is long overdue.

When service personnel are deployed abroad rapidly as part of the NRF, good **family support** for family who stay behind is essential. However, this is not always without problems, as the Parliamentary Commissioner for the Armed Forces learnt during a field visit:

- *In contrast to mandated missions abroad, family support for NRF personnel is not guaranteed. The Ministry of Defence explained that service personnel could register caregiving members of the household with their units. They would then be contacted by the relevant family support centre during the standby phase. To do this, however, the family support centres needed the names of caregiving members of the household as quickly as possible, as just managing the data takes some time. In some cases, it has taken up to three months before all of the service personnel's members of household have been contacted for the first time.*

It would be positive if caregiving members of household were informed about the family support services available, soon after service personnel have been assigned to the NRF forces. To do this, the Ministry should once again raise awareness among the units deploying troops and, above all, point out the urgency of sending the data.

International crisis management

Mali (EUTM and MINUSMA)

At the end of the year under review, the Bundeswehr was no longer deployed in Mali. Germany's more than ten-year role in the European Union Mission in Mali (**EUTM**) ended when the Bundestag mandate expired on 31 May 2023. After the Koulikoro deployment base had already been cleared in October 2022, the last seven service personnel who had been deployed as staff at the mission headquarters in Bamako returned to Germany at the end of May 2023. The military coup in May 2021 and the coup d'état that preceded it in August 2020 already raised the question for the international organisations and states that support Mali of whether, within what framework and under what conditions the military engagement might continue.

The second Bundeswehr mission in Mali – participating in the United Nations peacekeeping mission (**MINUSMA**) – also ended in December of the year under review. The Minister of Defence, members of the Federal Government and of the German Bundestag as well as the Parliamentary Commissioner for the Armed Forces welcomed the last 142 deployed service personnel at the Wunstorf Air Base with a highly appropriate and dignified parade of returned service personnel. For ten years, a total of more than 20,000 Bundeswehr service personnel were deployed on this mission. They completed their tasks at a very high level and professionally. Germany's role was originally scheduled to end by the end of May 2024. At insistence of the Malian government, the United Nations Security Council in June 2023 decided to withdraw the MINUSMA mission forces from Mali by the end of 2023. Given that withdrawal was brought forward, the time frame for complete and safe return transport of Bundeswehr personnel and materiel was tight anyway, so that low-priority and easily procurable materiel had to be left on site and sold or disposed of locally.

There was also a **military coup** in Niger at the end of July 2023, which made it particularly difficult to repatriate German service personnel. It means that transferring German forces via the air transport base in Niamey (Niger) had to be stopped, which had a direct impact on the members of the MINUSMA contingent:

- *Those affected complained that other nations had organised return flights on civilian airlines at short notice, while repatriation of German forces was initially unclear. Around 220 service personnel would have had to wait for their flight home and stay at the camp in Mali without orders.*

They were not able to return to Germany on transport aircraft from Gao (Mali) until mid-August 2023. Nevertheless, on a positive note, the planned and coordinated return transfer of German forces from Mali was successful overall and all service personnel returned home safe and sound.

Although the mission has come to an end, the points of criticism that the Parliamentary Commissioner for the Armed Forces heard about during her field visit to the German MINUSMA contingent in January 2023 show that there is still room for improvement in terms of future Bundeswehr missions abroad:

- *Service personnel described the need to apply for special permissions for a wide range of materiel to be able to use it elsewhere on deployment as too bureaucratic – in some cases on an ongoing and recurring basis since 2016. For example, each contingent had to submit a new request for an armoured transport vehicle with a makeshift radar system mounted on it.*

It should be possible to issue permanent **exemptions** for ongoing modifications to equipment and vehicles that are all the same, saving time and creating more certainty when it comes to preparing for and running the relevant deployment.

Realistic pre-deployment training is also the basis for being able to meet the challenges of deployment. The principle of “train as you fight” applies here. To deliver “train as you fight”, the service personnel need the equipment and vehicles that are currently in use in each case, as well as other things. The training for the specific country of deployment should also include extensive information about the specific deployment location, as the type of training necessary can vary greatly from one to the next. This is all the more true when it comes to uncommon service roles:

- *A female soldier deployed in Mali as a linguist complained that her pre-deployment training had not prepared her to any extent for the stresses and strains of deployment with the field intelligence forces. When performing her role, she regularly encountered crimes committed by insurgents against the civilian population. She also only got her armoured vest after the pre-deployment training. She was not given the opportunity to take part in the “Key Leader Training Abroad” at the Leadership Development and Civic Education Centre.*

Particularly when deployed in crisis regions where the security situation is critical, service personnel must be given high-quality pre-deployment training. They must be able to rely on training equipping them for all the circumstances they will face.

The processing of applications for **leave** for the parent units after the end of the deployment has also been criticised:

- *One soldier pointed out that, after returning from the Mali mission, a leave ban was imposed on his unit because of upcoming training for Ukrainian armed forces. The application for leave he submitted was not rejected or granted within a period of two weeks.*

According to the Ministry of Defence, it was not possible to allocate the personnel and materiel required to support the training of the armed forces of Ukraine early on because of the lack of information about the actual number of personnel and volume of materiel required. Nevertheless, the complaint regarding how the leave request was handled is valid. The responsible superior should have informed the soldier promptly about the ban on leave that had been imposed and an alternative period for leave. Appropriate post-deployment recovery where deployment has lasted several months is important for regeneration and therefore for maintaining the readiness for deployment of personnel. Both key objectives – leave and post-deployment recovery – should be more closely harmonised.

Niger

Since 2016, the Bundeswehr has been involved in Niger by providing emergency medical flights via the air transport base in the Nigerien capital of Niamey. The Bundeswehr has also trained Nigerien special forces from 2018 as part of the GAZELLE mission, which was transferred to the EUTM Mali mandate in August 2021 and ended at the end of 2022.

On 28 April 2023, the German Bundestag approved participation of the Bundeswehr in the new EU Military Partnership Mission (EUMPM) in Niger. Working with the European Union, the United Nations and other international partners, this mission was intended to stem the instability and violence in the country and prevent a further escalation of the crises in the Sahel. The initial intention was to continue training Nigerien special forces (previously been part of the GAZELLE mission) as part of the TORIMA mission. As a result of the military coup in Niger in July 2023, however, all the activities of the EUMPM and TORIMA missions were suspended and the number of personnel on site was reduced. Only a few Bundeswehr service personnel were therefore still in Niger at the end of the year under review. Their tasks will end with the return transport of the last materiel, which is to be completed in May 2024.

Sudan evacuation mission

After fierce fighting broke out in Sudan between the Sudanese military and a paramilitary group, the Bundeswehr carried out an air evacuation of 779 people, 230 of whom were German nationals, on 23 to 25 April 2023. This initially involved twelve flights from the Sudanese capital of Khartoum to Jordan, from where the rescued people took onward flights. The mission ran without incident and was exemplary. Those involved at the Ministry of Defence and other ministries, as well as the deployed service personnel in particular, acted with impressive speed and **professionalism**. The paratroopers and special forces that were deployed were able to draw on experience from the military evacuation mission from Kabul (Afghanistan) in summer 2021. Thanks to them, all the people in danger were rescued unharmed.

As part of the mission, the Combat Support Ship Bonn, which was in fact deployed as part of the IRINI mission in the Mediterranean, has now also been ordered to the military evacuation mission in Sudan to evacuate people by sea. German forces were embarked in Sicily for this task.

- *One female soldier criticised the lack of compensation for the increased workload for the ship’s regular crew from embarking additional personnel. The four-day interruption of the deployment during the return transfer*

actually came with a financial disadvantage from loss of the foreign assignment allowance. The Ministry assessed the restrictions associated with embarking the specialised forces as low, finding that they were essentially limited to greater use of communal areas and they did not exceed the level typical for a sea voyage. The soldier had also received exceptional circumstances incentive pay (Ausnahmetatbestandszulage, ATZ) of almost the same amount for the four days of the interruption, instead of the foreign assignment allowance.

The Ministry is therefore correct in this instance. The soldier only suffered financial losses in the low two-digit range, but the legal framework should be communicated clearly and in advance.

COUNTER DAESH and Training Support Iraq

In the year under review, 270 contingent members were stationed at various locations in Jordan and Iraq. Their task is to work with international partners to prevent the resurgence of Islamic State. The Bundeswehr performs various support tasks for the Alliance under this framework. Among other tasks, it refuelled allied aircraft using the A400M, supported the Iraqi armed forces with military training courses in northern and central Iraq and operated an air surveillance radar until the end of the year under review. The parliamentary mandate changed in terms of the mission and the theatre. Since the start of 2022, the theatre for air refuelling, transport and surveillance no longer includes the airspace over Syria. The following case shows that this change has had a detrimental effect on the aircraft crews deployed, in terms of the **foreign assignment allowance**:

- *Three petitioners criticised the reduction in the allowance from level 5 (€ 123 per flight day) to level 3 (€ 85) from 16 December 2022. It was felt that the level 3 allowance does not do justice to the operational stresses and risks. They also complained that the level depended on whether they were deployed before or after this date, which meant that crews on the same aircraft were sometimes in receipt of different amounts for their allowances. The Ministry of Defence stated that the security and threat situation for the on-board personnel had to be reassessed, because of the change in deployment conditions. This took the whole of 2022. The result was that, given the significant altitude of flight over Iraq, the allowance should not be classified higher than for the ground personnel at the airfields in Iraq, who also received level 3. The Ministry did not want the long review period to have a negative impact on the deployed personnel, so it set the date of the last contingent changeover (16 December 2022) as the cut-off date.*

Even if the disappointment of those affected by the reduction is understandable, it remains fundamentally correct always to determine the risk situation and the resulting allowance amounts in accordance with the situation. It is crucial that the result of the necessary coordination between different ministries is communicated clearly and transparently, which unfortunately did not happen in this case.

Despite several announcements to the contrary, there were still problems with the postal service in Baghdad, where there was no **military postal service** until shortly before the end of the year under review:

- *For example, the long postal delivery times made it more difficult to exercise the right to vote for the Land elections in Bavaria and Hesse. The only way some service personnel could were able to exercise their right to vote was for a comrade to transport postal voting documents privately to and from the deployment. It is also unclear who is liable if post is lost. Using the civilian postal service via the German embassy in Baghdad, as offered by Joint Forces Operations Command in previous years, was viewed as unfavourable, particularly for posted parcels, as it means additional costs that were not borne by the Bundeswehr. The Ministry of Defence stated that the additional postage costs were fully covered by the level 6 foreign assignment allowance. For the last two months of the year under review, a trial military postal service was introduced for Baghdad, which is to be changed to a permanent service in January 2024.*

The restriction on the opportunity to participate in Land elections is unacceptable. A similar case had already occurred at the start of 2022 in the context of the election in Saarland, when a total of twelve service personnel were unable to exercise their **right to vote**. This is incompatible with the principle of “citizens in uniform”. Service personnel on assignments abroad must be guaranteed the ability to exercise their right to vote without restriction and without exception. The planned establishment of a military postal service is to be welcomed. This will finally put an end to the disadvantage and unequal treatment within the deployment contingent. A solution like this would have been desirable at the start of the mission.

Bosnia and Herzegovina (EUFOR Althea)

The German Bundestag decided on 8 July 2022 that the Bundeswehr would take part in the EU mission in Bosnia and Herzegovina with up to 50 service personnel, to guarantee the Dayton Peace Agreement. The German mission contingent assumed its duties in mid August 2022. The mandate has since been extended until 30 June 2024. German service personnel are deployed in the staff personnel in Sarajevo. The Bundeswehr also established two liaison and observation teams to engage with the local population. They are tasked with helping create a situation report for operation leadership. At the end of the year under review, 31 German service personnel were deployed as part of the mission.

The **foreign assignment allowance** was also criticised for this deployment, with expectations regarding how it is set differing considerably in some cases between the service personnel and the Ministry:

- *One soldier complained that only level 2 of the allowance applied to the mission. Given the fine dust pollution at the deployment location, the large number of unregistered weapons in the civilian population and the danger posed by mines, he argued that the level should be higher. The Ministry of Defence replied that it had carefully considered the stresses that were described during the process of setting the level. Although the deployment came with considerable risk from mines and other explosive ordnance, such risk could be contained via the established deployment procedures. The Ministry argued that Sarajevo is indeed one of the cities with the highest levels of air pollution in the world, but from a medical point of view, long-term health effects from the temporary increase in particulate matter pollution are not expected.*

How the level for the foreign assignment allowance is set under interministerial procedure in place for the EUFOR Althea mission is correct, but, once again, the need for prompt and complete information to those affected is evident.

Kosovo (KFOR)

The Bundestag extended the Bundeswehr mandate for Kosovo again in the year under review. With what is now the 61st contingent, the Bundeswehr has committed 72 personnel; in April 2024, their number is to increase by 155 service personnel, to replace withdrawing Austrian forces. There is still considerable **potential for escalation**, particularly in the north of Kosovo. The fact that the situation is not without danger, including for KFOR troops, was demonstrated in May 2023, when 30 service personnel were injured during violent demonstrations by the Serbian minority. NATO increased its troop presence following the incident. In September, there was an attack on Kosovar police officers not far from the Serbian border by 30 heavily armed forces, apparently supported by Serbia.

Lebanon (UNIFIL)

On 31 May 2023, the German Bundestag approved the extension of the UNIFIL mandate in Lebanon until the end of June 2024. Under the mandate, up to 300 German service personnel from the Bundeswehr can continue to serve in Lebanon. In the long term, the Lebanese security forces are to be given the capability to take over surveillance of the sea and air space themselves. German service personnel are therefore involved in training the Lebanese navy. The Bundeswehr is also active in helping to ensure access to humanitarian aid for the civilian population. At the end of the year under review, 197 service personnel were deployed on this mission. Their protection and security must be a top priority in the fragile situation in the Middle East, which is why it is necessary to analyse and assess the security situation on the ground on a daily basis.

Following the attack on Israel by the Hamas Islamist terrorist organisation on 7 October 2023, a task force consisting of paratroopers and special forces from the Army and Navy was deployed to **Cyprus** from October to December 2023. If the war in the Middle East had escalated, they would have been deployed on military rescue missions. Once the risk of escalation had diminished, the number of personnel was reduced up to mid-December.

Evaluation of missions abroad

The coalition agreement between the governing parties requires every Bundeswehr deployment to be preceded by a critical analysis of the content and a review of the conditions, and that ongoing missions abroad are reviewed

regularly. The Parliamentary Commissioner for the Armed Forces expressly welcomes such evaluations. They not only have to be carried out as quickly as possible, but – above all – they have to be done with care, unsparingly, honestly and taking all aspects into account.

Two parliamentary bodies are already looking at the historical Bundeswehr deployment in Afghanistan: the 1st Committee of Inquiry and the Study Commission “Lessons from Afghanistan for Germany’s Future Networked Engagement” While the latter is a review of the entire mission and is intended to draw lessons for future foreign and security policy, the Committee of Inquiry is primarily focussing on the actions of the Federal Government during the withdrawal of the Bundeswehr and the evacuation mission in summer 2021.

Since it was constituted at the start of July 2022 up to the end of the year under review, the **1st Committee of Inquiry** has interviewed a large number of witnesses at its sessions to take public evidence, in particular from the Afghanistan departments of the Federal Ministry of Defence, the Federal Foreign Office, the Federal Ministry of the Interior and Community and the Federal Ministry for Economic Cooperation and Development. From the Ministry of Defence, a former contingent commander of the RESOLUTE SUPPORT Mission, who was also commander of the Train Advise and Assist Command North, the Director of the Bundeswehr Operations Centre and various senior officers who had held positions in the Joint Forces Operations Command or ministry during the period under inquiry made statements. Employees of the Federal Intelligence Service, the Federal Chancellery, the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) and former locally employed staff and representatives of NATO were also heard as witnesses.

In her role as an auxiliary organ of the German Bundestag for parliamentary oversight of the Bundeswehr, the Parliamentary Commissioner for the Armed Forces also testified as a witness before the Committee of Inquiry on 19 October 2023. The questions focussed in particular on how parliament was informed of the situation in Afghanistan by the Federal Government during the period under inquiry. At the sessions of the Defence Committee, which the Parliamentary Commissioner for the Armed Forces always attends, she explained that the relevant information for forming political opinions at the German Bundestag was available at all times from the responsible ministries. The Parliamentary Commissioner for the Armed Forces also pointed out that Members could have requested further information from the ministries at any time.

In addition to the sessions to gather evidence, the Committee of Inquiry held two public hearings at which experts gave their opinions on the “Situation in Afghanistan at the time of the Doha Agreement” and on the topic of “The end of the Afghanistan mission – perspectives of the partners in the Western alliance”. At a panel discussion in November 2023, the Committee provided insight into its work to date. In addition to the representatives of the parliamentary groups, experts were also available for discussion and to answer questions.

The **Study Commission** started its task of analysing the Afghanistan mission by stocktaking. At various public hearings, the Committee, for example, looked at the context and situation in Afghanistan at the start of the mission, the Petersberg Conference in 2001, various aspects of the stabilisation phase from 2002 to 2008, the change in strategy in Afghanistan that began in 2009 and the subsequent developments in the years thereafter. Other topics included the structures for political responsibility in Germany, with the role of the Federal Chancellery, the Federal Government and the role of parliament being of particular interest and the focus of a separate hearing. The committee had invited two former Parliamentary Commissioners for the Armed Forces of the German Bundestag – Reinhold Robbe and Hellmut Königshaus – to the session as experts on the latter topic. To complete the picture over the entire period of deployment, the Study Commission also looked at the phase of realignment and withdrawal from 2015 to 2021. This holistic approach means that it is not just the Ministry of Defence and the Bundeswehr that are at the centre of interest, but also political decision-makers and parliament.

The Study Commission presented the initial results of its stocktaking in the form of an interim report, which was discussed at the German Bundestag in February 2024. The Parliamentary Commissioner for the Armed Forces will continue to follow the work of the two parliamentary bodies closely.

Bundeswehr agencies abroad

The Bundeswehr’s commitment to collective defence and international integration are also reflected in its large number of agencies abroad. These are not deployment area facilities, but permanent agencies worldwide – such as (multinational) training facilities, defence attaché offices at embassies and permanent missions or German contributions to NATO facilities and brigade-size units or higher. The great commitment of German service personnel stationed abroad outside of mandated missions has long been promoting the Bundeswehr’s excellent

bilateral and multilateral cooperation with allied foreign armed forces. Around 800 service personnel are currently stationed at various locations in the **USA**. The Parliamentary Commissioner for the Armed Forces was able to get a personal impression of some of the locations during her eleven-day trip in the autumn of the year under review. She visited the German Armed Forces Command in Reston (Virginia), NATO's Joint Force Command and Allied Command Transformation in Norfolk (Virginia), the US Naval Academy in Annapolis (Maryland), Sheppard Air Force Base near Wichita Falls (Texas) and Fort Sill near Oklahoma City (Oklahoma). German pilots are trained at Sheppard Air Force Base and artillery training courses on the Patriot system are run at Fort Sill.

The conversations with German service personnel made it clear that serving abroad and in a multinational context is very special. Many of them value the experience so much that they would like to extend their period of service abroad or repeat it at a later point in their career. Nevertheless, serving abroad and relocating your life is challenging. From the move across the Atlantic to the search for affordable housing and integrating children into local schools and daycare centres – the organisational preparations are substantial.

It is therefore not surprising that the high administrative hurdles for any assignment abroad are criticised again and again:

- *The procedures and processes are paper-based without needing to be and the information that is provided is inadequate and confusing. Service personnel want personal – and preferably digitalised – case management.*
- *Lots of the costs also have to be paid personally in advance, and reimbursement later on is not always very quick. Such upfront costs are therefore disproportionately high, especially for junior rank soldiers.*
- *When returning to Germany, there are considerable difficulties in having the school-leaving qualifications of children travelling with personnel recognised.*

The service personnel also criticised various aspects of the financial overseas allowance (Section 53 of the Federal Civil Servants' Remuneration Act (BBesG):

- *This is not transparent in terms of the amount and how the zone levels are set, or in terms of the basis for calculating the increase in the allowance for those who are eligible.*

It should be emphasised that the complaints set out here are recurring complaints from service personnel stationed abroad. The list is therefore intended to illustrate by way of example that comprehensive and transparent information, pragmatic support services and good cooperation between the responsible military and civilian agencies are crucial.

During a field visit in the **UK**, the Parliamentary Commissioner for the Armed Forces met with British MPs, members of the British armed forces and Bundeswehr service personnel from the Allied Rapid Reaction Corps headquarters in Innsworth. During discussions with the MPs, she presented the working methods of the Office of the Parliamentary Commissioner for the Armed Forces. The service personnel described challenges relating to residence and pension law, which they have also faced as a result of Brexit.

At Illkirch-Graffenstaden in **France**, 291 Light Infantry Battalion with around 700 German service personnel is subordinate to the Franco-German Brigade. The all-German battalion is stationed on French territory and housed in a French facility. In some cases, this is leading to a number of legal difficulties, particularly regarding the barracks guard, as the Parliamentary Commissioner for the Armed Forces learnt during her field visit in June of the year under review:

- *According to the commander, the main user of the French barracks at the Illkirch-Graffenstaden site is the German battalion. There is only one French company-equivalent on site. Providing guard personnel and the use of force are sovereign tasks of France and German forces therefore cannot be involved in either. There is no legal basis or bilateral agreement that would allow the transfer of relevant sovereign powers to German service personnel.*

The Ministry of Defence has been reviewing a relevant application since February 2021 and contacted the legal department of the French Ministry of Defence in March 2023 with a view to concluding an agreement. The written statement that has been announced by the French side was not available by the end of the year under review. Given the exceptionally good Franco-German relationship that has been cultivated for decades, it is a pity and incomprehensible that such relatively minor processes are taking so much time.

Appreciation and recognition

The Bundeswehr Foreign Duty Medal is an award for members of the Bundeswehr. It is awarded for participation in missions abroad and is available in bronze, silver and gold, depending on the length of the mission, and as a Combat Action Medal. In May 2019, the relevant cut-off date for awarding the Bundeswehr Foreign Duty Medal was extended from 30 June 1995 to 1 November 1991. This means that all service personnel who were deployed from this date onwards are entitled to a Bundeswehr **Foreign Duty Medal** if they meet the relevant requirements. However, in view of the various missions and deployments undertaken by the Bundeswehr before November 1991, this strict cut-off date rule seems hard to explain:

- *One soldier criticised the fact that the recognition requested by the Navy Headquarters for deployments on the Mine Counter Measures Operation (MCM-Op) “South Flank” had been rejected, meaning that the service personnel deployed on this operation cannot receive a Foreign Duty Medal. The operation was a German Navy mission in the Mediterranean and the Persian Gulf between August 1990 and September 1991. Even though award of the medal is prevented by the cut-off date rule, the Ministry of Defence has taken the submission as an opportunity to question the date rule and prepare a proposed solution.*

The position is that the Bundeswehr’s appreciation of the unique commitment of service personnel on special assignments abroad should not depend on a cut-off date. It would also be appropriate to award the Bundeswehr Foreign Duty Medal to all service personnel deployed in operations before 1 November 1991. This would allow the Bundeswehr to recognise that the work done for the security of all of us does not have an expiry date. It would also further promote further appreciation for our service personnel.

The **unequal treatment** of service personnel in terms of recognition by awarding specific service medals, which was sometimes difficult for them to understand, also led to resentment in the year under review:

- *The United Nations Service Medal is only awarded to those forces that are officially registered with the United Nations and assigned to MINUSMA. The other service personnel are deployed in Mali as a “National Support Element”, which means that they are only providing national support services and are therefore not subordinate to the United Nations. They would therefore not be entitled to a United Nations Service Medal, even though the mission would not be possible without them and they were deployed under the same conditions.*

As this problem has already been discussed during several field visits in Mali and also during the UNIFIL mission in Lebanon, it is felt that it is important to inform service personnel of this process before the start of the relevant mission in the course of their pre-deployment training.

All too often, unfortunately, there are also **delays** in awarding medals:

- *During the visit of the Parliamentary Commissioner for the Armed Forces to the Baltic States in December 2022, service personnel pointed out that they had only received the Foreign Duty Medals for their part in the Baltic Air Policing programme after returning to Germany. According to the Ministry of Defence, it was not possible to process the applications for the award of medals within the eight-week duration of assignment of the service personnel in Estonia.*

The application and processing routes should be shortened to show the Bundeswehr’s appreciation of service personnel’s role by awarding the Foreign Duty Medal while the deployment is ongoing, if possible.

4. The Bundeswehr’s financial resourcing

Defence budget and special fund

At € 58.5 billion in total, the financial resources provided for the Bundeswehr have increased significantly compared to previous years. The defence budget (section 14) was slightly lower at € 50.1 billion compared to € 50.4 billion in 2022. However, an additional € 8.4 billion was available from the € 100 billion special fund for the Bundeswehr.

The goal of each NATO member state investing two percent of its gross domestic product in defence has therefore not yet been achieved in the 2023 year under review. The **2 per cent target** was in fact extended at the NATO summit in July 2023. In future, two percent of gross domestic product will be the lower limit for contribution to

collective defence. It is therefore positive that the Chancellor reconfirmed adequate funding for the Bundeswehr and achievement of NATO's 2 per cent target at the Bundeswehr Conference in November 2023. The target will be reached with the 2024 budget.

The largest item in section 14 was personnel at around € 20.63 billion. Personnel expenses rose significantly compared to the previous year, which was mainly due to the increase in permanent posts and taking into account the pay scale and salary adjustments. At € 5.36 billion, the budget estimate for expenditure on materiel maintenance was slightly above the 2022 level (€ 5.04 billion). Approximately € 1.84 billion in funding was available in the budget for defence research, development and testing (2022: € 2.18 billion). Expenditure on military procurement (including military equipment and other investments) was budgeted at around € 8 billion, which was a decrease of 19.1 per cent compared to 2022 (€ 9.93 billion). The reduction was the result in particular of the transfer of various procurement projects to the special fund.

With regard to the Bundeswehr special fund, the Ministry of Defence has stated that more than € 60 billion of the special fund had already been committed via contracts by the end of the year under review. That is almost two thirds of the total volume. According to the preliminary annual financial statements for 2023, around € 5.8 billion of the special fund has been spent in cash terms. The Ministry of Defence has established the necessary transparency with its regular reports to the German Bundestag on expenditure from the Bundeswehr special fund.

It is already clear now that once the special fund has been exhausted – it is expected to be almost completely spent by the end of 2027 – a significant increase in the defence budget in the order of several billion euros will be necessary. This applies in particular to standing up and stationing of the German brigade in Lithuania up to 2027, which was announced in the year under review. Added to this are the rising costs of operating the armed forces, such as the sharp increase in expenditure in the energy and raw materials sector. For example, whereas the actual costs of heating and electricity in 2022 were still around € 410 million in total (2021: around € 320 million), the Ministry of Defence has put this figure at more than € 1 billion for 2023.

A continuously rising defence budget – associated with long-term purchase commitments – would be a signal and incentive for industry to invest in developing and expanding required production capacities. A continuous increase in funds also ensures greater planning certainty, even after the special fund has been exhausted. The Ministry of Defence also needs that planning certainty. There must be clarity at a political level regarding any future sustainable financing for the Bundeswehr. There must not be any underfunding again after 2027.

Procurement reform

The processes at the Bundeswehr to obtain new equipment dragged on for years, in some cases very slowly, but there has now been movement in this area since Russia's attack on Ukraine in breach of international law. The service personnel have felt the change in the year under review, particularly in the area of clothing and personal protective equipment, which – as the Parliamentary Commissioner for the Armed Forces found out during her many field visits – have increasingly made it through to the troops. It is also pleasing that the Federal Office of Bundeswehr Equipment, Information Technology and In-Service Support (BAAINBw) has finally got better equipment for NBC protection on the way. It has procured various means of radioactive, biological and chemical decontamination, with a value into tens of millions of euros.

In July 2022, the German Bundestag passed the **Bundeswehr Procurement Acceleration Law (BwBBG)**. Initially until the end of 2025, it will allow the Bundeswehr's contracting authorities to award contracts more quickly than under the previous legal position. In addition, the Federal Ministry of Defence issued a decree in April 2023 further to advance the process for military procurement. In future, the highest priority will be the time factor, and everything else will be subordinate to time. It is a further requirement to rely as far as possible on equipment available on the market and to avoid customised products for the Bundeswehr. Exemptions must be used in a targeted way. The Ministry has suspended internal Bundeswehr regulations that would have tightened up the legal requirements, until further notice. In addition, the chiefs of the major military organisational elements are to be more closely involved, via ministerial instructions. They are to be given and will take on more responsibility again to take the work off the top level at the Ministry of Defence for procurement decisions. These ministerial instructions are a logical continuation of the measures already taken to speed up procurement procedures. It makes sense in particular to give chiefs more powers again and to avoid expensive tailor-made solutions in the future, which have often led to considerable delays in procurement in the past from time-consuming development and lengthy modifications. The move not to apply internal Bundeswehr rules that exceed

the legal requirements until further notice is also to be welcomed. It remains to be seen whether the decisions will lead to less bureaucracy, as well as simpler and faster procedures.

It should be helpful in practice for those responsible that the Ministry of Defence published the updated version of the “Procurement pocket card” at the start of the year under review. It provides compact information on operational procurement for Bundeswehr purchasing by briefly and concisely describing procurement in standard and special cases and also discussing how to run maintenance. The pocket card thereby helps quickly to gain an overview of the options and limits for operational procurement, without having to immediately refer to the detailed rules in the applicable service regulations.

Flexible budget funds

The “Flexible budget funds for commanders and civilian heads of service” (FlexHHM) package of measures introduced in 2019 – known as the discretionary cash allowance (Handgeld) – is being continuously developed and adapted. Those responsible can use the budget funds immediately available to them to purchase and use products available on the market in a decentralised way and without lengthy application and procurement processes, including at short notice.

The previous value limit of € 5,000 was removed following the decision of the German Bundestag’s Budget Committee in November 2022. Since then, € 50,000 per year have been available. Overall, expenditure in the 2023 budget year from flexible budget funds was around € 9.3 million. The average outflow of funds for an agency was around € 25,600.

These figures, as well as the discussions during local field visits, show that the **discretionary cash allowance** has been well received. Overall, those entitled to use the allowance value it as a flexible tool for speeding up procurement processes for locally specific needs that were previously considered too protracted and bureaucratic. However, there are sometimes communication issues within units:

- *During a field visit, service personnel criticised the fact that, despite reports “to the top”, the urgently needed vacuum cleaners for cleaning vehicles had not been purchased from the discretionary cash allowance. The commander assured us that he had spent the discretionary cash allowance elsewhere in full, but promised to review the need for improvement in the reporting chain.*

It is important that those responsible and other leadership are confident in handling the flexible budget funds. Despite the new cash allowance distributed in 2022, the troops are still sometimes unaware of the products that can be procured:

- *During one field visit, there was criticism that a replacement for a piece of sports equipment could not be procured from the flexible budget funds. The Ministry of Defence explained that it could only be procured following the standard procedure via the responsible Bundeswehr Service Centre or from occupational health management and from the site’s welfare funds.*

It would also be desirable to expand the products covered by the discretionary cash allowance:

- *One crew member of a sea-going unit complained that it was not possible to buy a standardised component, which is used millions of times in industry and can be purchased at any electronics store, with the discretionary cash allowance. Delivery via the Bundeswehr took months. He suggested extending the scope of procurement with the discretionary cash allowance to include spare parts that do not exceed a certain value limit and could also restore operational readiness quickly. The review had not yet been completed at the end of the year under review.*
- *The Parliamentary Commissioner for the Armed Forces also heard the desire to be able to use the discretionary cash allowance for personnel recruitment and press and public relations.*

The aim must be further to strengthen the existing room for manoeuvre of military unit commanders and civilian unit commanders and civilian agency heads. The evaluation report that has been announced and is due by the end of the year under review should provide insight into further development of this tool.

5. Materiel

Full resourcing

According to the Ministry of Defence, the Bundeswehr meets its NATO alliance obligations in principle, but still has to deal with serious restrictions in a number of areas. Despite the acceleration in procurement, there are gaps in materiel, spare parts and ammunition that can only be closed in the medium term. According to the Ministry of Defence, the Bundeswehr Procurement Acceleration Law (BwBBG) is now being applied to around a third of all defence- and security-specific contract awards and is therefore already making a significant contribution to speeding up the contract award process. There are positive developments in the supply of materiel under existing framework agreements:

- *Up to the end of 2023, industry had delivered a total of 1,008 Multi 2 swap body loading systems (military trucks). This meant that the new vehicles arrived two years earlier, including 17 more vehicles than originally planned.*

The Bundeswehr plans to use funds in the double-digit billion range from the special fund to drive forward digital networking of the Bundeswehr. One point of focus is the Battle Management System (BMS), which is the new joint force technology for the **Digitisation of Land-Based Operations (D-LBO)**. It allows the Bundeswehr to display current situation reports in real time and exchange information digitally and interoperably between command posts and units nationally and internationally. Digitalisation is also linked to urgently needed, sustainable and consistent standardisation of hardware and software. Fortunately, the equipment for the slightly more than 1,000 Bundeswehr vehicles planned for this purpose was almost completed in the year under review. Unfortunately, this does not mean that the equipment was fully usable. For land forces, the number of active users integrated into the Battle Management System can still be increased. The full capacity has not yet been exploited. Equipping modern radios is one component required to use the system in full. Outdated radio technology is a recurring theme on field visits, including in the year under review.

- *Service personnel reported difficulties in setting up a wide range of standalone solutions that were necessary to communicate with NATO partners, because of their outdated radios. Others have criticised the fact that, although they have more modern radios, they were not compatible with old devices used in parallel. At another location, seven PRC 117 radios were missing, which meant that government radios were used during exercises instead.*

Unfortunately, the installation of the 20,000 modern radios that have been procured in the various vehicle configurations is also causing problems.

Up-to-date **radio equipment**, however, is important for Division 2025. It is therefore the right decision for the Ministry to mobilise all conceivable resources to deliver rapid integration of prototypes for vehicles that are required for a complete battle group. The Division 2025 will be able to lead the international formation, but will not be able to achieve its full potential for the time being. However, the temporary mix of equipment with radios planned by the Ministry also means additional work for all those involved in training, exercises and operations.

It is positive that, according to the Ministry of Defence, the VJTF has achieved the increase in capability that was intended by introducing the Battle Management System. Digitally networked national and Alliance battle management is therefore possible. The situation is different when it comes to preparation for the eFP battlegroup in Lithuania:

- *During a visit to 93 Tank Demonstration Battalion in Munster, the commander reported the lack of satellite communication and digital radio capabilities. However, a fully functional command post is urgently needed to prepare for the eFP Lithuania deployment.*

The situation on the ground for the eFP battlegroup in 2023 was also still in need of improvement:

- *During the joint field visit by the Parliamentary Commissioner for the Armed Forces and her Dutch and Norwegian counterparts in March, the German unit did not have any digital, encryption-capable radios available. The problems described were still applicable without change when the Parliamentary Commissioner for the Armed Forces visited again in December. This makes communication with partner nations considerably more difficult. For some time now, a Multinational Interoperable Radio Connection Point has provided a makeshift remedy.*

The system, which was previously presented to the Parliamentary Commissioner for the Armed Forces on a field visit to the 37 Armoured Infantry Brigade “Freistaat Sachsen” in Frankenberg, can connect and combine different radio systems and devices. In practice, this makes analogue and digital radio messages compatible. This is progress, but not a final solution, particular for the multinational formation. According to the Ministry of Defence, the German service personnel in the eFP battlegroup in Lithuania are finally to receive state-of-the-art encrypted radios in 2024.

According to the Ministry of Defence, the special fund means that the reproduction of radios with outdated technology from the 1980s, which was still being considered two years ago, is no longer necessary.

The “**cellular networks deployable**” system is a building block in the Digitisation of Land-Based Operations. The system is used to network command posts. For traditional tactical networking, the system plays a subordinate role in practice and only marginally affects the equipment of Division 2025. This is good news, as there was a further delay in delivery of the systems in the year under review. According to the Ministry of Defence, this was because of problems with integrating the software and the resulting delays in preparing the documentation and carrying out the training. The earliest delivery of the first production series system should be November 2023; the last production series system will not follow until November 2025. This may be enough to equip the Division 2025.

The € 100 billion special fund is having an increasing impact on materiel procurement. In the year under review, the Bundestag approved 55 requests known as 25-million euro requests, with a total volume of € 47 billion.

Specifically, three P8 Poseidon long-range maritime patrol aircraft, 22 armoured self-propelled howitzers 2000 (PzH 2000), six IRIS-T-SLM weapon systems, 18 LEOPARD 2 A 8 main battle tanks, 60 heavy transport helicopters, 82 light combat helicopters and 50 PUMA infantry combat vehicles were procured. Major projects such as commissioning the Warnow Shipyard were completed and others started, such as the ARROW air defence system, the Class 126 frigate and the purchase of Patriot guided missiles.

Nevertheless, the planned subordination of two army divisions to NATO command as part of the NATO Force Model and the permanent stationing of a German brigade in Lithuania mean that the situation regarding materiel is not expected to ease in the medium term.

The Ministry should also consider the security interests of Germany and the Bundeswehr when procuring new materiel. This raises questions in the following case:

- *In spring of the year under review, the Bundeswehr procured 28 new emergency firefighting vehicles (HLFs) under the applicable procurement law with the approval of the Budget and Defence Committees. The contract was awarded under the legally valid award procedure and the final main contractor is a manufacturing company based in Germany, which is, however, a subsidiary of a large Chinese corporation.*

Combat clothing and safety equipment

Adequate equipment with functional clothing and appropriate personal equipment is essential for all service personnel, so that they can perform their mission with the best possible protection. In contrast to many previous annual reports, I am pleased to report that there were few complaints in the year under review, while there were many positive reports.

In April 2022, the Budget Committee of the German Bundestag approved around € 2.4 billion in additional budget funds, following the Russian invasion of Ukraine, for **full resourcing** of our active troops in advance of the planned schedule. This decision means that the Bundeswehr can introduce combat clothing, armoured vest systems, combat helmets and rucksacks for our troops by 2025, six years earlier than originally planned.

Bringing forward full resourcing poses a challenge for industry because industry cannot guarantee consistently stable supply chains in all areas. While the business have been able to meet the regularly agreed delivery volumes of combat clothing, armoured vest systems, combat helmets and rucksacks in full, this has not been the case for the additional procurement that has been brought forward. According to the Ministry of Defence, this will not affect the equipment of troops – with the exception of the Bundeswehr combat helmet – as the remaining volumes are due to arrive in the first quarter of 2024.

For the future, it will be important to maintain this overall positive development long-term. Using new standard items for day-to-day duties requires regular maintenance, repairs and even the complete replacement of materiel. For this to be guaranteed, the Bundeswehr is dependent on sufficient financial resources in each budget year.

The tangible access to materiel also poses a challenge for troops when it comes to **storage**. This is because the calculations for accommodation, quarters and lockers are obviously not designed across the board for the noticeably larger amount of new clothing and equipment.

- *During field visits, the praise given to improvement was often accompanied by the complaint that there was no space to store the additional materiel.*

The problem is not insignificant, as unsecured storage comes with the risk of materiel going missing. It is also in the interest of cold-start ability to store the items of personal protective clothing safely and quickly available in additional lockers or materiel containers within barracks. Lots of leaders are already looking for a sensible and feasible solution, but they do not always have the necessary resources or premises. In the meantime, the Federal Ministry of Defence has also recognised the problem and is working on various different solutions, such as lockers and wheeled containers with lockable compartments. To accommodate the Modular Ballistic Protection and Carrying System (MOBAST), which is not possible in the standard lockers, the Bundeswehr is providing a newly introduced chest of drawers or modified bed boxes.

It is more than incomprehensible that the additional space required was not taken into account in the recently completed new buildings:

- *Service personnel from 1 Light Infantry Battalion at the Knüll barracks in Schwarzenborn, which were built as part of a model project using modular timber construction, find the new accommodation buildings are unsuitable. They would have to remove furniture from quarters to be able to set up a second locker for the additional equipment.*

In future, it is imperative to take the required space into account when planning furnishing and infrastructure. There were already similar problems with the **Future Infantryman** (IdZ) system. The IdZ is an extremely complex and fully integrated weapon system for infantry forces (armoured infantry soldiers, light infantry, paratroopers and mountain infantry), which must be distinguished from the items for the full resourcing that has been brought forward:

- *During a visit by the Parliamentary Commissioner for the Armed Forces to 33 Armoured Infantry Battalion in Neustadt am Rübenberge, several service personnel reported that the IdZ system required considerably more space to store their personal equipment than just a locker in the already cramped quarters. However, there is no space for additional lockers. The Ministry of Defence has announced that the additional space that is needed has now been taken into account in military requirements for infrastructure. Another example is the installation of containers, which are used as a temporary solution to store personal and IdZ equipment until new buildings are built.*

The Bundeswehr should take this as an opportunity to review whether the space required that has been calculated for the IdZ system will also be enough for the items for the full resourcing that has been brought forward.

As much as the equipping of troops across the board with the items for the full resourcing that has been brought forward is an extremely positive development, problems sometimes only become apparent when equipment is used:

- *In the year under review, several paratroopers who are part of the Army's specialised forces with Extended Basic Qualification (EGB) complained that the MOBAST armoured vest had substantial disadvantages compared to the materiel previously used, both when negotiating the obstacle course and when exchanging fire. They reported that it is less robust and only has 13 pockets and system components, whereas the previously used Special Forces Command (SOFKOM) multifunctional vest has 37 pockets. It also restricts manoeuvrability and leads to poorer shooting times, which could mean the difference between life and death in a serious situation. It also reduces interoperability with the Bundeswehr's original special forces.*

The Bundeswehr as a matter of principle involves users in decisions about equipment and clothing via the Integrated Project Teams. For special forces and specialised forces, the Bundeswehr should do this at an enhanced level with a view to their potential deployment scenarios and the physical integrity of the service personnel, and should take such reports based on experience into account. As several agencies have already argued, it seems obvious in this case also to consider equipping the specialised forces with the armoured vest system for the Bundeswehr special operations forces as a modular solution, given potential joint operations with special forces.

Given the 25-piece Armed Forces combat clothing kit that is provided, the field shirt and field trousers from **field clothing kit 90**, which has been in use by the Bundeswehr since the 1990s, will only still be provided for service personnel to use away from field in future. The materiel should be more breathable and the cut of the clothing for female service personnel more feminine. The modernised field clothing kit is expected in 2026.

It is positive to note that both systems – the Armed Forces combat clothing kit and the field clothing kit 90 – complement each other and offer comprehensive protection against adverse weather conditions on the layering principle. In contrast to previous years, there were hardly any petitions about the lack of protection against cold and wet. It is also particularly welcome that service personnel no longer have to return the Armed Forces combat clothing kit or the MOBAST armoured vest after returning from a deployment, but can continue to use them until the end of their service.

Full, state-of-the-art head protection for service personnel has been a recurring theme in recent annual reports. It is therefore particularly positive that the Armed Force combat helmet is to be made available to the troops across the board as part of the full resourcing that has been brought forward, by 2025. Even if there may be bottlenecks for certain sizes because of difficulties within the supply chain, particularly in the first half of 2024, the Ministry of Defence expects to be able to make up for all delivery delays by the end of 2024 or early 2025. Similarly pleasing is the procurement of the associated camouflage cover in three different versions: 5-colour-camouflage, 3-colour-camouflage and winter cameo. In the year under review, the Bundeswehr distributed 78,000 units to the troops, primarily to troops within the VJTF. The remaining 195,000 covers are to follow by the end of 2024.

The troops are still having to wait for the **headset with hearing protection function** that matches the Armed Forces combat helmet. The aim of the project is to provide all active service personnel with standardised equipment for deployment that, in addition to protecting hearing, also provides vital communication within the military units, while still hearing ambient noise. It is long overdue for the Bundeswehr to close this capability gap for head protection and personal equipment. Depending on the relevant post, very different acoustic loads occur during duty, which can range from impulse noise to continuous noise. In this context, there will also be different hearing protection models that require regular maintenance by replacing ear muffs and procuring replacements. The resources required for this should be taken into account in future budget plans, as communication within the military unit and hearing ambient noise are vital for service personnel's survival.

Service personnel with a hearing impairment suffered in the line of duty still have to deal with too many points of contact who operate in an uncoordinated manner. Those affected continue to turn to the Parliamentary Commissioner for the Armed Forces with requests for the earliest possible provision of personal hearing protection with a suitable helmet, as they have often already made numerous exhausting, but ultimately unsuccessful attempts in this regard:

- *One senior officer reported that he had been trying unsuccessfully for almost two years to obtain double hearing protection through official channels. After this was rejected by his agency, stating that – contrary to what was set out in the 2022 annual report – it was not possible to procure the item on a decentralised basis, he was also unable to obtain clarification from the Federal Office of Bundeswehr Equipment, Information Technology and In-Service Support (BAAINBw) and Technical Centre 91. Purchasing at his own expense and reclaiming from the Bundeswehr Service Centre was also not possible. However, the petitioner's agency, as it turned out during review, had confused the fact that this was not about personal equipment, but personal protective equipment. The Ministry of Defence once again confirmed the option of procuring such equipment in a decentralised manner. It also issued procedural instructions for the entire area on implementing the procurement of personal hearing protection for hearing-impaired service personnel.*

This measure by the Ministry is very welcome and should bring final clarity regarding the procedure. An equally positive decision is the instruction issued by the Ministry of Defence to prioritise service personnel with hearing impairments suffered in the line of duty when issuing Armed Forces combat helmets. The two measures should provide considerable relief for those affected.

In the year under review, Helicopter Wing 64 in Laupheim finally received the first examples of the long-awaited **flight helmet** with ballistic head protection, the procurement process for which has been ongoing for more than ten years. The Ministry of Defence expects the new helmets to be available for all Bundeswehr helicopter systems by the end of 2025.

While a multi-year framework agreement has guaranteed the unrestricted supply of the mechanics coveralls, variable for all sizes, for some time now, the aircraft engineering personnel still require a variant suitable for summer. Procurement on this is very close to completion. After important procedural steps were finalised in the

year under review, testing of wearer trial samples by the troops is planned for March to September 2024. If testing is successful, delivery of the new summer-ready **mechanics clothing** could start in the second half of 2025.

The authorised allowance of equipment is essential for all service personnel in the Bundeswehr. It specifies exactly what equipment and clothing is required for the performance of a post or a particular task and, if applicable, what is to be provided for duty. The following example illustrates how different the many different authorised allowances of equipment are:

- *After completing his motor cyclist training, one soldier complained that he had not received the appropriate off-road clothing or functional underwear. The review found that he was entitled to the “motorbike protective clothing for road” authorised allowance, but only the “motorbike protective clothing for terrain” authorised allowance also includes the supply of undergarments. If necessary for duty, his agency may apply for this on his behalf.*

The Bundeswehr decided to review the need for the individual **authorised allowances of equipment**. On that basis, a sub-working group of the permanent working group for clothing was able to reduce the previous 173 authorised allowances to 77 in the year under review. This was accompanied by a needs-based adjustment of the remaining authorised allowances of equipment and editorial revision. The reduction is an excellent achievement in particular and fully in the spirit of reducing unnecessary bureaucracy. It should also make the job of materiel managers significantly easier.

With the planned changeover to clothing provided exclusively by the Bundeswehr in the medium term, the existing shops run by Bundeswehr Bekleidungsmanagement GmbH will close. In their place, **service facilities**, i.e. service stations, service points and mobile service points, will in future be exclusively responsible for issuing and returning clothing and for replacing items provided by the Bundeswehr and will therefore be the sole point of contact for service personnel when it comes to clothing. In this new context, reliable service in the form of good telephone availability and, where possible, physical accessibility, as well as friendly interaction in a properly fitted shop, is becoming even more important. A good communication channel between the agencies and the individual service stations may also be helpful, as an example from Munich shows:

- *After various scheduling difficulties arose during issuing and return by forces of 293 Communication and Information Systems Support Battalion in Murnau, all those involved agreed at a clarifying meeting that in future the battalion command would make direct contact with management of the Munich service station in the event of any uncertainties or dissatisfaction, to be able to resolve such problems promptly.*

The situation was similar after a visit by the Parliamentary Commissioner for the Armed Forces to 4 Medical Regiment in Rheine:

- *The discussion was that the nearest stationary service centre for swapping clothing was in Münster and that a mobile clothing unit from Bundeswehr Bekleidungsmanagement GmbH only comes to Rheine every fortnight. This is not enough for a site with 160 service personnel and, in future, another training company. The Ministry of Defence responded to the complaint immediately. Although the general conditions still did not justify establishing at least one stationary service point on site, it arranged for the mobile clothing unit to visit the location twice a week from now on.*

The case shows how the use of these mobile service points can have an extremely positive impact on units with higher equipment requirements and a long journey to the nearest service station.

It should be emphasised that Bundeswehr Bekleidungsmanagement GmbH largely staffs its service stations in line with target numbers and also invests in additional personnel.

- *For example, it is creating two additional jobs for service at the Munster service station, albeit initially on a temporary basis, as this site is one of the service stations with the highest volume of work, because of its size.*

This measure is very welcome and fully in the interests of the troops. Firstly, it benefits service personnel if the employees of Bundeswehr Bekleidungsmanagement GmbH have enough capacity to give them good advice during fittings and prepare changes to their clothing. Secondly, it is a major advantage if sufficient staff are available to minimise waiting times and the troops can concentrate on their actual job. It would be even better if the additional jobs were not just temporary, but were kept long term.

Digitalising the issuing of clothing in the Bundeswehr, which is progressing well, will take the load off staff at Bundeswehr Bekleidungsmanagement GmbH. Clothing management is slowly adapting to market standards.

Development of an online platform for the digitalisation of administrative processes is a very clear example. Clothing management services that are possible without personal contact with service personnel should be possible via app, intranet and internet. The plan, for example, is to order replacement items online and either collect them from Bundeswehr Bekleidungsmanagement GmbH service stations or packing stations or have them sent to a private address. A process like this has been applied successfully in the Dutch armed forces for years. Bundeswehr service personnel will also be able to arrange cleaning and tailoring online, and book appointments. As well as setting up digital customer service, there are also plans to make user and care instructions available online. All of this should be available in full as early as 2024.

Service personnel will have to wait a little longer for **body scanners** to support the clothing process digitally. The plan is for these scanners to send measurement data to the service stations locally at the Bundeswehr careers centres, so that large parts of initial issue of clothing can be received by package. A pilot project has been running at the careers centre in Munich since mid-September 2023 and in Beelitz since January 2024. Unfortunately, it is not possible for service personnel themselves to take measurements using a camera scan on a web app, at any time and anywhere, as seemed possible in the “BundesWEAR – Digitales Einkleiden” [Digital clothing fitting] project presented in 2022. The experts at the Ministry of Defence point to the complexity of the design of military clothing, which continues to require direct contact with qualified personnel. However, the planned use of body scanners will simplify and speed up the initial issue of clothing process. Repeated measuring and trying on will then be a thing of the past. For all progress on digitalisation, it should continue to be the case that direct contact with specialist and qualified staff from Bundeswehr Bekleidungsmanagement GmbH or the service stations remains possible at all times.

6. Personnel

For many years, the Ministry of Defence has been pursuing the ambitious goal of increasing military personnel to 203,000 service personnel by 2031 and forming an effective reserve of up to 60,000 reservists, despite the constantly growing problems with personnel recruitment and retention. In June of the year under review, however, the Minister of Defence expressed doubts for the first time as to whether this goal was still achievable, given the continuing overall decline in application numbers. The intention to review the planned personnel strength is therefore an obvious step. The return to national and collective defence comes with massive challenges and additional tasks. There are still international crisis management assignments and new assignments are being added. All of this requires a body of personnel that is commensurate with those assignments.

Personnel situation

The current figures clearly show that troop numbers are continuing to fall – gradually, but the trend is clearly downwards. As at 31 December 2023, a total of 181,514 service personnel were serving in the Bundeswehr, which is 1,537 fewer than in 2022. The largest of the four status groups, with a total of 114,162 service personnel, are temporary-career volunteers. They sign up for between two and 25 years and often come from civilian working life or return to civilian careers after their military career. As most of them have shorter **periods of enlistment**, they usually leave the Bundeswehr relatively quickly. As at 31 December 2023, 23,154 of all temporary-career volunteers had only served for 15 to 19 years, 6,832 for 20 to 24 years and 7,398 had signed up for the longest possible period of enlistment of 25 years. A period of enlistment of 25 years is very much in demand, in particular among junior rank soldiers, but is often not feasible. The length of service of each individual is based primarily on the needs of the armed forces. Another factor is whether the physical demands of the post are still manageable at a higher age. In addition to the temporary-career volunteers, a further 57,410 career soldiers and 9,942 military service volunteers (including 300 homeland defence volunteers) served in the year under review.

At the end of the year, 20,898 of the 118,709 military posts above the junior ranks were not filled. This is to a **vacancy rate** of 17.6 per cent, which is an increase on the previous year's figure of 15.8 per cent. This was partly due to an increase in the number of posts. The vacancy rate falls to 14.1 per cent if the 4,137 service personnel who carry out assignments outside of duty stations – at non-established posts – are included. As at 31 December 2023, 10,937 of the 45,777 posts on the junior-ranking career path were not filled, or around 23.9 per cent. If we take into account the military service volunteers who are regularly deployed outside of posts for junior rank soldiers, the calculated rate of filled vacancies is more than 95 per cent.

Not all parts of the Bundeswehr are equally affected by the high number of empty posts. Fortunately, there were also some training and assignment categories in this year under review that are fully or even slightly oversubscribed. For the rank of sergeant, these include the special pipeline engineers, the medical engineering assistants (almost 104 per cent) and aircraft mechanic sergeants for Tornado airframe/hydraulics.

However, there is still a substantial shortage of personnel in many areas. Different organisational parts of the Bundeswehr services are affected to varying degrees.

The number of **Navy** personnel is still problematic. As at 31 December 2023, only 11,417 (around 79 per cent) of the 14,510 military naval posts were filled. If we also include personnel who perform tasks outside of posts, the overall proportion of position filled increases to around 85 per cent. By far the largest shortfall was recorded among senior non-commissioned officers (around 14 per cent) and junior non-commissioned officers (around 26 per cent). In individual cases, this leads to obvious constraints on operational readiness. Even when filling of posts is adequate, the actual starting strength is often much lower because of absences for health reasons, for example, or because of training courses or temporary assignments on support services.

The shortage of personnel is particularly evident among the crew members on frigates. For guard and duty operations, the starting strength sometimes varies by up to 50 per cent from the target crew. Service personnel with specialist technical qualifications, such as “breathing apparatus wearer” and “ship safety team leader”, are exposed to very high workloads. During laytime, they increasingly have to perform time-intensive watch duties, as only a small number of crew members have this qualification. The significant additional workload is also exacerbated by the slow progress being made in switching to the rotational crew model (rotation of eight crews through the various phases of training, exercises and deployment), as well as the ships’ long laytimes. In addition, it is often necessary to recall personnel to other units or to deployment at very short notice to compensate for the vacancies of those other crews. This has become the rule rather than the exception. The increasing shortfall in the number of navy personnel is the result, among other things, of the continuing unsatisfactory recruitment and retention of personnel. While the Bundeswehr was still able to fulfil 86 per cent of the required assignments in 2017, this figure was only 51 per cent in 2022.

As a result and in view of increasing deployment obligations, short-term planning changes and long training waiting times, Navy Headquarters is currently implementing various **measures to improve** the personnel situation. A lot of projects are already running as pilots. In addition to increasing the standard period of service for junior rank soldiers from the previous four years to eight years, for example, assignment categories have also been merged to introduce joint training and abolish small training courses. There are more flexible start dates (a total of 15 per year instead of the previous eight) for entering service. In addition, it was formally made easier to advance from junior rank soldier to junior non-commissioned officer. Experienced junior rank soldiers can now advance up the career ladder within their parent unit, strengthening the role of commanders and superiors on the ground who can actively encourage those service personnel who they view as particularly high-performing in their daily service to advance to the non-commissioned officer career path. Military service volunteers are also given the opportunity to serve on submarines and corvettes, in order to recognise potential and recruit them as future temporary-career volunteers.

The Navy would also like to see the introduction of the rank of non-commissioned officer on operational service, because the service personnel deployed in this role do not require any prior civilian vocational training and could be deployed in a targeted way for military-specific tasks with shorter periods of enlistment. It is also calling for the prioritisation of required personnel in the areas of shortage and for an increase in the attractiveness of status, benefits, promotion and/or pay.

In October 2023, the Navy reached full technical operational readiness with the first ship in the F 125 frigate class, the Frigate Baden-Württemberg. As part of the deployment of this frigate on the Mediterranean UNIFIL deployment and the subsequent Indo-Pacific-deployment from May 2024 as well as a subsequent UNIFIL deployment into the first quarter of 2025, the Navy will be able to test the intensive usability and the **rotational crew model** in real operations with at least one ship and five crews. This is a first step towards target operation, even if its full implementation cannot be forecast reliably at present.

The personnel situation for Bundeswehr **pilots** also remains challenging, although their numbers have increased slightly across the board in recent years, taking into account the personnel undergoing training. However, there are ongoing personnel shortages, particularly in the Army Aviation Corps, for example in the NH-90 transport helicopter. The Ministry of Defence argues that the shortage in personnel is the result of the continuing inadequate regeneration of personnel from previous years. It is also pointed out that a lack of training places and postponed

or cancelled basic helicopter pilot training courses also has had a negative impact. During a field visit at the Helicopter Command and the International Helicopter Training Centre in Bückeburg, the Parliamentary Commissioner for the Armed Forces heard that various measures are being taken in an attempt to resolve the situation. Among other things, the visibility of the Army Aviation Corps is to be improved when recruiting personnel. Contact has already been established on this with the careers information offices and careers centres. There are also plans to increase the capacities for review for the application process. There are also plans to review which requirements for applicants are essential and which, if possible, may be changed without making substantial compromises on quality. It remains to be seen whether these promising measures will have an impact.

All 18 newly procured NH-90 Sea Lion Naval Transport Helicopters (NTH) have been received by the Naval Aviation. However, given the introduction of this weapon system, available personnel is still very low.

Fortunately, there has been a positive development in the number of **Aeronautical Information Service (AIS) staff sergeants** of the Air Force. While the rate of filled posts was 77 per cent in 2020, it is now steadily increasing. However, it is disappointing that the personnel level of around 94 per cent forecast by the Ministry of Defence in 2021 for the year 2023 is still not met here and is unlikely to be achieved in the coming years. Given the required civilian professional qualification (commercial vocational training) and the relatively short training period of three years on average as a result, as well as the lack of competition for this job profile on the open labour market, good regeneration of Aeronautical Information Service (AIS) staff sergeants is generally possible.

The personnel levels for **flight dispatch officers** remain challenging. Although the percentage rate of filled positions has improved slightly, this is only because the number of military posts has decreased. The main reason for delays in meeting requirements is the demanding training programme, which has been shortened from five to three years and that not all trainees pass. However, obtaining the “Flight dispatch officer” qualification is a mandatory requirement for promotion to lieutenant and appointment as a career soldier, which should be an incentive to pass the training. The deployment of pilots in roles alongside other duties is intended to guarantee the operational minimum. It is also not positive for personnel development that applicants with civilian training cannot be taken on at the AIS via lateral entry, as this is only possible on the career path for officers with the military specialist service. This is a promotion-only career path that builds on prior training and service as an AIS staff sergeant. The conversion of three military posts into three civilian posts, for which non-civil-servant public service employees take on tasks in this area, should bring relief. As dispatchers, they then plan and prepare only the flights that are classified as general air traffic. However, these civilian positions had not been successfully filled by the middle of the year under review.

For the **Cyber and Information Domain Service (CIR)**, the structural reform that started in early 2019 is progressing to plan. Following the simultaneous disbandment, establishment and transfer of various subordinate units within and to the Cyber and Information Domain Service Headquarters on 1 April 2023, further significant steps have been taken towards adopting the new structure in 2025. However, as in recent years, the welcome, general growth of the CIR by way of additional posts cannot be achieved via personnel recruitment and retention. There is still a lot of catching up to be done on this.

It is not surprising that a challenging personnel situation in general, but particularly in highly specialised areas, often leads to a heavy **workload** for the personnel that is available. This frequently means high workloads, sometimes at the cost of substantial personal sacrifice, as the following example illustrates:

- *After several missions abroad at short intervals, one officer was once again assigned to a very demanding assignment away from home. Owing to his high level of expertise, he was the most suitable soldier for the specific post, but ultimately also the only person to be considered. He wanted a deployment close-to-home for once, but this was not possible for personnel planning. The officer understandably sees himself as being “penalised” in that his expertise, performance and commitment are more of a burden than a reward.*

This is not an isolated case. To avoid unnecessarily straining the satisfaction of existing personnel, the Bundeswehr should do more to avoid such workload via practical measures. In particular, formulaic and uninformative justifications from personnel planning are counterproductive in this case.

As in previous years, the **average age** of service personnel has increased once again. It has increased from 33.5 to 33.8 years, which – alongside the general demographic trend – is also due to the increasing proportion of career soldiers-. The average age of career soldiers- and temporary-career volunteers- is 34.6 years (2022: 34.2) and the average for military service volunteers is 20.2 years (2022: 20.5).

Personnel recruitment

In recent years, restrictions as a result of the Covid 19 pandemic, demographic trends and the shortage of skilled labour have made personnel recruitment more difficult. A 2022 population survey also found that fewer and fewer young men and women in the 16 to 29 age group can see themselves serving in the Bundeswehr. Between 2020 and 2022, the proportion of men who saw themselves serving fell from 28 per cent to 19 per cent and of women from 13 per cent to 6 per cent. Most of this drop happened before the Russian attack on Ukraine started. The Ministry of Defence has not identified any significant impact of the war on the attractiveness of a military career.

Applications

Since 2019, there has been a decline in applications across almost all career paths, owing to the challenging general conditions. While the Bundeswehr was able to achieve the best in terms of numbers, albeit insufficient, recruitment result of the last three years in 2021 with 49,200 applications, there were around 43,200 applicants in the year under review. The only slight decrease in the number of applications compared to 2022 (43,900) was primarily due to the increase of around 2,300 more applications compared to the previous year for voluntary military service (not including homeland defence).

The number of applications for officer career paths fell by 13 per cent compared to the previous year and by 3 per cent for non-commissioned officers and junior rank soldiers.

However, the negative trend – similar to vacancies for posts – does not affect all areas of the Bundeswehr. There are exceptions here too, where the number of filled posts is excellent. Specifically, these are the officer candidates for operational service, particularly in infantry roles such as paratroopers, mountain infantry, armoured infantry and the Air Force security force, as well as in the Air Force general staff and the military police. Once again, the number of applicants for officers in the Medical Service studying human medicine was excellent, which is not surprising given the extremely high demand among graduates and the consequent *numerus clausus* (NC) requirements at state universities. The Bundeswehr is an attractive alternative for many in this case, including because of pay during the very long course of study. However, recruiting specialists remains problematic, in particular for aviation service, IT and on technical career paths.

The Bundeswehr is therefore leaving no stone unturned to reverse the general trend of falling application numbers in the mid-term and to increase its competitiveness to maintain the currently high quality when it comes to the selection of personnel. It has launched many measures to optimise the recruitment process and take it onto the offensive.

In the year under review, the Bundeswehr has focussed on recruiting highly-qualified personnel who will serve for longer periods. In addition to the “Offensive 25/27” campaign that is focussing on the Army and the Medical Service via **advertising**, trade fairs, general events and special events, as in previous years, pop-up career lounges, theme camps and twelve applicant weeks have been held, as well as running lots of major national events (such as Kieler Woche) and other smaller events at marketplaces and universities for the Bundeswehr to present itself as an attractive employer.

The “Bundeswehr Day” in mid-June 2023 was an excellent example of successful advertising, which saw the Bundeswehr once again given a glimpse behind the scenes at ten sites across Germany. More than 100,000 visitors came to Bückeburg alone – 60,000 had been expected – and the Parliamentary Commissioner for the Armed Forces saw first-hand the imaginative projects that are being undertaken to recruit personnel:

- *Working with the Hanover Careers Centre, talent scout advice was given directly on site. Visitors who were interested in serving in the Bundeswehr after positive impressions were specifically approached and advised. This meant that prospective applicants did not have to make a trip to the careers centre as well, that would otherwise be necessary for advice.*

The problem is not that there are too few creative and good ideas for personnel recruitment. There are lots of ideas, as the following example from the year under review demonstrates:

- *A two-month pop-up career lounge at a shopping centre in Solingen was planned to boost the low number of applicants in the region and, in particular, to attract applicants from a migration background. Visitors had the opportunity to try on the military uniform, including armoured vest, and experience lots of exhibits from the troops, such as a Wiesel tracked vehicle specially transported to Solingen.*

However, the Bundeswehr must focus on implementing the knowledge gained from such recruitment measures effectively and quickly. The Navy, for example, wants to use the Troop Visiting Centre to arrange troop internships – centrally, depending on availability – on sea-going units to provide a realistic insight into the profession.

One idea from a former soldier that is worth considering is aimed at voluntary military service for homeland defence and could also be of interest to temporary-career volunteers:

- *Under the motto of “Bring Your Buddy”, he suggests allowing two prospective applicants to serve together in the same unit. The Federal Office of Bundeswehr Personnel Management finds this measure suitable for reducing applicants’ fear of contact with the military environment and creating a familiar atmosphere for those doing military service volunteers.*

Less positive, however, is the fact that the Bundeswehr has still not managed to get the “**Online Assessment**” digitalisation project up and running by the end of 2023 as announced. It is a project to be welcomed and has three elements: The first element, self-assessment, is a test platform that allows prospective applicants to self-assess their aptitude anonymously, wherever they are, before they decide to submit an application. The second element, online diagnostics, is designed to pre-select applicants and also reduce in-person attendance times. The aim is to optimise the sequence of invitations. Finally, there are plans to provide a platform for psychological aptitude and potential analysis with the third element, in-person diagnostics, which is to replace the previous computer-based test procedure. For this test, applicants are present at the careers centre. It is not yet clear when full implementation of the project may be complete.

This makes it all the more important to use well-known and large **online job portals**, such as “indeed” and “Stepstone”, which have delivered value on the civilian labour market for years. The fact that the Bundeswehr is currently looking into using them for military job adverts is a good step forward, particularly when it comes to appealing to the younger generation, who primarily look for jobs online.

Onboarding process

The fact that there is an excess of civilian vacancies makes it all the more urgent for the Bundeswehr to provide suitable applicants with fast and binding clarity as to whether, when and where they can start service. The Bundeswehr has therefore been working for some time to speed up the process from receiving an application to recruitment (onboarding process), to a maximum of eight weeks. This is the right decision, because the longer this time frame is, the higher the risk that applicants change their minds or get better offers from other employers and then withdraw their application. On average, the Bundeswehr achieved this eight-week period in the year under review. It is usually possible to attend an assessment within a week of the application having been received, but it is often delayed because of applicants’ personal preferences when it comes to appointment times. If an applicant passes the recruitment test, the Bundeswehr aims to issue a conditional **confirmation of recruitment** immediately. However, binding assignments can only be made after all the documents have been submitted, such as the medical expert’s opinion or the results of the security clearance check, which often cause delay.

To improve the onboarding process, the Bundeswehr has introduced an applicant retention tool on its website where, along with other features, basic training units introduce themselves and provide key information about the basic training process and the first few days in barracks. Service teams are also available at the careers centres to provide applicants with intensive support from the start of the application process through to appointment. In addition to handing out newly designed flyers with a QR code and briefly introducing the online portal, the processes at careers centres that speed up the processing of applications and make the best possible use of assessment resources have also been further developed.

Initial experience using this optimised application management system has been very positive. After it was introduced, the participation rate for the assessment centre was more than 90 per cent and the rate of cancelled applications fell to about 4 per cent. However, the careers centres complain about the high **level of bureaucracy**, as the Parliamentary Commissioner for the Armed Forces heard during a visit to the Düsseldorf careers centre:

- *During assignment and assessment interviews, all data for an applicant has to be entered in a computer database at the same time as the interview, which makes the in-person contact, which is so important, more difficult.*

The Bundeswehr should therefore consider making it possible to digitalise such basic information, such as by using a tablet that applicants might use to enter their personal data digitally in a document in advance. This would give career advisors more time for the actual advice at the appointment, helping both sides considerably.

One successful example of successful personnel recruitment and retention projects within the Bundeswehr is the “**CIR Personnel Advice Portal**”, which can be accessed via the Bundeswehr intranet. The Cyber and Information Domain Service (CIR) provides a knowledge platform with a wealth of specialist information to support personnel recruitment and retention on the Portal. It gives headquarters staff, employees recruiting young personnel and all the members of the Bundeswehr structured access to the applicable deployment options in their specific part of the organisation. With up to 3,500 page visits per month, the Portal is very popular, which clearly demonstrates its relevance when it comes to personnel retention.

The Bundeswehr cannot offer all applicants a military post – around 5 per cent are not suitable on health grounds. This figure has remained constant for many years. In other cases, existing qualifications are not sufficient for the desired position, applicants only want to work in a certain region or an applicant fails the assessment requirements. Further hurdles include submitting unrestricted disclosure from the Central Criminal Register or passing the basic security clearance check. Since 2020, it should in fact have been possible to record and analyse the reasons for rejection digitally on the **E-Recruiting** system. However, completion has been delayed by the pandemic and technical problems. Programming work was not completed in the year under review either, so that this still has not been implemented.

The results of the “**Applicant Study 2022**” run by the Bundeswehr Centre of Military History and Social Sciences (ZMSBw) published in the year under review are of interest in this regard. This is based on an online survey of everyone who applied to the Bundeswehr between May and July 2022 or for whom the application process ended in the same period. It shows that the Bundeswehr can draw on well-informed and highly motivated applicants. The main reasons for applying were the fact the Bundeswehr is a good employer, comradeship and teamwork, as well as personal development opportunities – not pay, working hours or mobility. Those surveyed also mentioned that the information available was good, but they still thought there was potential for improvement on this (particularly with regard to duration and transparency of the application process). From a career perspective, the focus was on the career path, training opportunities, personal development and the specific job. The application was viewed in a mostly positive light, overall. It is to be hoped that the Bundeswehr will put these findings into practice for personnel recruitment in the coming years.

Appointments and cancelled applications

A total of 18,810 service personnel began service in the year under review; 8,760 as military service volunteers; 810 as military service volunteers for homeland defence; and 9,240 as temporary-career volunteers. This was roughly in line with the level in previous year (2022: 18,770).

A total of 4,960 of the 18,770 service personnel who joined in 2022, or around 26 per cent, left the Bundeswehr again in the year under review. Of those, 4,380 left at their own request by withdrawing their formal obligation within the six-month probationary period in the case of temporary-career volunteers or by applying for their own dismissal in the case of military service volunteers. A total of 580 were discharged by the Bundeswehr. Of the applicants appointed in 2023, 4,040 service personnel (21.5 per cent) had left the service by the end of the year within the first six months, although the probationary period had not yet ended for all those who had joined. The **dropout rate** therefore remains very high. The Bundeswehr is not alone in seeing such high rates. There are similar dropout rates among other professions, such as police and nursing. There are many reasons for the dropout rate.

Almost a third of those leaving use the option to give their reasons voluntarily and anonymously via a questionnaire. The decision to leave the Bundeswehr again was reached by 58 per cent of temporary-career volunteers within the first eight weeks. The reasons are predominantly private, personal and family-related issues, sometimes also a job offer or differing expectations about serving. In the survey for 2022, almost 40 per cent cited the long distance from site as an additional reason.

- *During field visits, superiors also reported to the Parliamentary Commissioner for the Armed Forces their impression that recruits from the region leave the Bundeswehr early less often than those from home towns far away.*

For young recruits, many of whom have only just left school, deployment close-to-home plays a major role. They stay within their familiar social circle and can share their new impressions with family and friends directly. Proximity to home should therefore be given greater weight when it comes to initial assignment.

The social science analysis of the surveys also makes the recommendation that the Bundeswehr should focus on the onboarding process, measures to improve integration from the start of service and presenting alternative career opportunities, as ways to reduce the dropout rate. However, given completing the survey was voluntary and the questionnaires had low response rates, the result of the analysis is not very meaningful. Since 2023, it has also been possible to take part in the survey online on private electronic devices. It remains to be seen whether this will increase the response rate and produce more reliable results. Aligning the reasons surveyed for temporary-career volunteers and military service volunteers, linking the reasons to the data from the application process and the phase after joining the service, and a survey of superiors should also help develop measures to reduce the rate. The Parliamentary Commissioner for the Armed Forces continues to call as well for the reasons for dropping out to be identified to a more granular level than is already the case.

In December 2022, the Bundeswehr launched a pilot project at five locations with 69 recruits, where they began service at their parent unit four weeks before the start of basic training to establish a connection with the unit as early as possible. The analysis via a non-representative survey found that the participants viewed joining the unit early, the calm process of joining the unit and the good preparation for basic training, as well as the lively comradeship, in a positive light. Nevertheless, the dropout rate for the pilot was also around 25 per cent, which is roughly on a par with normal assignment directly to basic training. There was also additional workload for the troops. In future, the Bundeswehr wants to focus much more on the needs of the target group and continue to make entering service more flexible.

The Task Force to support recruitment of military personnel set up at the Federal Office of Bundeswehr Personnel Management back in 2022 had developed 46 measures to improve personnel numbers, almost all of which are currently being implemented. Some measures have already been implemented, such as increasing the capacity of training courses and basic training programmes, particularly taking into account the time at which school or other education and training are completed. The task force considers reducing the dropout rate in the first six months to be the most urgent topic. The aim in this case initially is to reduce the dropout rate among temporary-career volunteers back to 19 per cent, which was the average in all military organisational units in 2019 – i.e. before the Covid 19 pandemic. However, it can already be seen that most of the measures taken will not have a short-term effect, but rather a medium-term or even long-term impact.

In the second half of 2023, the Ministry also set up the **Personnel Task Force** to ensure the Bundeswehr's personnel readiness in the long term. The report on the outcomes contains 60 specific measures to be implemented quickly, including: investment in specialist training, the option of monthly entry into service in all areas, combined and accelerated advice and assessment procedures, application close to home at the nearest Bundeswehr site and greater responsibility locally, strengthening the image of the Bundeswehr and recruitment, improvements in personnel recruitment, being more responsive to people's needs and providing information about security policy. The spaces for "parking lot topics" are particularly to be welcomed. The plan to activate existing additional capacity to offer up to 30 per cent more applicants than before the opportunity to join the armed forces in particularly sought-after units and regions is also positive. It is positive as well that the Bundeswehr wants to focus even more intensively on recruiting women, as their potential within the Bundeswehr is far from exhausted.

Appointment of 17-year-olds

Since the suspension of compulsory military service in 2011, 17-year-olds have been allowed to serve voluntarily in the Bundeswehr with the consent of their legal representatives. As minors require special protection under international law, the recruitment of 17-year-olds has been criticised in public discourse for many years. However, given the shortage of new recruits and competition with civilian employers, the Bundeswehr wants to maintain access to this potential. In the year under review, the Bundeswehr appointed 1,996 (2022: 1,773) 17-year-olds (10.6 per cent of all those starting duty). Of those, 1,681 were male and 315 female. Around 30 per cent of 17-year-olds have reached the age of majority by the third month and 53 per cent by the sixth month of service.

However, there is a significant difference in terms of ending service during the probationary period when comparing minor service personnel to adult service personnel. At the end of the year under review, 546 of the 1,996 17-year-old service personnel recruited in 2023 had ended service within the probationary period. This figure may still rise given that the withdrawal option has not yet expired for all 17-year-olds. It is noteworthy that around

27 per cent of all 17-year-olds starting duty – compared to only almost 21 per cent of adults starting duty – left the Bundeswehr within their probationary period. This means that the percentage of 17-year-olds who leave the Bundeswehr within the first six months is six percentage points higher than adults. Unfortunately, the Bundeswehr does not separately collect information from minors regarding their reasons for leaving.

Given the special **need for protection**, the careers centres provide young applicants with intensive advice on the opportunities and risks of the military profession. An academically justified selection process is also designed to ensure that only well-informed 17-year-olds with the necessary mental maturity are recruited. The “Young People and the Bundeswehr” General Regulation sets out standardised requirements for all agencies regarding how to deal with 17-year-olds, which provide superiors with certainty for day-to-day training and service operations. After completing their basic training, young service personnel are also only deployed to serve in the Bundeswehr and sent on missions abroad once they have reached the age of majority.

In the coalition agreement, the three governing parties once again explicitly emphasised the protection of 17-year-old service personnel. To meet this objective, the Bundeswehr has developed a procedure to ensure that training and service in the armed forces occurs at the earliest on reaching the age of majority. The procedure was not implemented by the end of December 2023 because of outstanding reservations among the bodies that represent service personnel in the codetermination procedure.

- *During a field visit to the Army Engineer School at the start of the year under review, the Parliamentary Commissioner for the Armed Forces learned that training for 17-year-olds was planned at the School from 1 July with up to 80 service personnel per quarter. In contrast to other units, the location offers sufficient opportunities for attractive and meaningful training and qualification programmes for 17-year-olds until they reach the age of majority. However, the fact that no additional personnel are available for this purpose is a challenge, and the separate accommodation also requires considerable additional work. The instructors were also critical of the fact that, when the young people reached the age of majority, they would have to be removed from their group structure so far and integrated into an existing group structure, on transfer to basic training. Repeating training phases that have already been completed is also not great motivation for the young service personnel.*

The concerns raised are plausible and convincing. Protecting minors is intrinsically important. Appointing 17-year-olds to the Bundeswehr should therefore remain the absolute exception, when weighing up the benefits for the under-18s and for the Bundeswehr against the costs incurred by agencies.

Nevertheless, minors should have the opportunity to get to know the Bundeswehr via student internships. Discussions with school students have shown that there is increasing interest in internships. So far, **student internships** have, for example, been offered at Tactical Air Force Wing 74 as an information day, at the School of Military Music in Hilden as one week taking part in training and at the Navy as a two- to three-week internship, in some cases with the opportunity to experience everyday life on board a frigate. Depending on the internship, a minimum age of 14, 15 or 16 is required.

Personnel retention

Extension of enlistment

Extending the service period of temporary-career volunteers is one tool for personnel retention. However, a lot of service personnel have already extended their period of service in recent years. To avoid a body of personnel that is above a certain age, the Bundeswehr is also resorting less and less to extension of enlistment as a means of personnel retention.

The basic requirements for an extension are that there is an official need and a post that has not yet been reassigned to another member of service personnel. However, posts are often earmarked for a successor several years in advance without the current post-holders being aware this is the case. The reason for early planning of assignment is that the lead time for a lot of posts is sometimes long because of the extensive training and courses.

- *One petitioner complained that her post had been re-assigned more than four years before she left the Bundeswehr without her knowledge, even though she had wanted to extend her service. The Ministry of Defence announced that the “Meetings on personnel matters regarding military personnel management” Regulation is currently in draft form. It provides for a personnel development meeting to be held with the*

holder of a post that is due to be filled and for the holder to be asked about their intentions regarding an extension on record.

Such information early on is to be welcomed. The report on the results from the Personnel Task Force provides for the parent units to be able to recruit up to 30 per cent more personnel in the junior rank soldier and non-commissioned officer pathways, depending on local capacities, in order to create greater flexibility.

In the year under review, 8,072 service personnel extended their service, an increase of 14 per cent compared to the previous year (2022: 7,080). High retention rates have been achieved, particularly in the sergeant and junior rank soldier career paths. The average length of the extension fell slightly compared to the previous year (3.32 years) and was 2.91 years in the year under review. The average length of extension ranged from 2.71 years for junior rank soldiers to almost four years for NCO specialists. The average period of extension of enlistment for sergeants fell by a whole two years, from just under 4.8 years to around 2.9 years.

By the end of the year under review, the Bundeswehr retained 2,522 service personnel via **career advancement** and 2,416 military service volunteers via enlisting as temporary-career volunteers. It should be noted that the timely announcement of structural and stationing decisions, as well as the lifecycles of weapon systems, contribute to existing personnel deciding specifically to stay in the Bundeswehr for longer.

Bonuses

In the year under review, financial incentives once again made a key contribution to recruiting service personnel in shortage areas within the Bundeswehr or to retaining them in the Bundeswehr for longer. In the year under review, the Bundeswehr budgeted around € 18.9 million, for enlistment bonuses for temporary-career volunteers-, and therefore considerably more money than in the previous year (2022: € 11.8 million). By the end of the year under review, it had spent around € 18.8 million of this amount, almost fully using up the budget.

The payment of a bonus to temporary-career volunteers was possible in 159 identified **areas of shortage** for the applicable assignments. The number of shortage areas defined by the Ministry of Defence has therefore fallen slightly compared to the previous year (2022: 186). Most of these are in the Army, which has 56 such areas, followed by the Air Force, which has 37 shortage areas. In the year under review, service personnel were assigned in 85 of the 159 shortage areas.

A lot of petitions from service personnel who had received a bonus for an extension of their term of service, but had become a career soldier before or shortly after the start of the extension, complained about personnel retention bonuses that had already been paid out **being taken back**:

- *On the instructions of the Ministry of Defence, payout of the bonuses started relatively soon after the declaration of extension of enlistment as an attractive solution, even though the extended period of service did not start until well into the future. The Federal Office of Bundeswehr Personnel Management was of the opinion that the entitlement to a bonus ended when the employee was taken on as a career soldier. However, it had not informed those concerned about this, either when they extended their period of service or when they applied to be taken on as a career soldier.*

Certainly also as a result of a large number of petitions, the Federal Office of Bundeswehr Personnel Management (BAPersBw) has fortunately cancelled the return of payment notices on grounds of equity and has completely waived the right to reclaim the bonuses already paid, as those affected were not responsible either for the early payout or the change in status. The FOBwPM stated that the change of status meets the purpose of the personnel retention bonus, which is to retain specialist personnel for as long as possible, so that the bonus will continue to be paid even after appointment as a career soldier until the end of the period for which it is granted.

Problems also arose with regard to the on-time **payout** of enlistment bonuses. The reason for this was an amendment to the Federal Civil Servants' Remuneration Act (BBesG) that came into force on 1 January 2020 and the resulting uncertainties regarding the application of the law:

- *Temporary-career volunteers entitled to a bonus criticised the fact that the enlistment bonus promised to them in 2019 had still not been paid out four years later. The considerable delays in payment were explained and resolved during the petition process.*

When granting the bonus, the Act differentiates between the written formal obligation of temporary-career volunteers subsequently to occupy a post eligible for the bonus, the determination of the period of service by

official notice, which establishes the entitlement, and the actual payout of the enlistment bonus. As temporary-career volunteers sometimes have to undergo training first and are only transferred to the post eligible for the bonus once their period of service has been finalised, several years may pass between enlistment and the payment. In the cases described, the change in the law occurred precisely within this period. In some cases, this meant that there was no longer a legal basis for the bonus, even though it had been relied on when the formal obligation was given. Given the large number of these cases, the Ministry of Defence made a fundamental decision in August 2023 on the basis of protecting the legitimate expectations in favour of all those affected. Future problems in this area should thereby be ruled out – a successful example of quick and targeted action.

The Bundeswehr should definitely continue to use the scope offered by the Federal Civil Servants' Remuneration Act (BBesG) for granting bonuses to temporary-career volunteers as an incentive system for recruiting and retaining personnel. For example, it could adapt the number of understaffed assignments even better to recruitment of military personnel and increase them accordingly. This would mean more opportunities for granting the bonus. The careers centres should also always be up-to-date in order to exploit the full potential of bonus payments for applicants.

Acceptance as a career soldier

As at 31 December 2023, the Bundeswehr had appointed 2,759 service personnel as career soldiers, 431 fewer than on the previous year's reporting date. The difference is explained by the fact that 944 NCO specialists were also able to change status for the first time in the previous year under a new regulation. For this purpose, the admission quota was almost tripled as a one-off increase, to get to a basic level of recruitment for career soldiers.

Study

The Bundeswehr offers a lot of non-military degree programmes at its universities, primarily to attract personnel and less for reasons of demand, so that retiring service personnel can use the degree for their further professional careers after the end of service. Officers in operational service in particular should have an academic education and sound academic skills, while their specific field of study is selected primarily on the basis of personal aptitude. However, the degree is often not required for their subsequent assignment. This often leads to dissatisfaction among service personnel. To increase job satisfaction, the Ministry of Defence began developing new career models for specialists as part of its personnel strategy in 2021. These are primarily intended to allow graduates of scientific or technical degree programmes to pursue **specialist careers** in the relevant organisational areas. However, this is still to be implemented, as the publication of the General Regulation developed for this purpose, "Assignment structure for officers in operational service", originally planned for the year under review, was delayed. The regulation is currently being revised again. To ensure that service personnel can benefit from this positive idea, it should now be implemented as quickly as possible.

- *As the Parliamentary Commissioner for the Armed Forces learnt during her field visit, the Cyber and Information Domain Service Headquarters has already successfully established a specialist career path in the "IT experts" field to increase the attractiveness of officers' careers. This means that highly specialised personnel can be promoted up to the rank of colonel without prior ministerial assignment. As a result, professionalism dominates personnel development on this career path, which leads to the retention and acquisition of expertise from longer assignments in posts.*

Thanks to the consistent implementation of the principle of "professionalisation before uniform colour", it is now of secondary importance whether a soldier is from the Army, Air Force or Navy. The focus is on professional qualifications instead. Career advancement on this path is guaranteed by a lean assignment structure concept, a personnel structure derived from it and targeted personnel development.

Since 2013, the Bundeswehr has been offering a **psychology degree programme** to attract a wider range of applicants, especially women:

- *After completing the degree, a lot of these officers want to work in troop psychology and, in some cases, to train as psychological psychotherapists during their service so that they can use this expertise later on in civilian life. However, they are then disappointed to find that the Bundeswehr's demand for military psychologists is regularly covered by civilian personnel.*

Although it is understandable that the Bundeswehr sees no reason to offer many years of further training for civilian use to this group of people, it is not convincing not to use officers use as military psychologists. The understanding and approaches to the solutions for lots of types of psychological problems, which are certainly often related to service as a soldier, seem more likely to come from an appropriately trained officer than from civilians. The efforts to create more specialist careers to increase job satisfaction and the attractiveness of the profession are also in favour of deploying military psychologists-.

Candidate officers who have **dropped out of their degree** for various reasons can apply for an extension of enlistment as an officer without a degree for a specific career path. The Federal Office of Bundeswehr Personnel Management decides on this on a needs basis and on the basis of the opinion of the disciplinary superior. There is no upper limit for the extension of enlistment. In 2023, the Bundeswehr enlisted seven of these service personnel (2022: six) as officers on operational service. In addition, there were 72 other service personnel who had dropped out of their degree in earlier years and whose service would have ended in 2023, but who had decided in favour of extension of enlistment after being approached personally by their personnel managers.

Postponement of retirement

When career soldiers go into retirement, the law distinguishes between retirement on reaching the general retirement age (Section 44(1) in conjunction with Section 45(1) of the Legal Status of Military Personnel Act (SG)) and retirement after exceeding the particular age limit (Section 44(2) of the Legal Status of Military Personnel Act (SG)). The latter is at the age of 56 for captains, first lieutenants and lieutenants, for example, and the general retirement age is at the age of 62. The particular age limit for regular NCOs is the end of the 55th year of age. The regular retirement date is defined by the particular age limit. Career soldiers at pay grades B 3 and above are retired at the general retirement age (reaching the age of 65), while those up to pay grade A 16 are retired after the particular age limit, but there is no entitlement to this.

One way of retaining personnel is therefore the process implemented for some years now of postponing, by mutual agreement, the retirement date of those who retire after the particular retirement age. If the period of service is extended by at least two years, the new retirement date is bindingly agreed, following personal discussions with the person concerned. It is then only the person concerned who can extend the date even further. Postponing retirement is an attractive option for many service personnel. In the year under review, 1,292 of 1,979 retired professional career soldiers were retired on reaching the particular age limit and 591 after exceeding the particular age limit. The remaining 96 left for other reasons, such as unfitness for service. The largest number of postponements is in the sergeant category, the majority of whom also postpone retirement for two years or more. Overall, the average age of retired career soldiers on retirement was 57. In accordance with the statutory provision, there are age differences according to rank. While colonels in pay grade A 16 retired at an average age of just under 63, majors were just under 59 and non-commissioned officers just under 56.

Making the Bundeswehr more attractive for existing personnel

In 2021, the Bundeswehr introduced the new junior ranks of corporal first class, junior grade and corporal first class, senior grade to increase attractiveness. By the end of the year under review, it had promoted 851 corporals, senior grade to corporals first class, junior grade and service personnel to corporals first class, senior grade. Of the total of 1,754 posts established, 1,162 were filled and 592 were vacant at the end of the year under review. The publication of the General Regulation “Personnel selection for corporal first class, junior grade/corporal first class, senior grade posts” in September 2022 led to a more flexible selection process and strengthened military superiors in terms of personal responsibility for service personnel. The Ministry of Defence expects this to improve the occupancy rate for posts in the near future.

Although this personnel measure is still in the growth phase and therefore both the overall scope and the technical range of posts are being continuously expanded, there is justified criticism from the troops of the narrow (specialist) selection for **corporal first class posts**. At present, a large number of posts are not described as such, although they are often occupied by the corporals, senior grade rated by their superiors as the best performers.

- *It is demotivating if, for example, a high-performing junior-ranking soldier deployed on staff duty first has to retrain as a sniper because only the sniper posts in the battalion are suitable for promotion to corporal, first class.*

Defining the post-specific requirements for corporal, first class posts should increase the selection options. This would make it more attractive for junior-ranking soldiers to apply for such posts. It is true that, when filling positions in accordance with the rules, the suitability of the service personnel is taken into account to select the best candidates.

The Ministry of Defence also sees room for improvement in terms of the practical implementation. It has been shown that the military organisational areas handle the establishment of corporal first class, junior grade/corporal first class, senior grade posts differently, which is why a detailed analysis is to be carried out. The results are expected in the third quarter of 2024.

Instead of higher-ranking posts in the rank category, **training programmes** are also being offered to junior rank soldiers to retain them in the Bundeswehr for longer with career advancement. Although only 4.4 per cent (2,268) of all active junior rank soldiers do not have a school-leaving qualification, completing a secondary school leaving certificate during their service can be a positive for this group. At the same time, the qualification is a precondition for a change to the non-commissioned officer- or sergeant career path. Temporary-career volunteers who have completed the training required for their post and are looking to change careers can take part in the qualification. While only eleven service personnel caught up on their lower secondary school leaving certificate (Hauptschulabschluss) in the year under review (2022: five), the higher secondary school leaving certificate (Realschulabschluss) is acquired more frequently as part of a one-year training programme. In 2022, 90 of 115 participants passed (78 per cent); 116 took part in the programme in the year under review. This successful programme establishes one precondition for career advancement, combined with a longer period of service.

Attractiveness of the service includes not just creating special incentives, but in particular an appropriate **workload** for the individual. Excessive workload can occur when service personnel have to fulfil demanding secondary roles at their post:

- *Service personnel who work as maintenance sergeants or senior motor vehicle NCOs complained that they also had to take on the very time-consuming job of occupational health and safety specialist as a secondary task, even though they were fully occupied with their original duties for general service operations. The Ministry of Defence confirmed the immense amount of time required, as the tasks in the area of occupational health and safety have become significantly more complex in recent years. From a pilot project, the most effective solution to the problem of overload, which has been known for some time, was to set up full-time posts for health and safety tasks, combined with longer assignments.*

The corresponding General Regulation on occupational health and safety has been in force since the end of July 2023 and applies in all organisational areas. The training for this full-time role now lasts six months instead of three. By the start of December of the year under review, 232 posts had already been created for full-time occupational health and safety specialists. However, the new regulation has not yet been fully implemented and, according to initial findings, will not be possible across the board in the Central Medical Service for the vast majority of agencies, as it is not guaranteed that an occupational health and safety specialist will be used in full. By 1 October 2024, 22 additional posts for full-time occupational health and safety specialists are to be created at the Central Medical Service. Where those previously responsible are overloaded, the secondary task should therefore be distributed to other posts and further organisational measures should be implemented to relieve the workload. The creation of half posts for an occupational health and safety specialist may also help.

The Bundeswehr's internal labour market

Given the tightening conditions on the labour market, the Bundeswehr can no longer afford to do without the potential of former service personnel on the civilian side. It has therefore been endeavouring to improve the internal labour market for several years. A central contact point for the internal labour market has been in place for some time and acts as an interface between prospective applicants, parts of the organisation with demand and the relevant specialist agencies. In 2023, the contact point received an average of 64 enquiries per month. Media print products and exhibitions at events are also intended to raise awareness of the internal labour market. Webcasts, such as organised by the Federal Office of Bundeswehr Personnel Management (BAPersBw) in cooperation with the Cyber and Information Domain Service Headquarters- (CIR) in the year under review, are promising:

- *Together, they digitally informed retiring IT officers with terms of service ending in 2023 and 2024 about the potential to change status in January 2023. Of the 73 people invited, 27 took part – several applications and expressions of interest were subsequently received. To fill existing vacancies in the higher technical service for non-civil-servant public service employee, the Cyber and Information Domain Service Headquarters extended this measure to the career of non-commissioned officers and organised information events for superiors, personnel managers and specialist personnel. Two weeks after the advert was published, 15 applications had already been received.*

In addition, the Federal Office of Bundeswehr Personnel Management (BAPersBw) is supported by the Cyber and Information Domain Service Headquarters for the Cyber/Information Technology Service career by carrying out specialist IT screening for prospective applicants at the Cyber/IT Evaluation Center. The IT knowledge and skills of individuals are tested and evaluated using a standardised test procedure to identify opportunities for a career in the Cyber/IT Service based on the test results. This test is the basis for the targeted, accurate deployment of the relevant personnel, thereby increasing performance and job satisfaction. Another digital information event organised by the Federal Office of Bundeswehr Personnel Management in June 2023 promoted the option of switching to the intermediate non-technical administrative service.

Unfortunately, the Bundeswehr is still unable to quantify how many former service personnel are interested in further employment with the Bundeswehr after their military service. In the last survey in 2016, the figure was around 12 per cent. For more than four and a half years, it has not been possible to analyse a corresponding optional entry option created in **E-Recruiting** at the end of 2019 automatically. The data is not reliable as entering the data is only optional – another example of how digitalisation, which is supposed to speed up work processes, often takes an extremely long time. Working with the Federal Office of Bundeswehr Equipment, Information Technology and In-Service Support (BAAINBw), a systemic solution is now to be created that automatically compares whether an applicant has previously been a soldier.

However, the available figures confirm the trend of recent years. Although there are many vacancies in the civilian sector, very few are filled by former service personnel. In the year under review, 11,449 temporary-career volunteers left the Bundeswehr (2022: 11,200). Of these, only 221 had transferred to civilian employment with the Bundeswehr by the end of the year; 76 of them began career training to become civil servants; 61 were taken on directly as civil servants; and 68 were employed as non-civil-servant public service employees. A further 16 started vocational training. On the other hand, there were 6,635 new employees in the year under review, of which 1,749 were civil servants, 3,543 were salaried employees and 1,343 were trainees. Of those newly appointed in 2022, only 4 per cent were retired service personnel. In the year under review, they made up just 3.3 per cent.

The biggest hurdle is still that service personnel, like all other external prospective applicants, have to apply to a public job ad in the Bundeswehr administration. When selecting applicants, the principle of **achievement** pursuant to Article 33(2) of the Basic Law must be observed. Service personnel do have a specific advantage in terms of qualification because of their previous work, knowledge and experience in the Bundeswehr. However, they often do not meet the requirements for further civilian employment in the Bundeswehr because of their specific military or technical training. This can include the several years of preparatory service required for the civil service or a corresponding university degree together with relevant civilian professional experience. This is why many are eliminated before the actual selection process. There is only an external and demand-related permanent vacancy within the Bundeswehr administration for officers with a Master's degree in economics and organisational science. Service personnel with other university degrees, on the other hand, have little to no chance of finding civilian employment in the Bundeswehr after leaving the armed forces via the internal labour market:

- *A captain with many years of service as an officer, during which he had evidently successfully managed personnel and performed administrative work, tried to transfer to the higher non-technical administrative service at the end of his 15-year period of enlistment. However, with a Master's degree in education and educational sciences, he did not meet the requirements of the Federal Career Ordinance for higher intermediate service. He did meet the basic career requirements for the higher non-technical administrative service. However, the demand for this qualification in the Bundeswehr administration is generally very low.*

To increase the proportion of former service personnel in the civilian sector of the Bundeswehr in future, the three governing parties agreed in the coalition agreement to make it easier to **transfer**. To this end, the Federal Office of Bundeswehr Personnel Management (BAPersBw) has examined the application options and limits to the legal framework conditions of the internal labour market and is investigating the extent to which internal Bundeswehr regulations on the application of legal norms can be adapted. As part of a departmental enquiry by the Federal

Ministry of the Interior and Community, which is responsible for the review of career law for civil servants, the Ministry of Defence has proposed creating a legal basis for shortened preparatory services for retiring temporary-career volunteers. It is also continuously working on optimising internal processes and improving target group-oriented communication to make superiors even more aware of the topic of the internal labour market and to provide as many service personnel as possible with all relevant information regarding civilian requirements and necessary qualifications in good time before they leave.

The Land of Saxony-Anhalt offers a special programme that simplifies the recruitment requirements for sergeants for the career of the intermediate police service. The Länder of Brandenburg, Mecklenburg-Western Pomerania and Saxony also had these programmes, but stopped them because of a lack of demand. This also applied to Hamburg, where the programme was open to all temporary-career volunteers, but only ran for one round from 2018 to mid-2019 because of the lack of applications. The Federal Police do not offer programmes of this kind.

- *During field visits, service personnel repeatedly expressed the desire to continue these programmes so that they could transfer to a Land police force under simpler conditions after serving in the Bundeswehr.*

The Parliamentary Commissioner for the Armed Forces welcomes the (re)introduction of such programmes to recruit former service personnel into the applicable Land police forces, although responsibility for this is with the Länder.

Ultimately, the above problem areas in the internal labour market sometimes also have a considerable impact on the professional civilian careers and civil service integration of former service personnel outside the Bundeswehr. The following case, which was not within the constitutional remit of the Parliamentary Commissioner for the Armed Forces, so that the matter could not be dealt with, is a good example:

- *One district commissioner contacted the Parliamentary Commissioner for the Armed Forces to ask for support and explained that a particularly high-performing and highly rated former regular soldier was working in his district authority. After leaving the Bundeswehr with the rank of captain (A 12) in 2015, he successfully completed the three-year preparatory service to be able to work as a civil servant for the higher intermediate service in local government. After having been promoted from entry-level pay grade A 9 to A 11 and having been appointed as a civil servant for life, the employee could not yet be promoted to grade A 12, despite outstanding performance and appraisal as well as unsuccessful attempts by the district commissioner because the minimum period since the lifetime appointment as a civil servant according to the Land career regulations had not yet been reached. A corresponding promotion would be possible from July 2025 at the earliest.*

It would be desirable if better and more targeted options were established in such cases, such as recognising (administrative) services rendered for the Bundeswehr for the qualifying minimum periods under civil service law. It is not attractive if high-performing former temporary-career volunteers only reach the pay level they were already getting, ten years after leaving the Bundeswehr in their subsequent civilian careers.

Military appraisal system

More than two years ago, the Bundeswehr significantly reformed its appraisal system. As of 31 July 2021, it appraised officers and non-commissioned officers in operational service and specialist service with the post grades of A 7 to A 9 on this basis for the first time. The fourth round of appraisals based on the new regulations is now underway.

As expected, the first rounds of appraisals led to a lot of uncertainties and, not infrequently, major disappointments. In the 2022 year under review, around 50 service personnel criticised their appraisal and attributed the shortcomings to the new appraisal system. Specifically, they complained about the assessment and the new benchmarks, the assignment to the applicable comparison group, as well as a suspected improper influence of higher superiors at command level on appraisal by the first and second examiner. After the initial teething troubles, the new appraisal system largely fell into place in the year under review. In any case, the number of associated petitions fell to around 20 compared to 2022, even if there is still criticism in some areas, particularly with regard to implementation of the benchmarks.

Based on the rounds of appraisals, another **evaluation** of military appraisal regulations took place in summer 2023. Thereafter, the plan is to revise the General Regulation on “Assessments of Bundeswehr service personnel” and most of its annexes. Following internal coordination and the involvement of the interest groups,

the plan is to apply them for the first time in amended form as of the appraisal date of 31 July 2024. Even thereafter, it is important that the Bundeswehr repeatedly reviews the implementation of the new appraisal regulations for any necessary adjustments.

Decision of the Federal Administrative Court

However, the impetus to make the necessary adjustments to the appraisal system does not just come from within our own ranks. On 29 August 2023, the Federal Administrative Court ruled in two proceedings, following oral hearings, that the entire military appraisal system requires a legal basis. The court declared the “personnel development assessment” to be completely invalid. The Federal Government responded immediately within the transitional period granted by submitting a draft bill. The draft was passed into law by the German Bundestag on 17 November 2023 and now provides the **legal basis** required by the courts and, in particular, the power to issue ordinances on the performance appraisals of service personnel. The adopted amendment to the law came into force on 23 December 2023. It also applies to the preparation and consideration of personnel development assessments, which were previously only governed by subordinate legislation. The Federal Ministry of Defence assumes that the General Regulation on the appraisal system and most of its annexes will have to be significantly adapted after assessing the reasons for the judgement.

Petitions about appraisals repeatedly discuss the formation of **comparison groups**. Within the appraisal system, these are used to establish a standardised benchmark against which the service personnel have to measure themselves in their appraisals. However, dividing up the specific comparison groups fairly and appropriately sometimes causes huge uncertainty in the units, as the following case shows:

- *One first sergeant complained that only one comparison group – without differentiating between “with leadership function” and “without leadership function” – was formed for his company’s round of appraisal for the ranks of sergeant first class to staff sergeant. Although the Ministry of Defence had conceded in the course of processing the petition that the classification of the company sergeants into a comparison group with leadership function would have been appropriate, it found that the formation of just one comparison group was still allowed.*

This result is justifiable given that, at the time of the appraisals, there were no clear specifications regarding the definition of leadership functions and therefore there was a wide scope for appraisal. However, it is difficult to communicate, as a company sergeant naturally has a leadership function. It is therefore all the more positive that the petition was the reason for revising the Service Regulation “Appraisal of service personnel” to the effect that the Ministry intends to include the following additional sentence in the annex to the Service Regulation regarding the formation of comparison groups: “Disciplinary superiors, appraising superiors and company sergeants must always be assigned to comparison groups with leadership function.” An additional footnote will also clarify when there is a leadership function. This should make it easier to categorise the service personnel for appraisal correctly in the applicable comparison groups under such circumstances.

A recurring theme of the petitions, in addition to what is considered the incorrect formation of comparison groups, are the quotas for **small comparison groups**. According to the requirements of the appraisal guideline, the benchmarks must be applied with differentiation in an appropriate manner for groups with fewer than twenty members for reasons of fairness in individual cases. In some areas of the Bundeswehr, the proportion of these small comparison groups is above 80 per cent. The appraising superiors as first and second examiners know the men and women reporting to them and their performance and want to promote them accordingly.

- *One appraising superior complained that the benchmark examiners interpreted the benchmarks as strictly as possible, including for small comparison groups. This meant that the grades agreed between the first and second examiners with great care were ordered to be lowered by the superior agency without needing to be lowered.*

The above decision of the Federal Administrative Court of 29 August 2023 confirmed in the highest court that the requirement of individual fairness must be taken into account for comparison groups of fewer than 20 members and that the **benchmarks** are not strictly binding. It is regrettable therefore that those responsible at troop level sometimes get the impression that existing room for manoeuvre is being unnecessarily restricted. Knowing someone personally is not always a precondition for a fair appraisal. However, the coordinated result between the first and second examiners, who know their service personnel performance profiles and opportunities for

promotion in detail, guarantees a performance-based assessment. Wherever possible, the equally important principle of maintaining a benchmark should not take precedence over the requirement to focus on the individual. The frequently prevalent impression among service personnel that appraisals are “overridden” when the grades are reviewed at command level must not be allowed to gain the upper hand.

Understandably, the publication of the above decisions of the Federal Administrative Court has led to some unease among superiors who handle appraisals. The Ministry of Defence therefore sent two telexes to all agencies of the Bundeswehr, informing them how to deal with the decisions of the highest court until further notice. In particular, handling personnel development assessments that had already been prepared but declared invalid by the highest court has been particularly time-consuming in this regard. The Federal Office of Bundeswehr Personnel Management (BAPersBw) obtained information from superiors at short notice on a case-by-case basis, who in turn were required to complete special, newly designed forms.

According to information from the Ministry, it can nevertheless be stated that the benchmarks were complied with in accordance with the requirements of the Military Career Regulation (SLV) at all levels of overall responsibility in the last round of appraisals for officers on operational service at post grades A 9 to A 12 in the rank of lieutenant/ensign to captain/Navy lieutenant, taking into account the appraisals that have not yet been completed.

Apart from the potentially far-reaching changes to the content of the appraisal system as a result of the Federal Administrative Court’s decision, the new appraisal system also has to be implemented technically. This requires change to the Bundeswehr’s personnel management system, known as **SASPF**:

- *One appraising superior pointed out that the administrator rights for the “Soldier appraisal” section of the SASPF personnel management system had been considerably restricted for second appraisers. The consequence is that the second appraiser cannot involve personnel from the personnel department who have been provided to review the appraisal and personnel development assessment. This not only leads to a significant increase in bureaucracy, but also to an additional workload on the second appraiser, who is now heavily involved in administrative tasks. In such cases, the agencies involved in the appraisal are forced to come up with “troop solutions”, which may not be in line with the data protection regulations of the Federal Office of Bundeswehr Personnel Management.*
- *The need for technical adjustments is a recurring theme in petitions, with regard to the shortened appraisal form for junior rank soldiers or the very limited text field for free text on the new appraisal forms.*

It is regrettable that, according to the Ministry, programming work that could solve these shortcomings cannot be done until 2026 at the earliest. The reasons cited by the Ministry are the use of programming capacities and a development freeze announced for 2025 because of a system changeover. However, three years before a technical solution is too long. As appraising superiors and personnel departments already have their hands full understanding the regulations, applying them properly and explaining them to the service personnel being appraised, it is essential that simplifications to administration are introduced as quickly as possible. On the other hand, it is positive that at least the technical support for those with overall responsibility of the grade review process, as well as the personnel development meeting and other forms, are to be fully integrated into the SASPF personnel management system by the end of 2024.

Assessment of potential

Promotional selection decisions for non-commissioned officers in the Bundeswehr are not just made on the basis of the performance appraisal. To change career path or status, applicants from the senior non-commissioned officer career path have to complete the procedure for assessing potential. The aim of the procedure, developed by psychologists, is to determine the potential of an applicant for the desired change of status or career path on the basis of criteria such as judgement and communication skills or leadership competence. The few characteristics that are included – such as “conscientiousness” and “stable personality and behaviour” – are valid for five years. In the event that there is clearly a development of personality in the soldier, the relevant superiors can arrange for an early repeat of the assessment of potential after two years at the earliest. The procedure, which usually takes a day, consists of analysing biographical data, a computer-assisted test and a one-to-one interview. Candidates who exceed a certain number of points in the procedure for assessing potential are not considered further for admission to the career path or change of status. In spring 2021, the careers centres used the newly designed procedure for assessing potential for the first time.

- *Some petitioners complained that the assessment of potential was given too much weight in the selection process for changes of status and career path and was often a “knock-out criterion”. They argue that it is unfair for a one-day procedure to decide on further progress compared to the long appraisal periods. This also reduces the motivation to get involved in day-to-day service. The Ministry of Defence emphasises that it is not the suitability for the corresponding change of career path or status that is being reviewed, but the potential for sustaining a career as an officer in the military specialist service or for career soldier status. In contrast, competences that can be trained are included in the appraisal. Including the assessment of potential as 20 per cent of the total score is also appropriate.*

Nevertheless, the introduction of an **index value** for assessing potential is a “hard” criterion that involves a change for a lot of service personnel. It is understandable that such a change has not yet met with general acceptance and that trust can only develop with increasing certainty from use. The suitability of the assessment of potential as a selection tool has been sufficiently confirmed by academic studies. It should also be noted that the assessment of potential is the only objective procedure that is independent of superiors. This ensures that the relevant selection decisions are made according to consistent criteria. The Ministry is assessing the current procedure in stages over a period of five years. Particular attention will continue to be paid to whether superiors make use of their opportunity to recognise significant developments in the personality of the service personnel under their command and take this as an opportunity to give them the chance for an early repeat assessment of potential.

Promotions

Good promotion prospects make an employer attractive. The same applies to the Bundeswehr. Promotion decisions in the forces are based on whether all career requirements are met, taking into account the principle of achievement pursuant to Article 33(2) of the Basic Law. The Federal Office of Bundeswehr Personnel Management (BAPersBw) defines specific sequences of promotion for this based on the criteria of suitability, performance and aptitude on the basis of completed appraisals. Permanent posts in correspondingly higher pay groups must also be available. As there are regularly more service personnel up for promotion than there are permanent posts available, there is a **promotion backlog**. The number of service personnel waiting for promotion did fall by around 27 per cent between August 2022 and August 2023, from 5,575 to 4,047. However, this is mainly due to the amendment to the General Regulation on the “Promotion, recruitment, transfer and admission of military personnel”. As the new version changed the probationary periods for promotions in particular, thousands of service personnel no longer met the formal promotion requirements in the career group of senior non-commissioned officers in the period under review. From 9 September 2022, in addition to the previous requirement of five years’ service, a **probationary period** of at least two years in the rank of sergeant now also applies for promotion to the rank of staff sergeant. In addition to the previous requirement of eight years’ service, a probationary period of at least three years in the rank of staff sergeant is required for promotion to sergeant first class. In many petitions, service personnel complained that this surprising change meant that they could only be promoted months or even years later than they had actually expected. The following case is an example:

- *A sergeant with 17 years of service argued that he would have to wait at least one year longer than before this for his promotion to staff sergeant and three years longer for his promotion to sergeant first class, regardless of the sequence of promotion.*

The Ministry of Defence explained that the aim of the new version of the Service Regulation was to remove the different approaches to determining and crediting probationary periods for the career path of officers compared to non-commissioned officers. While a probationary period on the officer career path had previously only been possible in the applicable rank, probationary periods for non-commissioned officers had previously also been possible in other career paths. This is no longer possible. In the interests of equal treatment, it is now ensured that the probationary periods are completed in the current career path and not in the previous career path, as is also the case for officers. The same now applies to regular applicants as opposed to career advancers and reappointees. Under the old legal position, the latter could have provided evidence of periods of service in another career path credited to their probationary period and thereby could be promoted to the rank of staff sergeant or sergeant first class much earlier than regular applicants. Equal treatment for promotions in terms of probationary periods is to be welcomed. Being promoted later is also ultimately associated with financial losses. Providing information early on about these major changes and the underlying considerations would have led to greater understanding among the troops.

Regrettably, the **change in the permanent posts available**, implemented in section 14 of the Budget Act 2023, did not bring any noticeable improvement to the promotion backlog, which is also evident in other career paths. The increase in the number of permanent posts in pay grade A 8 with a post allowance, which was already suggested in last year's annual report, did not materialise. With the provision of 250 new permanent posts, the increase in relation to the overall figures (2022 budget: 24,230 permanent posts; 2023 budget: 24,480 permanent posts) is just one per cent. As of August 2023, for example, 742 officers remained in the promotion and assignment sequence under A 14. The difficult situation with permanent posts has a particularly drastic effect when those affected bear greater responsibility for personnel and materiel – often for months or even years – without receiving the pay they are entitled to.

- *A captain complained that he had been assigned to an A 12 post for more than 17 months, but had not been assigned to the corresponding permanent post. Given the low number of permanent posts, he had in fact fallen more than ten places down in the promotion sequence as a result of the constant addition of further officers who also met the career requirements. In the end, the petitioner was assigned to the A 12 permanent post one and a half years after his deployment.*

Given the lack permanent posts, it can be assumed that the number of service personnel who have to wait for a promotion, despite fulfilling the requirements for the career path, will continue to rise. It is understandable that **waiting times** of several years, which are ultimately the result of an inadequate number of permanent posts, lead to frustration among a large number of service personnel. The dissatisfaction among those affected could at least be alleviated somewhat if personnel management communicated better with them and were transparent about the length of waiting time.

Processing of personnel matters

In this year under review, there were once again lots of petitions that reported problems in the processing of personnel matters. Delays are a common refrain. Petitioners are often simply unclear about the status of their applications or procedures and complain about the lack of communication and availability of personnel management.

- *One petitioner applied for a close-to-home transfer for health reasons. After the senior personnel NCO responsible had initially failed to process the application promptly, he falsely stated to the petitioner that the transfer application was already with the personnel department. It was not until more than six months later that the application was resubmitted and processed.*
- *One non-commissioned officer complained that he had not been scheduled for an available training place at short notice. In addition, planning of the course beforehand had also been problematic, with the location and duration of the temporary assignments changing several times. He was ultimately added to a waiting list and a course was cancelled because of lack of capacity. In the course of processing the petition, it was found that the Federal Office of Bundeswehr Personnel Management (BAPersBw)'s training management had not been involved in the planning of the training courses as intended.*

Taking part in training courses is not just important for training appropriately for your post. It may be relevant to career progression, career path or change of status to being a career soldier. Planning these courses for the many thousands of members of the Bundeswehr at different locations and at different times is organisationally complex. The relevant personnel managers should therefore involve **training management** as the coordinating body. Training management monitors changes to the course periods and fills the courses in close coordination with the training centres. It is not just establishing and using central management mechanisms that is important. It is also good that the Bundeswehr is becoming increasingly digital for processing personnel matters as well. The Bundeswehr's personnel management system (SASPF) is an IT system that supports various personnel processes and is intended to improve filling posts, via standardised functions. Carelessness when maintaining the personnel management system can sometimes have far-reaching consequences, as the following case shows:

- *The obstacle to promotion entered on the SASPF personnel management system for a sergeant first class was not deleted from the database until over a year later, despite the criminal proceedings being discontinued. This omission was the decisive factor in the soldier not being transferred to the post he wanted.*

Another example are complaints regarding the lack of digitalisation and the supposedly slow implementation of the **unfitness for service procedure** associated with this. This procedure is very formal, not least to protect those affected. Strict guidelines with regard to the implementation and procedure as well as formal requirements for the medical examination are designed to ensure the best possible objectivity and legal verifiability.

- *With the consent of his disciplinary superior, a petitioner applied for his dismissal on grounds of unfitness for service in October 2021. After he underwent a medical examination in June 2022, the relevant report was submitted to personnel management in August 2022. Only an enquiry by the petitioner in December 2022 provided the stimulus for further processing of the application. In addition, personnel management mistakenly assumed that there was a procedural bar. Personnel management also communicated exclusively via the petitioner's superiors. The Federal Office of Bundeswehr Personnel Management (BAPersBw) has conceded that the way communication was handled did not meet the desired standard and regretted the incorrect legal assessment.*

It is understandable that the affected service personnel, who are often already severely affected by their applicable illnesses, subjectively feel that the procedure is too long. They often want a fresh start in civilian life and cannot always understand the complexity of the process. It is therefore particularly important that there is sufficient communication with those affected during the ongoing process.

Nevertheless, personnel management is clearly trying to find **solutions with due care**, particular in cases of severe health restrictions, as the following cases show:

- *A petitioner suffering from multiple sclerosis was found by a doctor to be permanently unfit for service and deployment, so an unfitness for service procedure was initiated. Less than a month later, the petitioner had successfully applied for a job in the private sector and submitted the corresponding employment contract. Although it would have been correct to carry out the unfitness for service procedure, personnel management rightly granted the petitioner's application for a reduction in her period of service on the basis of her obvious medical condition and the future prospects associated with the job offer. As a result, she was able to leave the Bundeswehr at the end of the month.*
- *Following the removal of a brain tumour and the subsequent physical disabilities during the further therapy and treatment period, a female soldier with the rank of staff sergeant was initially unable to take part in the other courses planned as part of her military career. However, as the extension of her provisionally fixed period of service depended on completing these courses, she was at risk of temporary retirement from the Bundeswehr. In an individual case decision, the Federal Office of Bundeswehr Personnel Management (BAPersBw) conclusively decided that the petitioner could initially be granted the assignment she was seeking even without attending the relevant training courses, provided that appropriate training was provided on the job. As a result, her enlistment period was also set at the full 15 years.*

On the other hand, some service personnel feel that their health is unfairly assessed as unsuitable:

- *A sergeant first class with assignment as fire fighter or explosive ordnance disposal sergeant with type I diabetes mellitus did not have the necessary medical suitability to become a career soldier. A military medical exemption was also ruled out. Despite good medical attitude and no previous problems coping with everyday service, the illness falls under military medical grade VI. This categorisation is assigned to conditions that are permanent and fundamentally rule out medical suitability or fitness for deployment. A review of the specific case also reached the same conclusion. The result was ultimately confirmed by the court.*

Such petitions often express great personal disappointment from petitioners, as their own assessment and their own experience of their physical fitness sometimes differ considerably from the military medical examination. It should not be forgotten in this regard that the benchmark for the service requirements in the Bundeswehr and therefore for the fitness for of service personnel is the defence mandate for the armed forces enshrined in the Basic Law. The requirements for the medical suitability of applicants for employment as a career soldier are high. Not least for this reason, the Bundeswehr has a justified and increased interest in the medical suitability of its service personnel.

Time and again, petitioners feel that they have not been adequately supported by personnel management in the case of the sometimes large number of **transfers**. In this year under review, the following problem arose in connection with the new appraisal system:

- *Several petitioners criticised the fact that the timing of their transfer was so unfavourable that the appraisal date fell a few weeks after their transfer to the new unit. A proper appraisal of the last period of service by their new superiors was hardly possible. At the request of the appraising superior, the appraisal date can be postponed by up to three months, as was the case in comparable cases under the previous appraisal system. Similar exceptions apply to temporary assignments, training courses and assignments abroad.*

Service personnel must have the opportunity for the full range of their performance to be reflected in their appraisal. Otherwise, a sense of injustice will soon follow. There are obviously still uncertainties to be resolved among appraising superiors with regard to the room for manoeuvre to which they are entitled when determining the appraisal period. It is positive that the Federal Ministry of Defence is now increasingly eliminating these cases and has also pointed out to the personnel units that a transfer should only be made after the appraisal date, if possible. This means that those concerned can still be appraised by their previous superior.

Many petitions criticise the fact that personnel units are not looking for good solutions, but are all about rigidly applying rules. The following case should therefore not go unmentioned, as an example of how solution-focused and flexible personnel management works at the Bundeswehr:

- *One petitioner criticised the fact that he could not remain in a foreign post after his period of deployment had expired. He was to be transferred to another unit for the remaining nine months of his period of service, which would make his family situation much more difficult. A previous application for a post with an extended period of service in an integrated deployment had been unsuccessful. After his family situation was discussed for the first time with the petition, he was offered a non-permanent post at his previous location until the end of his period of service.*

Security clearance checks

In the course of service, a security clearance check is always necessary when a soldier is assigned to a security-sensitive post. With Russia's war of aggression against Ukraine, which violates international law, espionage and cyber defence in particular have grown in significance. The Ministry of Defence has also already had to the goal of strengthening counter-extremism in the Bundeswehr, for several years. In addition to the new offence leading to dismissal for extremists as a result of the amendment to the Legal Status of Military Personnel Act (SG), this also includes the Act on the intensified, extended security clearance check, which came into force in October 2022. An amendment to the Reservists Act (ResG) also came into force, according to which a simple security clearance check of reservists is possible, even if there are no plans for them to carry out a security-sensitive task. Since the start of the year under review, the initiation of corresponding security clearance check procedures for reservists has gradually increased, but only accounts for a small proportion of the total number of security clearance checks initiated. Intensified, extended security clearance checks, however, are not yet being done. The Ministry of Defence is still working on a legal ordinance specifying which service personnel are to be subject to the intensified extended security clearance check. The new type of security clearance check may start as soon as the ordinance comes into force. This involves halving the intervals for review and extended checking measures, meaning that the Federal Office of Military Counter-Intelligence (BAMAD) will have to deal with a considerable amount of additional work.

BAMAD, which is responsible for security clearance checks, already has a high workload. At the end of the year under review, the Office had received 62,809 applications. Of these, around a third, or 21,474 of the security clearance checks initiated, were for the pre-employment screening for soldiers, which have to be available at the start of basic training, or at the latest at the start of weapons training. It is intended to keep suspected extremists away from the Bundeswehr from the start, but it cannot work if it takes too long. Of the 57,375 security clearance checks carried out, 20,802 are completed pre-employment screening for soldiers, which shows that BAMAD still prioritises recruitment checks. At least in the personnel department, which is responsible for security clearance check procedures, the **personnel situation** is slowly but steadily improving. While the rate of posts filled was still 71 per cent as at 31 December 2022, it was already 74 per cent at the end of the year under review. Nevertheless, the volume of orders increased by around 10 per cent in the year under review compared to the previous year. In some cases, this is clearly reflected in the longer processing times for the individual security clearance check

procedures. For example, a level 1 security clearance check for classified information and sabotage protection took an average of eight weeks longer than in 2022, with an average duration of 15 weeks. The average **processing time** for the pre-employment screening for soldiers increased to seven weeks, taking an average of four weeks longer than in the 2022 period. However, four weeks more or less can make a big difference, particularly when it comes to the pre-employment screening for soldiers. A missing or incomplete security clearance check means removal from basic training and not taking part in weapons training. This often leads to the newly recruited service personnel affected suddenly finding themselves idle in their parent unit. After losing touch with their comrades in basic training and seeing no prospects, it is not uncommon for them to leave the Bundeswehr straight away.

This is particularly aggravating if it is clear from the outset that the security clearance check procedure cannot be run successfully:

- *One petitioner of Russian origin was relieved from the basic training that he had already begun and dismissed. The Ministry of Defence conceded that he should not have been appointed, because he had been in the Russian Federation continuously from 2017 to 2021, which was also evident from the application documents. All units at the responsible careers centre had not properly assessed the documents, even though a new application form has been used since the end of 2021 to avoid futile security clearance checks with the aim of avoiding such cases. The Ministry has taken the case as an opportunity once again to raise awareness among the personnel involved in the application and recruitment process at all careers centres.*

The Ministry of Defence reported that the number of security clearance checks with security-relevant findings is increasing, which means that processing is more complex and time-consuming. It is true that BAMAD thoroughly investigates security-relevant findings and, for the sake of military security, is uncompromising when it comes to the effort involved in the screening. However, the Parliamentary Commissioner for the Armed Forces repeatedly receives reports of **unproblematic cases** where processing times are disproportionately long. This is illustrated by the following case, where the security clearance check procedure lasted more than three years:

- *A prospective IT sergeant criticised the fact that he had not been able to take part in several planned specialist courses for post qualification because of the lack of the extended security clearance check. For incomprehensible reasons, the security clearance check was not initially started until four months after the security declaration had been submitted, after which a further screening was carried out, although the first had already been completed without any security-relevant findings.*

The lengthy procedure not only affected the petitioner, but also the employer, as the planned deployment was in IT, where there is high demand in the Bundeswehr.

Civilian initial and follow-on occupational training

A total of 5,232 temporary-career volunteers took part in training programmes for civilian initial and follow-on occupational training in this year under review. The courses on offer are diverse and range from training in aircraft electronics and as industrial foreman in electrical engineering to qualifications in emergency paramedicine and training in specialist nursing for intensive care and anaesthesia.

The Bundeswehr currently offers a total of 464 civilian initial and follow-on occupational training programmes, covering 46 different initially and 33 advanced training occupations. These are primarily designed to provide technical qualifications for the relevant military deployment and thereby for mission fulfilment. Service personnel can also use the knowledge they have acquired on the civilian labour market, after they retire. Civilian initial and follow-on occupational training therefore also makes the Bundeswehr attractive as an employer.

However, it is neither helpful nor economical to plan a training programme that is of no use either for the post or for later integration into the civilian labour market:

- *A petty officer first class (OR-6) candidate who had completed vocational training as a roofer was to complete the civilian initial and follow-on occupational training programme as an office administrator ("Kaufmann/-Frau – Büromanagement"). This would not have been of any benefit either for his post assignment or for his plans after any reintegration into civilian working life. It was only in the course of processing the petition that he was allowed not to attend the civilian initial and follow-on occupational training programme measure by special permission.*

When taking part in civilian initial and follow-on occupational training programmes, service personnel are not available for their other official duties. The **professional added value** of the training programmes should therefore also be a priority for the Bundeswehr.

External civilian training providers typically run civilian initial and follow-on occupational training programmes on behalf of the Bundeswehr. This makes it all the more important that the civilian initial and follow-on occupational training support point at the careers centres ensure that there is close supervision and **quality assurance**. Very high failure rates in particularly demanding initial and advanced training areas have shown that this is necessary:

- *Participants on the nine-month civilian initial and follow-on occupational training course for business administrator (“Wirtschaftsfachwirt”) complained about the failure rate of 100 per cent. The Federal Office of Bundeswehr Personnel Management (BAPersBw) found this to be due to an otherwise unusually high level of discord between the course participants in the lecture theatre and their lack of motivation. Nevertheless, it took the petitions as an opportunity to include additional teaching units in future to deepen the technical content and to cater better to the needs of the service personnel. Working with the training provider, even more intensive monitoring is also planned. Those affected can take a repeat exam with appropriate preparation at another location.*

It is important to review the content continuously and to assess and, if necessary, adapt the course content of the civilian initial and follow-on occupational training programmes so that service personnel can perform their duties at their post as qualified personnel. The Ministry has given assurance that both the careers centres and the Federal Office of Bundeswehr Personnel Management (BAPersBw), which has responsibility in this area, are systematically following up on information regarding deficiencies in the quality of the training courses and, where necessary, take remedial action.

In response to high failure rates in recent years, the business administrator (“Wirtschaftsfachwirt”) training programme is being restructured as the first step. The “IT specialist profile” civilian initial and follow-on occupational training programme for Cyber/Information Technology sergeants has also been restructured in recent years. The adaptation of the career ordinance and the introduction of additional training sections and self-study components has compensated for existing gaps. The organisational review and personnel requirements assessment by civilian initial and follow-on occupational training and Bundeswehr School of General Vocational Education support points, which was postponed due to the pandemic, is ongoing. The results are to be presented in the first quarter of 2024 and then assessed by the Ministry.

7. Women

Women and men have been serving in the Bundeswehr with equal rights for 22 years – which should be cause for great celebration. Female service personnel can now be found in almost all areas and roles within the Bundeswehr. Bringing their experience and skills, they increase the quality of the service, as studies show that mixed teams are always the best and most efficient.

With the amendment to the **Act on Equal Opportunities for Female and Male Military Personnel of the Bundeswehr (SGleiG)**, the quota of women in the armed forces – with the exception of the Medical Service – has been increased from 15 per cent to 20 per cent. Ambitious goals are laudable, but this “underpinning of the declared goal” – as the Ministry of Defence calls it – cannot hide the fact that, in many areas, the quota of 15 per cent has not even come close to being reached. In the year under review, it was 13.43 per cent, including the Medical Service. The proportion of female medical personnel at the Central Medical Service and the medical personnel serving in all other organisational areas was 45.58 per cent; given the slight decrease compared to the previous year (2022: 45.66; 2021: 45.16), the rate has even moved slightly further away from the statutory target of 50 per cent for the Medical Service. All other career paths had a rate of just 9.68 per cent (previous year: 9.50 per cent). In the year under review, the number increased slightly to 24,380 (including 1,815 military service volunteers) (2022: 24,180 with 1,816 military service volunteers). In the year under review, the proportion of women in the Army was 7.58 per cent (2022: 7.55 per cent; 2021: 7.32 per cent), in the Air Force was 9.68 per cent (2022: 9.49 per cent; 2021: 9.02 per cent), in the Navy was 11.17 per cent (2022: 10.92 per cent; 2021: 10.48 per cent), in the Joint Support and Enabling Service was 11.66 per cent (2022: 11.30 per cent; 2021: 11.34 per cent) and in the Cyber and Information Domain area it was 10.28 per cent (2022: 10.12 per cent; 2021: 10.03 per cent). The proportion of women among professional career soldiers was 8.85 per cent (2022: 8.28 per cent; 2021: 7.77 per cent) and 15.32 per cent among temporary-career volunteers (2022: 15.12 per cent; 2021: 14.77 per cent). The proportion of women among military service volunteers fell to 18.26 per cent (2022: 19.22 per cent; 2021: 18.84 per cent).

There was also a decline in the **number of applications** from women in the year under review. The percentage of applications from women was 16.7 per cent (2022: 17.8 per cent; 2021: 17.7 per cent; 2020: 17.2 per cent; 2019: 17.3 per cent). In absolute figures, that is a decline to 7,200 applications from women (2022: 7,800; 2021: 8,700; 2020: 8,250), continuing the negative trend of the previous year. The Federal Minister of Defence has therefore rightly made women a top priority for his recruitment efforts. The declining numbers show that a concerted effort is needed to make the Bundeswehr more attractive to women and to attract more female recruits. The Ministry of Defence has already taken a number of measures on personnel recruitment specifically addressed at women. These include targeted recruitment campaigns, military equality plans, mentoring and coaching.

At the same time, it rightly recognises that these are not enough. The amended Act on Equal Opportunities for Female and Male Military Personnel of the Bundeswehr (SGleiG) is at least a step in the right direction. It now specifies that external job advertisements and announcements must address all genders equally; in areas where female service personnel are underrepresented, applications from women must be emphasised as “particularly welcome”. Women should also be given preferential consideration in such areas if they have the same **qualifications**. To ensure that the women addressed in this way stay in the Bundeswehr, it is important that female applicants are given a realistic picture of service in the Bundeswehr before they are recruited. Direct communication with female service personnel and contact with their life stories may be helpful in this case.

- *Campaigns worth emulating, such as the Bundeswehr “Women for women” camp in North Hesse, where women had the opportunity to spend a week gaining a definite idea of what service in the Bundeswehr means in everyday life, provide an honest portrayal of the challenges and demands. This allows women who are potential applications to test their skills and ask their questions to expert points of contact.*

Even though, fortunately, female service personnel are to take on more advisory work at the careers centres, the Parliamentary Commissioner for the Armed Forces heard in conversations of the fear that this could be “career-ending”. Working in career advice should not be a dead end – anyone who attracts others to the Bundeswehr and brings them to the Bundeswehr is also a soldier worthy of promotion. Such deployment should therefore be visibly seen as a positive for later development opportunities.

Strong signals are needed to convince women who are potential applications of good and, in particular, equal **career opportunities**, as the statistics show. Women are still significantly underrepresented in leadership positions, including in the Medical Service, where the proportion of women has been very high for years. Even the small number of female service personnel who have model careers – most recently, for example, the first female battalion commander in the Army and the first female submarine commander in the Navy – cannot hide this fact. And yet role models play a key role in reflecting discernible career opportunities to encourage women to seek a career in the Bundeswehr.

The Federal Ministry of Defence's statement on the Annual Report 2022 of the Parliamentary Commissioner for the Armed Forces states the following regarding access for female service personnel to leadership positions: "In view of the fact that all career paths were only opened up to women in 2001, female service personnel have only occasionally been represented at the highest levels of military leadership outside the Medical Service, because of the career system." Given the 22 years that women have served in the Bundeswehr, this statement is sobering – when compared to the usual duration of a career.

"Women in leadership" in the year under review: Ten female service personnel are in top leadership positions on pay scheme B (B 3 to B 7) – all of them doctors. There are no female service personnel in leadership positions above pay group B 7. Even in the Medical Service, where women have been working since 1975, the glass ceiling is still rarely broken. Two out of 14 general medical officers are women, five out of 48 senior medical officers (B 3), two out of ten naval medical officers (B 3), 22 out of 160 senior medical officers (A 16) and two out of 24 naval medical officers (A 16) are also female. Even if the picture in the lower pay groups is shifting somewhat in favour of women, there is still a lot to do at the top. In the other individual services, the picture in the top ranks is even more disappointing – finding high-ranking female leaders is like looking for a needle in a haystack. After 22 years, no female soldier has reached the rank of colonel (B 3) – in contrast to 268 service personnel at present. In pay group A 16, there are two female service personnel at the rank of colonel, compared to a total of 743 male service personnel. There is one female captain at sea (A 16) compared to 123 male captains at sea (A 16) and a further 45 captains at sea (B 3). There are 25 female lieutenant colonels (A 15) compared to 2,519 male lieutenant colonels and 221 female lieutenant colonels (A 14) compared to 4,669 male comrades. For frigate captains, the ratio in the year under review was 5 to 397 (A 15) and 53 to 782 (A 14).

The Ministry points out that the job-specific requirements apply irrespective of gender and that everyone is subject to the same career requirements and standardised procedures for career development. Apparently, however, after 22 years this has still not led to formally equal opportunities being reflected in real-world promotions. It is therefore positive to emphasise the announcement that the career and deployment structure concepts are to be adapted and further developed and supplemented with tools to promote **equal opportunities**. There is need for considerable flexibility on this for all service personnel and more freedom for deployments, to take account of different life realities and to avoid losing qualified service personnel as a result of rigid time requirements for mandatory practical training periods, deployments and courses. Personal life situations must be given greater consideration in the "rush hour" of life, a time when many things are usually happening at the same time, both professionally and privately. The Ministry of Defence should take the revision of the career and deployment structure concepts as an opportunity to review whether all the practical training periods are really necessary to do a good job as a leader. Of course, it is not a question of ignoring qualifications altogether. On the contrary, some qualifications can certainly be demonstrated by other means or acquired subsequently, such as via training requirements or further assignment planning.

The provisions of the Act on Equal Opportunities for Female and Male Military Personnel of the Bundeswehr (SGleiG), including measures to improve the compatibility of family, care and duty, are important, motivating approaches to increasing the proportion of women in general and in leadership positions in particular. The "Radar" format, which provides individual monitoring of personnel development for female officers in operational service and is intended to assess the progress of female service personnel in comparison to their male comrades, also seems promising. According to the Ministry of Defence, the format is supposed to supplement existing personnel development tools and take stages of career and phases of life into account. The evaluation by the Federal Office of Bundeswehr Personnel Management that has been announced for this purpose is also supposed to provide insights into whether and where there are inconsistencies in the selection and promotion of female officers compared to male officers. The Parliamentary Commissioner for the Armed Forces is looking forward to this analysis with interest.

Referring to **target agreements** is not enough if failure to comply with them ultimately has no consequences. To close the considerable gap among high-ranking leadership in practice, additional commitment is required from all services of the Bundeswehr and each individual superior – and of course from the female service personnel themselves. Sometimes other routes will also be necessary – changing career path or increased personnel retention via longer periods of enlistment could be promising tools. One of the tasks of superiors is to recognise and focus on the potential among the female service personnel under their command at an early stage of their careers and to promote them in a targeted way – not just among female officers, but all the way down to female junior-ranking soldiers. This is because female service personnel are also underrepresented among top ranks and positions, including among senior and junior non-commissioned officers, junior rank soldiers and career soldiers.

- *Time and again, there are female service personnel who turn to the Parliamentary Commissioner for the Armed Forces because they feel that they are not getting sufficient support in their efforts to become career soldiers.*

Fortunately, a lot of superiors have recognised this responsibility and are successfully promoting women – including in technical fields that are still dominated by men. This example should set a precedent. This also includes encouraging qualified women to apply for higher-paid posts. However, women themselves have to develop confidence in their abilities and step forward for promotion. Networks and solidarity with other female service personnel provide particularly valuable assistance.

In times of demographic change, it is a particular challenge to retain qualified personnel. The Bundeswehr is already doing a lot on retention – in particular in technical roles. The commitment of some superiors to female service personnel in difficult situations – such as female service personnel who wish to be transferred after experience of sexual misconduct, bullying and discrimination – is also exemplary. However, there are question marks over female service personnel finding themselves threatened with immediate **dismissal** for alleged or actual disciplinary offences at the instigation of their superiors when there are issues within the unit structure. In some of these cases, the personal tensions that have arisen in the field seem to mask the fact that the female soldier may be able to serve successfully in a different environment. Intervening earlier in situations of conflict could prevent escalation and ensure that the female soldier remains in service elsewhere. Petitions on this suggest a link between personnel retention and the handling of cases of bullying, discrimination, inappropriate behaviour of superiors or sexual misconduct. If the balancing act fails, female service personnel are more likely to decide to leave the service or not extend their term of service, according to petitions. Others succeed in making a fresh start by actively fighting for a transfer – often at considerable personal cost.

It is crucial that the Bundeswehr takes its job seriously and guarantees an **environment free of discrimination**. Superiors must continue to create a climate of mutual respect and trust, so that sexual assault or inappropriate comments remain taboo. Fortunately, the Bundeswehr is generally committed to taking action against misogynistic behaviour in its own ranks, even if there still seem to be male-dominated areas where there is not always sufficient care taken to interact appropriately with one another. However, personnel management would do well to seek dialogue with female service personnel early on in the event of conflicts within units, particularly if the unit is pushing for their dismissal.

To attract more women to the Bundeswehr, the Bundeswehr also has to position itself as a modern employer. This includes **attractive general conditions**. In addition to gender equality and equal opportunities, equipment and infrastructure as well as the compatibility of family and duty are of fundamental importance. This also includes sufficient ability to plan and intensive support with childcare. The ongoing commitment to the ability to combine work and family life is and remains a question of equal opportunities and an indicator of how seriously the Bundeswehr is taking its job of recruiting and retaining more women for service in its ranks. Flexible working time models in particular are a key to attracting women and men to serve in the Bundeswehr, retaining them throughout different phases of their lives and potentially motivating them to extend their service or become career soldiers. The Bundeswehr is already doing a huge amount as far as possible to do this.

However, to draw qualified female service personnel with family responsibilities to leadership positions where they are urgently needed, even more flexibility on time is necessary. This applies to the two-year National General/Admiral Staff Officer course (NGASOC) and deployment at the Federal Ministry of Defence, as well as to the compulsory training unit for senior personnel NCOs in the Federal Office of Bundeswehr Personnel Management. There has to be thinking outside the box, without sacrificing essentials. Leadership skills also have to be developed on service or in other ways, and it has to be possible to complete courses and further training even more effectively in blocks or digitally. CVs need to be reviewed for comparable qualifications that have already

been acquired and areas that can still be developed, part-time leadership and reserve service have to be strengthened and mentoring and coaching tools need to be used even more intensively and creatively. Ultimately, it is leadership skills that matter and less where and how they have been developed. Digitalisation offers lots of opportunities that should be used to benefit service personnel. The “Radar” project could again help in this area to further improve individual advice from personnel management.

The Act on Equal Opportunities for Female and Male Military Personnel of the Bundeswehr (SGleiG) now contains a number of promising approaches to promote the compatibility of family, care and duty. The comprehensive prohibition of discrimination in the workplace for **family or caring responsibilities** seem to be particularly effective. They also cover a number of circumstances that are typically considered to be unfavourable for service personnel with family responsibilities and that can therefore become factors for indirect discrimination. When returning to work after care-related leave or parental leave, those affected should generally be given priority when filling posts. Special rules on equal opportunities are also included for training and advanced training, as well as for ensuring connection to careers during any period of leave. When qualifying for posts, specific experience and skills acquired from family or care responsibilities should be recognised, insofar as they are relevant to performing the relevant job. People with leadership responsibilities now have to familiarise themselves with the measures to improve the ability to combine family, care and duty. This may be crucial in order to keep a closer eye on the interests of all service personnel in a unit with family responsibilities, working together personnel management.

- *As conversations during field visits have shown, female service personnel want to assert and prove themselves under the same conditions and requirements as male service personnel. The example of a female soldier who successfully completed her training as a mountain guide at the Mittenwald Mountain and Winter Combat School in the year under review shows that they have already succeeded in doing this under the most challenging conditions and with extremely high physical demands. Her example should now serve as a role model for the unit and a reason specifically to promote female service personnel and encourage them potentially to change careers. This shows clearly and unambiguously that female service personnel do not want special treatment, but suitable general conditions that allow them to work professionally and for which they do not have to fight more than their male counterparts.*

If facilities that are self-evident, such as toilets and shower rooms for women and the necessary personal equipment, are not available, they are quite simply at a disadvantage. Service personnel deserve equipment that meets their needs so that they can fulfil their duties. After 22 years of women in all the services, it is unacceptable that female service personnel still do not get **uniforms** and protective equipment in suitable sizes or acceptable cuts, that the procurement of maternity clothing in some cases takes until (almost) after the birth of the child, or that items of clothing for female service personnel are of such poor quality that they are in effect unusable. The fact that female service personnel make other arrangements or accept such conditions with a shrug is testament to their resilience, but in no way makes this any less of a problem. Initial reports that things are changing in some areas – albeit slowly – are encouraging. The Bundeswehr must not let up on this if it is to continue to focus on recruiting suitable female service personnel.

The amended Act on Equal Opportunities for Female and Male Military Personnel of the Bundeswehr (SGleiG) also strengthens the role of the **Military Equal Opportunities Officers**, who have been active in an advisory capacity since 2005, and is a substantial improvement in their legal position. They are to work more intensively than before with the agencies and agency heads and have been given the right to make submissions and a direct obligation to make submissions to agency management and the right to initiate all measures in which they have a role. Their objection now also has suspending effect, taking into account military service, based on the Federal Equal Opportunities Act (BGleiG). The nature, scope and timing of the right to information in military disciplinary and defence appeal proceedings have also been expressly provided for by legislation for the first time. Some Military Equal Opportunities Officers are in favour of their role in disciplinary proceedings being enshrined in the Military Disciplinary Code. The Equal Opportunities Officers must now make active use of their strengthened rights and, if necessary, enforce them with unit heads. In the year under review, there were once again petitions from Equal Opportunities Officers complaining that they had not been involved promptly or appropriately or had not been given full access to investigation documents.

- *In one case, the Military Equal Opportunities Officer felt that the proper performance of her duties had been negatively affected, because she had not been involved in the agency's final statement on a petition. She lodged an objection on the basis of a violation of the Act on Equal Opportunities for Female and Male Military*

Personnel of the Bundeswehr (SGleiG). According to the investigating agency, the objection was upheld and she was given the opportunity to comment on the petition retrospectively – a belated attempt to correct errors that had already been made. Almost four and a half months after the conclusion of the petition, the Parliamentary Commissioner for the Armed Forces was presented with a further statement from the Military Equal Opportunities Officer. It is to be hoped that such cases will no longer occur, following the amended Act on Equal Opportunities for Female and Male Military Personnel of the Bundeswehr (SGleiG).

Women have to be represented more than before at all levels and in all positions within the Bundeswehr. It is not just in career advice that attention has to be paid consistently and automatically to parity (or at least to taking women into account appropriately for targets) and to the continuous promotion of suitable female leadership. Female **role models** benefit the image of the Bundeswehr in society and increase the acceptance of different leadership behaviour among men as well. It is only by sustained commitment to practical, applied equality that role models can change and gender-based stereotypes and the unconscious judgements that are based on them (gender bias) can be slowly reduced. This is the only way it can become the norm for all service personnel for units also to be led by women, who have naturally been selected according to suitability, performance and aptitude; this is the only way that different standards for the appraisal of leadership behaviour will end.

- *The fact that this is still an issue is demonstrated by – a small number of – petitions from service personnel that are directed specifically and sometimes with a questionable tone against the behaviour of female superiors. For example, two male service personnel (mis-)understood ad-hoc heightened monitoring and appropriately increased command supervision by a female superior as “micromanagement”.*

However, it is an unacceptable result of prejudice if units are considered “potentially incompatible” with women in leadership in such cases, even if command supervision is used to monitor corresponding tendencies in the unit as a precautionary measure. Targeted measures are needed in this area, including personnel measures if necessary, to permanently change the unit structure.

It is still regrettable that, in such case of conflict – albeit for superficially objective reasons such as the wealth of experience and length of service in the unit as well as a lack of suitable posts – women almost always have to leave the unit (again). This elevates the behaviour of a few and reinforces the existing structures. The impression is that long-established service personnel are (almost) untouchable. The aim in fact has to be to ensure that women are also adequately represented in such key positions as leading specialists – such as in military careers in the sergeant career path as sergeant major or master chief petty officer – and that they are also regarded as such indispensable, capable and strong leaders that they do not automatically have to give way when conflict occurs.

As one of many measures, this also means that female leaders are given special support via **mentoring** and coaching, in addition to regular measures, even before they become platoon leaders. They should get targeted support in dealing with entrenched structures and with male-dominated communication styles and role models in the units in which they have to show their strong leadership. However, such targeted coaching and training would also make sense for female service personnel who are to be promoted to other key roles – such as on non-commissioned officer career path. They promote the goal of equal opportunities by compensating for the structural disadvantages faced by women in leadership positions and contribute to increasing the acceptance of female service personnel as superiors.

Of course, it remains important to raise awareness among and train female and male service personnel at all levels with mandatory and continuous training, in particular superiors, on the requirements for gender equality via equal opportunities, and to increase the strengthening of their gender competence. Only when this succeeds will service personnel be promoted, qualified and assessed by the same standards. Only then will they have an equal opportunity in reality of reaching key positions and leadership roles. There is a long way to go until then. As research shows, the overall structure will only change permanently if the proportion of women reaches a qualified minority of around 30 per cent. All the more reason to introduce target agreements to reduce the underrepresentation of women at all levels and finally to provide them with accountability and binding follow-up measures if targets are not met.

8. Leadership development and civic education

The concept of *Innere Führung* (leadership development and civic education) is the core leadership principle at the Bundeswehr as an army in a constitutional democratic state. The principle is that superiors’ demand for

obedience is not met by unlimited subordination of the individual to the military as a whole. It obliges military superiors at all levels always to recognise and treat service personnel under their command as “citizens in uniform” – i.e. as holders of fundamental rights and as human beings entitled to respect and dignity. At the same time, *Innere Führung* obliges all service personnel to internalise the free democratic basic order, to stand up for it and to act on their own responsibility in accordance with mission command. As an ethical system of orientation, it defines the tension between the independence and freedom of service personnel as citizens and military order. The Bundeswehr is facing completely new challenges in terms of leadership development and civic education as a result of Russia’s brutal war of aggression against Ukraine, which breaches international law. Upholding and defending democratic values and what that naturally entails are more than ever the focus of public debate. National and collective defence as a core mission requires new approaches to personnel support and personnel management, operational readiness, service and family and, ultimately also, dealing with fear of war and with trauma. The Bundeswehr has to look for solutions in these areas within the framework of leadership development and civic education.

It is to be welcomed that the Bundeswehr published the **new leadership development and civic education handbook** in the year under review. 66 years after the first leadership development and civic education handbook, the new edition is written in the spirit of the “father of leadership development and civic education”, Wolf Graf von Baudissin, and has been adapted to the realities of the 21st century in terms of both language and content. In the various contributions, the authors, who represent almost the entire range of ranks and almost the entire breadth of the Bundeswehr, explain their personal approach, views and, in particular, the content of the topic. The handbook is firstly intended to stimulate discussion and debate on the ground, in the Bundeswehr’s agencies and units. Secondly, it is designed as a reference work and a contribution to the further development of leadership development and civic education in the context of the *Zeitenwende*. It is part of a “toolkit” for leadership development and civic education, with a range of material to support training, such as the Bw IdentitY app and a comic non-fiction book. Given the enormous global political challenges, the thought processes, principles and moral standards described in the new handbook are more important than ever. The new edition shows very successfully that leadership development and civic education is constantly evolving. The principles of leadership development and civic education then and now essentially have one aim – ensuring the operational readiness of the Bundeswehr.

Right of petition and parliamentary control

Pursuant to Section 1(3) sentence 1 of the Act on the Parliamentary Commissioner for the Armed Forces (WBeauftrG), the Parliamentary Commissioner for the Armed Forces shall act at her own discretion on the basis of her own decision if she becomes aware, via petitions or in any other way, of circumstances that indicate there is a breach of the basic rights of service personnel or of the principles of leadership development and civic education. To clarify and assess the relevant facts, the Parliamentary Commissioner for the Armed Forces requests a statement from the Federal Ministry of Defence or its subordinate division, which in turn requests a statement from the other subordinate divisions. Collaboration with all points of contact was once again exceptionally good in the year under review, acting with trust on all sides.

However, the Parliamentary Commissioner for the Armed Forces regularly receives feedback from agencies that they have **not received any information** about the outcome of the processing of petitions. This is an omission on the part of the agency requested by the Parliamentary Commissioner for the Armed Forces to comment, as it is always asked to ensure that the agencies and superiors involved in processing the case are informed of the outcome of the review. It would be desirable for this to become standard practice, in particular as the announcement of the outcome is required under No. 314 of the “Matters concerning the Parliamentary Commissioner for the Armed Forces” General Regulation.

As a rule, the Parliamentary Commissioner for the Armed Forces does not set any **deadlines** for the agencies that are asked for comment. Deadlines arise exclusively under the organisation of the Ministry of Defence, as, according to No. 301 of the General Regulation, the matters relating to petitions have to be processed as a matter of priority. The agencies involved rightly feel that the deadlines – which are sometimes only a few days – are too short for proper processing. It would be in everyone’s interest to drive petition matters forward swiftly and to set a reasonable deadline for comments on a case-by-case basis.

The Parliamentary Commissioner for the Armed Forces also repeatedly receives **anonymous petitions**, of which there were 25 in the year under review (2022: 37). According to Section 8 of the Act on the Parliamentary

Commissioner for the Armed Forces (WBeauftrG), anonymous petitions are not processed. However, the Parliamentary Commissioner for the Armed Forces may initiate an ex officio review, if the seriousness and credibility of the allegations and alleged grievances give cause for review. This threshold is very rarely exceeded by anonymous petitions and processing is the exception, as typically there are only general accusations – sometimes of a strongly denunciatory nature – made against superiors. Petitions should always be made in a petitioner's own name and naming the unit. The points often cited in favour of anonymity – fear of reprisals or professional disadvantage – are not well founded. The **prohibition of discrimination** enshrined in the Act on the Parliamentary Commissioner for the Armed Forces (WBeauftrG) prohibits disciplinary sanctions, disapproval or reprimand on the basis of a truthful petition. The Parliamentary Commissioner for the Armed Forces may also, at the request of the relevant petitioner, decide at her own discretion not to mention the petitioner's name to agencies when processing the petition. She also makes use of this in appropriate matters, such as for structural problems and inadequate equipment.

Another important official power of the Parliamentary Commissioner for the Armed Forces and a direct expression of parliamentary oversight is her right to gather information on field visits about the state of the Bundeswehr. She can visit all areas of the Bundeswehr at any time, even without prior notice. The **unannounced field visits** in the year under review once again made it clear that, even on spontaneous and unprepared visits (when it was not uncommon for the leadership to be absent on exercises or training courses) the service personnel present always acted confidently and professionally. In all cases, it was possible to put together lively and informative discussions with service personnel of all rank categories. Positive examples include the visit to the 8th/3 Military Police Regiment in Roding and to 2 Medical Regiment "Westerwald" in Rennerod.

Civic education

Responsible civic behaviour and responsible action require knowledge of the political context and knowledge of the political system of the Federal Republic of Germany. Civic education in the Bundeswehr is a central tool of leadership development and civic education to familiarise citizens in uniform regularly with the values of democracy, freedom and human rights in an increasingly complex world. As part of personal development, it is only credible and effective if the framework in which it operates makes these values clear and tangible. Actively standing up against discrimination, extremism and injustice – not just among the troops, but outside the barracks as well – therefore has to be a matter of course at the Bundeswehr. All service personnel need the ability to reflect critically to achieve this, which in turn is a precondition for acting responsibly on deployment at home and abroad. By taking part in seminars, workshops and discussions – in an international context as well, members of the Bundeswehr receive instruction and, in particular, are encouraged to participate actively in the political discourse. Service personnel of different nationalities and backgrounds learn from each other and develop an understanding of the diversity of German society. The Bundeswehr is not the nation's school, nonetheless, but it is part of the institutional chain of civic education.

The **Universities of the Bundeswehr** in Hamburg and Munich play a prominent role in this regard. The courses at the Universities teach officers not just military expertise, but also the principles of a democratic parliamentary army. They are the multipliers who have to internalise the fundamental values of freedom and democracy then to pass them on to others and bring to life the concept of leadership development and civic education for everyday military life. The impact is therefore all the more far-reaching if not all teaching personnel share these constitutional values:

- *Two officers described how a legal instructor had made disparaging remarks about the Federal Government and at least hinted at a legal opinion according to which officers or the armed forces as a whole were outside the legal system. Disciplinary proceedings have since been initiated against the instructor. In the relevant procedure, he is accused of making a number of other statements. It is stated that he predicted the collapse of the state order to course participants and said that, in such case, it would be good "to be where the weapons are". In one case, he also persuaded the majority of those present on the course to chant: "The Federal Office of Bundeswehr Equipment must die!". He was relieved of his teaching duties. The investigations had not been completed yet by the end of the year under review.*

The commitment of the Bundeswehr to law and order is non-negotiable in Germany. There must be no doubt about this, in particular at universities. The question arises as to whether these or comparable statements by the legal instructor should not have been noticed much earlier by command supervision.

Civic education is a process for society as a whole that must be constantly brought to life in the context of changing civic issues. However, implementation is challenging for many units, given the workload for the armed forces. Nevertheless, civic education must not be an afterthought when it comes to planning service.

The independent organisation of excursions and educational trips that increase attractiveness in particular is a deterrent for many units because it is time-consuming and sometimes fraught with bureaucratic hurdles. It is therefore all the better if there are corresponding complete packages for civic education and that provision is also used. The Leadership Development and Civic Education Centre with its “**Lernort Berlin**” programme at the Strausberg branch regularly offers one-week seminar trips to the capital, where units from all the services of the Bundeswehr and parts of the organisation can receive training and further education, across all ranks. The organisation provided by Strausberg includes accommodation, meals, relevant lectures by lecturers and an accompanying programme on selected topics. In the year under review, the Leadership Development and Civic Education Centre held a total of 34 such seminars with almost 800 service personnel and civilian members of the Bundeswehr taking part, including a seminar on “Jewish life in Germany and Israel”:

- *This seminar, which was introduced back in 2022 and continued as a pilot project because of many expressions of interest and positive feedback, is a welcome measure, given the war in the Middle East since 7 October 2023. The seminar provides information about Jews, Judaism and the fight against anti-Semitism, not just in the Bundeswehr, but in society as well.*

Its permanent inclusion in the training programme would therefore be desirable. Given the limited number of personnel and lack of premises, it is, however, difficult to expand this programme. There are certainly opportunities to expand such important programmes and also thereby increase the attractiveness of the Bundeswehr. One idea would be to set up a Bundeswehr conference hotel where seminars and training courses could be held centrally and at low cost. Increasing the discretionary cash allowance for commanders for the purposes of civic education could make a key contribution to reducing the bureaucracy involved in organising such events.

It is advantageous if civic education and the intensification of the relationship between the Bundeswehr and society are processes directly on site. A suitable format for this are the **regional exhibitions** provided by various units and agencies of the Bundeswehr. The aim is to present the relevant achievements of the stationed units and agencies in a modern and appealing setting and thereby contribute to a better public understanding of the Bundeswehr. The exhibitions also promote the identity of the unit and help to establish tradition. The formats are supported with content by the Museum of Military History in Dresden. The Parliamentary Commissioner for the Armed Forces saw an extremely successful example for herself during her visit to the Franco-German Brigade in Müllheim:

- *“Le devoir d’excellence.” – “Dem Besten verpflichtet.” (“Devoted to excellence.”) This is the guiding principle of the new on-site exhibition, which presents the diversity and global uniqueness of the large binational brigade-size unit, covering mission, capabilities and units in a modern, appealing and informative exhibition concept. Visitors can learn about the Franco-German Brigade’s specific achievements at home and abroad based on selected milestones in its history. The perspective is always binational and forward-looking and highlights the shared history since 1989. A special feature is the centrally exhibited portrait bust of Robert Schuman, a pioneer for Franco-German understanding and one of the “founding fathers” of the European Union, who also gave his name to the barracks.*

The exhibition in Müllheim is just one of 27 regional exhibitions, including eight at brigade level or higher, which were provided in 2023.

The Bundeswehr’s **youth media programme** also successfully contributes to taking civic education out of everyday life at the barracks and into society. The programme provides an opportunity for young people to engage with security policy and working with the media and to teach them the practical side of the work of journalists. The seminars are run in youth hostels all over Germany. In 2023, three conferences with 60 participants each and eight seminars with 20 participants each were run. In total, the youth media programme reached around 300 young people, which is 100 more than in the previous year. From 1 to 6 August 2023, the Youth Media Conference was run for the fifth time in Strausberg at the Bundeswehr Centre for Public Affairs. This was another opportunity for participants to discuss a security policy topic and develop media practice by producing a TV magazine on site, using social media channels and creating a print magazine. The Parliamentary Commissioner for the Armed Forces took part in the conference and talked to the young media producers. Unfortunately, the programme is not

being extended. This is regrettable, because the youth media programme made a valuable contribution, in particular in times when classifying facts and knowledge about the mechanisms of the media are more important than ever.

Violation of the free democratic basic order

The service personnel of the Bundeswehr have the task of ensuring Germany's external security. They are expected to serve their country faithfully and to bravely defend the freedom of the German people. To fulfil this mission professionally, service personnel must – in addition to their character, mental and physical aptitude – in particular also give the guarantee that they will at all times recognise the free democratic basic order as defined by the Basic Law, as the foundation of the state order of the Federal Republic of Germany, and must uphold the Basic law in all their conduct.

It is therefore unacceptable for service personnel to express political views, support or sympathise with efforts or organisations that question, reject or attempt to cancel the fundamental values and essential rules of the constitutional state. This applies even more given the changed threat situation since February 2022 as a result of the Russian attack on Ukraine and the associated refocusing of the Bundeswehr on national and collective defence. More than ever, the Bundeswehr depends on the trust and support of society and the German Bundestag. Extremism within the Bundeswehr must therefore not be tolerated or trivialised.

Effective measures, such as the amendment to the Legal Status of Military Personnel Act (SG) that came into force in the year under review to **accelerate the dismissal** of career soldiers and temporary-career volunteers, are consistent and correct. In Section 46(2a) in conjunction with Section 55(1) sentence 1 of the Legal Status of Military Personnel Act (SG), the legislator has formulated several alternative offences for dismissal, for which it is important that the individual concerned must be pursuing or have pursued certain activities in a serious manner. Specifically, these are activities that are directed against the free democratic basic order, the existence or security of the Federation or a Land or that aim to unlawfully interfere with the official conduct of the constitutional bodies of the Federation or a Land or of their members. Activities that put the foreign interests of the Federal Republic of Germany at risk by employing violence or acts in preparation for violence are also included. The section also covers activities that are directed against the idea of international understanding, in particular against the peaceful coexistence of peoples. In all cases, it is also necessary that the service personnel staying in service would seriously put at risk military order or public confidence in the Bundeswehr's ability to function.

The amendment to the law no longer contains any restrictions in terms of length of service. Dismissal is now effected by administrative act. As for termination without notice under civilian employment law, the service relationship of the soldier ends immediately on notice of the dismissal order. Soldiers can take legal action against dismissal, but are no longer members of the Bundeswehr and immediately lose their entitlement to pay and benefits. In addition to the guarantees of legal protection under the administrative legal process, the rights of service personnel during the dismissal procedure are also guaranteed by the introduction of a two-stage hearing procedure. Financial disadvantages can also be offset by using a newly introduced support loan from the employer, which can be paid out on application until the dismissal decision is final.

Also to be welcomed is the provision created by the amendment, which prevents the appointment to service of a career soldier if a conviction has been handed down by a German court for incitement to hatred. If there is a conviction during military service, this leads to the loss of legal status as a soldier (or former soldier, in the case of reservists).

The Federal Ministry of Defence has also been taking consistent action against **extremism** of all kinds for years with a range of effective measures. These include the obligation for service personnel to report relevant events via the central reporting system (as a reportable event). This obligation and the **zero-tolerance strategy** that the Ministry of Defence has vigorously pursued in recent years have led to consistent reporting among the troops. Consistent punishment is a deterrent, because in many cases there is a threat of removal from service, or at least a reduction in rank. It also has the effect of strengthening the sense of justice and duty of those who act in accordance with the law. This has therefore also changed the way these cases are dealt with among comrades, who discuss the incidents more frequently and critically assess facts and behaviour. Service personnel point out such misconduct to each other and distance themselves from it, as well as from the accused.

To promote such positive development further, the Ministry is increasingly focussing on prevention measures. Regular training courses, legal instruction and civic and personal education events are design to raise awareness

of the issue further, reinforce the values of the free democratic basic order within the Bundeswehr and thereby prevent the emergence of extremist ideas. Service personnel are also vetted by the Federal Office of Military Counter-Intelligence (BAMAD) as part of the security clearance checks prior to recruitment and during service to ensure that the Bundeswehr as a parliamentary army is based in its entirety on the values of democracy and respect for human dignity. For the past year under review once again, I am pleased to report that extremism in the Bundeswehr only involves a small minority of service personnel. The vast majority of members of the Bundeswehr are fully committed to applying the Basic Law and represent and defend its values.

In 2023, 204 **reportable events** (2022: 203) relating to extremism were sent by the Ministry of Defence. In the reporting category for “Extremist behaviour, incitement to hatred and violation of the free democratic basic order”, there were a total of 177 cases (2022: 185). In the years under review of 2018 to 2021, this category had 150, 178, 211 and 226 cases for those years. There were also a further 27 reportable events (2022: 18), which the Parliamentary Commissioner for the Armed Forces assessed as having links to extremism, but which were reported by the troops in the categories of “Discrimination” or “Other exceptional incident in connection with the Bundeswehr/involving members of the Bundeswehr”.

The cases for these reportable events cover the full range of extremist behaviour:

- *A nationwide and international raid carried out by various security authorities in December 2022 targeted a group of Reichsbürger and “Querdenker” who were allegedly planning a coup d’état. The searches and subsequent investigations by the Federal Public Prosecutor General involved more than 60 suspects, including members of the Bundeswehr. At the end of the year under review, the Office of the Federal Public Prosecutor General brought charges against several former and one active soldier from Special Forces Command, as well as others, for forming, joining and supporting a terrorist organisation and for high treason before several higher regional courts.*
- *A junior-ranking soldier sent a group photo to a WhatsApp group with a gesture in support of Islamic State – an outstretched index finger pointing upwards – according to the competent authorities. The soldier pre-empted any disciplinary judgement by declaring withdrawal of his formal obligation.*
- *A non-commissioned officer called Malian children sons of bitches in the presence of subordinate comrades on an assignment abroad. At another point, he also said in relation to Malian children: “The fucking negro kids should fuck off.” During the investigations, it was established that there was no obvious racist intent to the statements that were made. This finding is just as incomprehensible as the exceptionally lenient simple disciplinary action taken against the soldier.*

However, it is clear that the majority of the reportable events that are recorded relate to the phenomenon of **right-wing extremism**. As in previous years under review, this included verbal slurs and expressions of interest in right-wing extremist on and off duty, in chat groups and on social media (particularly WhatsApp, Instagram and Facebook), playlists and songs, items of clothing or tattoos, previous or current membership of anti-constitutional associations and organisations and other expressions of sympathy with anti-constitutional efforts and groups:

- *A junior-ranking soldier gave the Hitler salute and said that he was from East Germany and everyone from East Germany has to have beaten up a “Negro” once. The soldier was dismissed early from the Bundeswehr for these and other disciplinary offences relating to right-wing extremism.*
- *During an evening at Heimbetriebsgesellschaft, a junior-ranking soldier told his superior: “Without wishing to offend you, [...] but in my Germany there is no place for orientals or niggers. [...] My granddad didn’t fight in the Waffen SS for niggers like you to become first lieutenants.” The soldier is facing to the Bundeswehr disciplinary and complaints court for the disciplinary proceedings.*
- *One officer took part in a meeting of the “Scheiteljugend”, a group of people considered to be right-wing extremists, and repeatedly expressed his interest in anti-democratic organisations on the extreme right-wing spectrum, such as the “Identitarian movement”, the “Young Alternative” or “Ein Prozent”. The soldier was dismissed from the Bundeswehr without notice. The dismissal is not yet final.*
- *One junior-ranking soldier made anti-Semitic remarks to his group of comrades. Among other things, he said “I hate all Jews” and “The Holocaust is just made up.” The soldier was dismissed from the Bundeswehr.*
- *One officer used the term “Jewish bunker” in a voice message to subordinates via WhatsApp in relation to searching for accommodation at a foreign post. He also offered to explain the features of any “Jewish*

bunker” building. Initially, his disciplinary superior refrained from imposing disciplinary sanctions. In the course of processing the petition, court disciplinary proceedings were first initiated because of the statement, but were subsequently discontinued. The seriousness of the allegation should have demanded greater effort to investigate and more decisive intervention.

There are many reasons for behaviour that is relevant under disciplinary and criminal law. This is demonstrated by looking at the statements of those accused of right-wing extremism. While many make use of their right to remain silent, the range of statements and explanations for the misbehaviour on display ranges from jokes to misunderstood freedom of expression or freedom of expression put forward as a **false defence**. This is often based on a certain group dynamic that arises on social media or at local gatherings. The disinhibition, which is typically alcohol-induced, and the feeling of supposedly being among like-minded people and friends, as well as the desire for acceptance and recognition, are factors that lead to misbehaviour relating to right-wing extremism. Many defendants continue to say that they can no longer specifically remember the events in question. They also describe a mix of an initially relaxed and informal atmosphere, where political and social issues were discussed controversially, and a later escalation of the conversation, where the participants wanted to outdo each other in what they were saying. In cases of the dissemination of National Socialist symbols or ideas in chats or chat groups, it is also repeatedly claimed that the files were sent, but not to trivialise or describe the crimes or acts of the Nazi era heroically, but to be funny or make a joke. Another reason often cited for such use is the common genre of political satire on the media landscape, which is socially accepted in such cases. In their interviews and under the threat of disciplinary sanctions, the service personnel verbally distance themselves from any right-wing extremist views and deny having internalised such attitudes. They also say that they did not think about the impact of the jokes, slogans or images used, interpreted the content differently or did not think it was unconstitutional. For the most part, however, these justifications are not accepted and must be treated as false defences.

It is particularly difficult to deal with such statements if no further **evidence** or circumstantial evidence is available.

- *A junior non-commissioned officer attracted attention when he said “You have to be a charismatic leader to whip up the masses”. He had also liked right-wing extremist content on his publicly accessible Facebook profile before joining the Bundeswehr. The court considered the soldier’s objection that his likes were just youthful recklessness, without him being aware of the underlying content or having actively perceived it, to be credible and decisive. Nevertheless, it found that the facts in themselves constituted evidence which, when considered objectively, could in principle point to a lack of suitability of character on the part of the soldier. However, the overall impression he made on the court during the proceedings was seen in favour of the soldier. He had also been able to explain that the statement made during training had only been made in the context of not wanting to give front-of-class teaching, but to motivate comrades to engage in discussion. The decision on dismissal was revoked – with final legal effect.*

This example clearly shows that not every individual case in which service personnel display extremist behaviour can be sanctioned accordingly. It should be noted, however, that right-wing extremist behaviour of any kind is to be regarded as a clear violation of the principles of leadership development and civic education and, as a rule, as a disciplinary offence.

Identified extremists will therefore have even fewer opportunities to stay in the service of the Bundeswehr, particularly in light of the new offence for dismissal. Service personnel who have not yet attracted attention by extremist acts, but who are at risk of slipping into the extremist milieu because of various different circumstances, must be educated through exemplary leadership and close **command supervision**. This further work in the fight against extremism must therefore be focussed on understanding the causes of radical tendencies even better and combating them long-term. Regular training courses, civic and personal education events and legal instruction can help to raise awareness of the issue and reinforce the values of the free democratic basic order within the Bundeswehr.

A successful example of this is the nationwide **“Tag im Zeichen unserer Werte”** (Day of our Values), which the Army celebrates on 23 May – the day the Basic Law was proclaimed. Service personnel spend a day actively and creatively exploring democratic values and the military profession’s self-image as part of a range of activities and programmes. In the year under review, the role of the Bundeswehr in society was also an area of focus.

It must be clear to all members of the Bundeswehr that right-wing extremism has no place among the troops. Freedom of expression in the barracks and on social media does not mean that hatred, racism and anti-Semitism are tolerable.

In addition to disciplinary superiors, the **Federal Office of Military Counter-Intelligence** plays a central role in combating extremism in the Bundeswehr. The authority collects and analyses information and intelligence under its statutory remit in order to identify extremists in the Bundeswehr early on, monitor such individuals and prevent their efforts. In the year under review, the Federal Office of Military Counter-Intelligence carried out a total of 307 counterintelligence operations.

The relevant cases were distributed across the different areas as follows: Right-wing extremism 178 (2022: 195), Reichsbürger 20 (2022: 1), Islamism 32 (2022: 19), left-wing extremism 15 (2022: 6), foreigner extremism 47 (2022: 9), Scientology 1 (2022: 1) and anti-constitutional delegitimation of the state 14 (2022: 32). The Federal Office of Military Counter-Intelligence and the Federal Office for the Protection of the Constitution also dealt with 1,193 cases relating to extremism at ten meetings of the joint Reservist Working Group.

The Federal Office of Military Counter-Intelligence's work is subject to strict statutory requirements and must always be carried out in accordance with the law. This is particularly important in cases where action is to be taken against service personnel who reject the rule of law and the Federal Republic of Germany with its organisations and institutions. It is therefore also the task of the Federal Office of Military Counter-Intelligence to legitimise trust in the Bundeswehr and the state and its monopoly on the use of force by acting in a lawful and proportionate way. At times, the different statutory standards for assessment of the Federal Office of Military Counter-Intelligence and the applicable disciplinary superiors on the troops with regard to the processing of suspected cases and disciplinary or criminal sanctions has created tension:

- *Many petitions criticised the fact that disciplinary investigations were launched on the basis of intelligence information that the Federal Office of Military Counter-Intelligence passed on to the unit early on. Unlike the lower-threshold classification at the Federal Office of Military Counter-Intelligence, however, these did not (yet) give rise to any initial suspicion of a specific disciplinary offence to be sanctioned, so that the disadvantages of the investigation procedure – in particular the debarment from promotion and the often accompanying temporary withdrawal of confirmation under the security clearance check – continued for a long time.*

In such circumstances, disciplinary superiors have to make the difficult decision of whether to close the investigation promptly in accordance with the statutory **requirement to expedite** the investigation, thereby keeping service personnel who may later be classified as extremists in the service of the Bundeswehr, or to continue the disciplinary investigation without taking any significant investigative steps until further concrete findings are communicated by the Federal Office of Military Counter-Intelligence, which can sometimes take years. Therefore, given the disadvantages for the service personnel concerned, data should only be sent by the Federal Office of Military Counter-Intelligence after thorough review and analysis and should not be sent in cases of doubt. A clear path would also be desirable when reporting data and information to disciplinary superiors. This should in particular take into account the fact that sending findings early pushes disciplinary superiors into disciplinary investigations without needing them and has considerable consequences for the service personnel concerned in terms of career and status. This applies even more if, in the course of processing the case, not even the Federal Office of Military Counter-Intelligence itself takes up further investigation of the case in question.

In the year under review, many of those accused once again contacted the Parliamentary Commissioner for the Armed Forces to complain about the **length of the proceedings** in the intelligence operations conducted against them. The reasons for this are often incomprehensible to outsiders and particularly to the service personnel concerned. As the investigation and assessment of a case by the intelligence service can also be taken into account in simple and court disciplinary proceedings, the time for investigation by the Federal Office of Military Counter-Intelligence also sometimes leads to massive delays in those proceedings. One of the main reasons for the long duration of the proceedings is the Federal Office of Military Counter-Intelligence's high workload, as well as the ongoing shortage of personnel. It therefore is not surprising that the generally complex investigation of cases often takes a long time, particularly for difficult cases.

There is an urgent need for improved levels of personnel in this context, in particular as the dangers to the democratic community posed by extremist efforts from within and without are increasing and do not stop at the Bundeswehr. Current developments such as Russia's war of aggression against Ukraine, in breach of international law, and Hamas' attack on Israel are making the situation worse.

As a result of Russia's war of aggression against Ukraine, there is also an increased threat to the Federal Ministry of Defence from foreign intelligence services. This is leading to a further increase in the already considerable volume of work for the Federal Office of Military Counter-Intelligence's counterintelligence. This also needs to

be strengthened in terms of personnel. The Parliamentary Commissioner for the Armed Forces will therefore continue to monitor the measures and efforts to improve the level of personnel and the duration of investigation at the Federal Office of Military Counter-Intelligence closely.

As part of the further investigation of an intelligence operation carried out in the summer of 2022, where military police forces accompanied the Federal Office of Military Counter-Intelligence employees for their own safety, the need to close a regulatory gap in the role performed by the **military police forces** of the Bundeswehr became evident:

- *From the Federal Office of Military Counter-Intelligence's point of view, the military police had to accompany the operation because it was suspected that the service personnel being questioned had contacts in the extreme right-wing milieu and the violent rocker scene. The military police themselves wore masks to protect their own identity, as the suspects also included members of the military police service. In the course of the operation, the military police asked those under questioning to empty their pockets and patted some of them down for their own safety to find any dangerous objects such as knives that might be concealed on their bodies.*

After the operation, both the service personnel questioned and the military police officers that were deployed approached the Parliamentary Commissioner for the Armed Forces, with the former expressing doubts about the legality of the deployment of the military police officers as a whole and about some of their actions, in particular the pat-down and the masked presence. During the review, the Ministry of Defence took the view that the deployment of the military police did not constitute an unconstitutional deployment of the Bundeswehr within Germany. It had not been possible to rule out the risk to the Federal Office of Military Counter-Intelligence employees during questioning. It was therefore a matter of performing security tasks, or more precisely, military police measures. It should be noted in this regard that the Military Counterintelligence Service is only allowed to conduct interviews on a voluntary basis and has no powers to use coercive measures. The presence of military police officers was therefore necessary to carry out any necessary seizures or other coercive measures and was not objectionable. As there were also members of the military police among the suspects, it was also necessary and appropriate to wear face masks to protect their identities.

However, the fact that the military police physically searched the suspects was open to criticism. Unlike the police forces of the Federal Government and Länder, the military police forces of the Bundeswehr do not have an express right by law to conduct physical searches. The lack of such a **legal basis** was at the heart of the petitions from the military police. The deployment described, as well as many other circumstances in their daily service, such as during provisional arrests, patrols and investigations into service personnel who are absent without leave, show that the right to carry out physical searches is essential for ensuring their own protection.

The existing gaps in law for carrying out military police duties in relation to searching service personnel should be closed quickly to give military polices greater certainty when performing their duties. This also applies to their powers to direct traffic for the military traffic service.

Offences against sexual self-determination

In the year under review, the number of petitions regarding suspected offences against sexual self-determination was 49 in total. This is a further increase on the already higher figures from previous years (2022: 34, 2021: 23, 2020: 25). At the same time, the Parliamentary Commissioner for the Armed Forces recorded a total of 385 reportable events regarding suspicion of offences against sexual self-determination. This means that the current figures are even higher than last year's – comparatively high – reporting figures (2022: 357; 2021: 303; 2020: 224; 2019: 345; 2018: 288). It goes without saying that each of these cases is one case too many.

It is positive that the new **Service Regulation** on “Dealing with sexuality and sexual misconduct in the Bundeswehr” finally came into force in September of the year under review. With its clearly structured requirements and a contemporary understanding of personal rights, it establishes modern standards for legal clarity for the life of comrades together. Interference in a fellow soldier's marriage will no longer be punished, unless it has a negative impact on service. Service personnel may be members of dating portals, if there is no official connection and sound and images used are moderate. The regulation clearly states that sexual misconduct will not be tolerated. The aim has to be to prevent sexual misconduct actively in the units themselves. The plan to make the topic of “How to handle sexuality” a compulsory subject for training courses in 2024 is therefore to be welcomed. The importance of **alcohol** as a factor in a large number of reported incidents remains striking. Alcohol

consumption is not just a frequent trigger for sexual assaults, but also has an impact on investigations, when the victims, accused and witnesses can barely remember the events, as they were inebriated. It therefore makes sense for the Ministry of Defence to devote more attention to this issue as well.

Particular sensitivity is required when dealing with people it is suspected have been affected by sexual misconduct. This also includes ensuring that names are not made public:

- *A report on the sidelines of the Invictus Games 2023 in Düsseldorf attracted media attention. A general in the Bundeswehr is reported to have kissed a comrade on the cheek several times against his will. The report included the name and position of the comrade concerned and the name of the senior officer.*

Fortunately, the new Service Regulation states that **protecting data subjects** is a leadership task. If there is a suspicion of sexual misconduct, suspected victims must be given special protection against avoidable (further) consequences of the incident, the investigations or subsequent criminal or disciplinary proceedings for them. The Regulation also imposes information requirements on superiors and contains helpful checklists and handouts in the annexes. It expressly states that superiors must be particularly attentive, sensitive and discreet in their investigations in order to protect data subjects. It is to be welcomed that responsible legal advisors have to be involved so that all measures for protection and immediate measures are considered.

It is particularly important also to train service personnel in leadership positions on how to deal with reports and suspected victims. This is demonstrated by isolated petitions where those affected did not receive the necessary support because of specific errors.

- *One female soldier stated that she had contacted her sergeant about a sexual assault. However, he did not report this to his disciplinary superior and attempted to influence her behaviour in any possible proceedings. She also claimed that the commander had advised her to refuse to testify to prevent the incident from “getting out of control”. She accused the trusted contact of having reported the incident without consulting her. During investigations, the allegation against the sergeant was confirmed; he received a disciplinary measure and was relieved of his duties. No misconduct by the commander or the trusted contact was found from the evidence. The Ministry of Defence explained that the duty to report allegations of sexual assault outweighed the duty of confidentiality when it came to the disclosure of information by the trusted contact.*

Fortunately, the Bundeswehr is increasingly taking sexual misconduct seriously. However, female service personnel in particular are often reluctant to report what they have experienced to superiors from a feeling of shame or a fear of being penalised professionally. Unfortunately, some petitions and reportable events demonstrate that such fears are not always unfounded: The files include references to disciplinary proceedings against the reporting person, transfer or temporary assignment of such those reporting incidents, being removed from training courses or facing (imminent) dismissal. Of course, these measures may be justified in individual cases. What is worrying, however, is how often we see the same patterns.

Serious consequences for reporting female service personnel are sometimes to be seen against barely recognisable consequences for the accused. In some cases, female service personnel are transferred or temporarily assigned against their will, while the accused is allowed to remain at the place of service and is supported by male comrades or superiors (“**reverse victim and offender**”). If an accusation cannot be proven, disciplinary or criminal proceedings for false accusations or false reports are often initiated by superiors or the accused. Of course, investigations are necessary if there is prima facie evidence that the report was made against better judgement, to “get one over on someone” or with malicious intent. However, if proceedings are discontinued for a lack of evidence, this alone does not constitute sufficient grounds for proceedings against the reporting person.

- *A female soldier filed a criminal complaint against a male soldier for rape of persons unable to resist and reported the incident to her superior. The investigations did not lead to proof of the soldier’s guilt (“one person’s word against another’s”). The unit discontinued the preliminary disciplinary investigations against the female soldier because the original events could not be finally assessed because of conflicting statements and a lack of witnesses and other evidence. The unit therefore correctly stated that, in case of doubt, a decision should be made in favour of the female soldier and disciplinary proceedings against her should not be initiated.*

It should not be forgotten that the investigation of offences against sexual self-determination do in fact do face major challenges from time to time, in particular when there is a lack of objective evidence of the offence and the parties involved disagree about the course of events, the motives or consent to sexual contact. This is often the

case when it comes to verbal harassment and two-person situations, even though there may be witnesses to prior or subsequent behaviour. In other cases, those interviewed were simply unaware of what had happened or were unable to remember (because of alcohol, for example). This often results in “**one person’s word against another’s**” situations that can not be resolved by the investigating agencies or by the Parliamentary Commissioner for the Armed Forces. From time to time, statements and evidence are not fully acknowledged and allegations – often with reference to the accused’s version of events – are treated as not possible to verify. It is worrying when the leeway for assessing the credibility of statements and determining the value of evidence is used generically. It is striking when the credibility of the statement or even the credibility of the person affected is questioned on various grounds, while the credibility of the accused’s statement is assumed or generally viewed as plausible. Of course, there are also individual cases where the question of the value of evidence in “one person’s word against another’s” situations has been carefully discussed.

It initially seems less problematic than for bullying to have your own unit investigate the allegation. If the person concerned has confidence in their superiors, this may even have advantages if they are well trained or experienced, conduct the interviews sensitively and empathetically, act objectively and impartially, and seek legal advice and the advice of helpful actors – such as the Social Services, the Psychosocial Network and the Military Equal Opportunities Officer. This may be easier if the accused is not a member of or close to the unit. It can help that investigations into suspected criminal offences against sexual self-determination – unlike in cases of bullying – are later regularly transferred to the public prosecutor’s office and often to the disciplinary attorney for the Armed Forces.

If, in contrast, there is a **close relationship** between superiors and the accused or if the accused are high-ranking or equal-ranking soldiers from the same or a closely related unit, objectivity and depth of investigation often seem to be more difficult in practice. The status of those involved in the unit and with their superiors, their role, length of membership of the unit and professional expertise as well as other loyalties and dependencies can also make a difference when it comes to who is believed. As for bullying investigations, situations may arise where “counter-petitions” are received by the Parliamentary Commissioner for the Armed Forces from accused persons or from third parties or soldiers objecting to investigations against them. The “counter” or “solidarity” petitions can have a direct impact on the investigations, on the status and on the legal position of the soldier who made the initial report, such as by initiating disciplinary proceedings or by temporary assignment and the associated consequences. In some cases, the risk of biased assessment of evidence, potentially from unconscious bias of the person conducting the investigation, cannot be ruled out without appropriate support. This also applies to the question of the depth of investigation that is considered necessary. In one such case, the Military Equal Opportunities Officer assessed the situation as follows:

- *“All questioning is done by soldiers (men) who are not sufficiently trained in law or in dealing with accused and affected persons [...]. There is also potential bias (partying together, missions, private meetings, [...]), hierarchical relationships, the ‘blank slate phenomenon’ (‘not in my department’, ‘not during my time as unit leader [...]’ etc.), lack of time for investigations [...], anger towards the person who has provided the additional work for investigations, uncertainty regarding the procedure, [...] fear [...] etc. In addition, witnesses are questioned who are socialised in a male domain and where unconscious bias such as conservative role models, masculinity, survivorship bias, play a role. Neutral investigations are barely possible.”*

According to current research, **questioning** in cases of violations of sexual self-determination should preferably be conducted by a neutral, expert agency, by trained, external personnel outside the unit (e.g. military police) or at least in their presence, as – otherwise – incorrect inferences may be drawn from the behaviour of those involved, inadmissible or insensitive questions may be asked or crucial questions may not be asked, answers may be misinterpreted and safety measures may be deemed unnecessary or mistakenly considered necessary. Some agencies also recommend targeted interviews with women. Regular training of disciplinary superiors and legal advisors on the current state of research and raising awareness of the wide spectrum of specific behaviours and the patterns of response of people who have experienced sexualised misconduct is essential in any case. Raising awareness of hierarchical challenges, such as the potential influence of the position of the persons involved in the unit on the investigation, is necessary as well.

Training materials should also include the question frequently raised by superiors regarding the timing of a report or petition. If a report or petition is received a significant time after the incident, it can cause superiors or witnesses to doubt credibility, despite the clear position on this from research. From time to time, investigations

by the same unit just raise questions on one detail, such as when an accused officer is issued with an order to refrain from proceedings almost simultaneously with referral of a matter to the criminal prosecution authority, when an accused person is certain in an interrogation, petition or according to witness statements that there will definitely be no action taken against him and no one will testify against him, or when the reporting female soldier is being questioned as an accused soldier during the ongoing investigation (as a perpetrator, not a victim), although the statements of the persons involved and the witness questioning have not made it clear whose version of events is correct. Questions arise in such cases when the public prosecutor's office only receives a case for casting false suspicion against the reporting female soldier, while the original allegations of sexual misconduct are only reported as not in accordance with the facts. In the case cited above, the Military Equal Opportunities Officer described her view of the consequences of the investigations carried out within the unit as follows:

- “Regardless of whether the female soldier’s accusations are true or not, [the accused soldier] does not suffer any consequences from his leadership behaviour [...]. [The female soldier], on the other hand, had to face the consequences, regardless of whether the accusations against the male soldier were true or not. [...] The male soldier, the female soldier and the other members of the [unit], and potentially also of the [base], understand from this that there is no point ‘speaking up’. As long as it is one person’s word against another’s, the message is that there is no (sexual) intent and others are not aware that the superior’s conduct is wrong, and there are enough people supporting, which means no consequences for the accused, but for the person making the accusation. [...] In addition to punishing those potentially affected, the accused’s remaining in his sub-unit compared against temporary assignment/transfer of the person affected (against their will) to another unit leaves the impression that the person affected has lied/is guilty (‘reverse victim and offender’). The presumption of innocence for the accused seems to outweigh the protection (‘presumption of being affected’) of a potentially affected person. As a result of the points listed, [this person] becomes a ‘victim’ in several ways: by the offence itself, by the denial of credibility, by the attribution of guilt/complicity and by punishment/pressure exerted on the person affected by counter-investigations, investigations against the person affected as well as temporary assignment/transfer and the huge pressure exerted on the person affected as a result. [...]”*

There is therefore a lot to be said in favour of not assigning **responsibility for the investigation** to the affected unit if the main participants belong or have recently belonged to the same unit. A separate question is who makes the final decision on whether a disciplinary offence has been committed, on the basis of the complete documents of the investigation.

It must be emphasised repeatedly that the Bundeswehr has to ensure that the environment is non-discriminatory. Following an incident, it is therefore also appropriate to take measures to raise the unit’s awareness of borderline incidents. The Bundeswehr often takes this into account by awareness-raising.

- One female soldier on a technical career path reported bullying and verbal sexual harassment by an instructor. The unit’s investigation into the reportable event ended without finding that there had been a disciplinary offence. The female soldier objected to the course taken and the outcome of these investigations in a petition to the Parliamentary Commissioner for the Armed Forces. The higher agency at the Bundeswehr, which reviewed the petition, agreed with her. With rare directness, it found that the entire disciplinary investigation had been inadequate and criticised the inadequate discussion of sexist statements made by the instructor in the order to refrain from proceedings – with reference to the fact that at least some of the allegations had been proven in questioning. The agency’s statement clearly opposed discrimination on the basis of gender and emphasised the ongoing difficulties faced by women in the Bundeswehr. Awareness-raising at battalion level was ordered – including in relation to a non-discriminatory working environment. The female soldier’s request for a transfer close-to-home was supported..*

The type of individual **sanction** for misconduct can be a signal to others beyond those directly affected:

- A female soldier had alleged that she and other female soldiers had been sexually harassed by a soldier in a superior position during a private party. The investigations confirmed her claim. The accused only received a relatively small suspended disciplinary fine. However, the responsible agency decided to no longer deploy him as a platoon leader or deputy platoon leader and – contrary to previous intentions – decided not to extend his period of service. Further disciplinary proceedings were initiated on suspicion of influencing a witness.*
- In another case, the investigating agency reported that the company commander had raised awareness of the unit to the issue of “sexual harassment” when they joined up and emphasised the association with*

consumption of alcohol. He also focussed his command supervision on this issue and his superior had the issue reported back to him. Leadership also received further training with the involvement of the Military Equal Opportunities Officer.

Leadership behaviour

For leadership development and civic education (*Innere Führung*), the Bundeswehr places great importance on clear and, above all, responsible leadership by superiors. In addition to promoting teamwork and comradeship, this also includes constructive communication at all levels and, in particular, complying with ethical principles. It is important that leaders in the Bundeswehr fulfil their roles with respect, integrity and professionalism to ensure the safety and effectiveness of the troops.

The following examples show that behaviour of superiors is not always in accordance with these principles:

- *A soldier, who was deployed as a security guard for an exercise, stopped the company commander's vehicle to check it. The officer then pointed a loaded pistol, though with safety engaged, at the soldier's chest and said to him: "You would be dead now." The officer did this with the intention of drawing attention to the carelessness of the person carrying out the check, which had meant he could reach for his weapon during the vehicle check. The disciplinary and complaints court found that the misunderstood command supervision did not constitute grounds for mitigation. The officer was issued with a clear debarment from promotion.*
- *During a party following promotion, a senior officer performed what is known as a 'lieutenant's baptism' on a soldier under his command. This involved laying his hand flat on a table and rapidly stabbing the gaps between his fingers with a combat knife. After injuring the subordinate soldier's index finger and causing him to bleed, he said something to the effect of "Stop blubbing, it will go away." Disciplinary proceedings were initiated against the senior officer for this and many other allegations.*
- *While staying at a training ground, a company commander started a "naked lineup". Eight male soldiers volunteered to form a lineup in front of the shower room, covered by towels. When called to "Attention! Present!", they dropped their towel as soon as the company commander stepped out of his quarters. Some soldiers wore swimming trunks or covered their private parts with a helmet. The company commander then walked between the soldiers and got a slap on the back or buttocks with a towel from each soldier present. Afterwards, everyone showered together while listening to music. On being questioned, the company commander stated that he had wanted to create a "fun and trusting event" to promote cohesion in the company.*

The idea of promoting cohesion is not a problem in itself, as it is desirable. However, the company commander's approach was a complete failure. The event undermined his authority, because such behaviour removes any distance between disciplinary superior and subordinate. A unit leader is expected to have proper awareness of this.

Anyone who distresses fellow soldiers in a degrading way without empathy will never be suitable for a leadership role and has no place in the Bundeswehr:

- *Three privates first class tied up a comrade several times and occasionally abused him with a cardboard stick with several nails on the end. Whilst the victim initially agreed to being tied up to show off his escape skills, the situation increasingly escalated. The intensity of the attacks increased gradually. Video footage of the offences, one of which was posted to the platoon's social media group, shows the victim being slapped in the face. One of those involved trivialised the incident, when questioned, as a "stupid youthful prank." All the accused soldiers were dismissed with final effect.*

Good leadership includes communicating clearly and unambiguously at all times and not failing to weigh up competing interests when making well-intentioned recommendations:

- *A security advisory issued by Bundeswehr Territorial Operations Command (TerrFüKdo) in the summer of the year under review caused confusion among the troops and uncertainty regarding how free rail travel in uniform works, as the Parliamentary Commissioner for the Armed Forces learnt during one of her field visits: Following left-wing extremist incidents in Leipzig and the corresponding risk assessment, Bundeswehr Territorial Operations Command (TerrFüKdo) circulated a security advisory to all garrison senior officers*

on 1 June 2023, which urgently recommended, as part of preventive measures, not travelling by train in uniform on 3 June 2023 (which was the “Day X” for left-wing extremist scene), as well as other measures, as attacks were to be expected. One garrison then implemented this security recommendation with an order to ban wearing uniform for a limited period when travelling by train.

Service personnel can only take advantage of the offer of free rail travel if they are wearing their full uniform correctly. For this reason alone, such recommendations should only be made in exceptional cases. The purpose of the free rail travel provision is also to ensure that service personnel are more visible to the public and are perceived more consciously as “citizens in uniform”. And finally, it is the essence of applied leadership development and civic education not simply to avoid potential situations of criticism and conflict – whether in the barracks or when travelling privately by train. That is why a sufficient weighing of interests, as well as clear and understandable orders implementing such security advisories should be given more attention in similar cases.

The negative examples given here do not, of course, represent all leadership behaviour within the Bundeswehr, but just a small part of behaviour that came under the spotlight in the year under review. **Innere Führung** is clearly practised throughout the Bundeswehr, as a matter of course. The Parliamentary Commissioner for the Armed Forces repeatedly hears of excellent leadership and successful communication, particularly in challenging situations:

- *During a field visit at the MINUSMA contingent in Mali, for example, the Parliamentary Commissioner for the Armed Forces found that execution of the mission was already severely restricted at that time. To prevent dissatisfaction among the service personnel, the contingent commander at the time actively sought regular discussion in an exemplary manner to gauge mood and share information. The discussions, known as “chair circles” among the troops, were run across all sections. They were supplemented by regular information evenings, notices and written information for troops.*
- *Given the specific conditions, such as sleeping in hammocks and the complete lack of privacy in a confined space, the training period for the naval cadets on board the GORCH FOCK sometimes involves a significant change from their normal everyday life. However, excellent on-board leadership as well as the competent regular crew and qualified instructors meant that many people’s initial dislike of the ship was reversed after just a few days, as officer candidates confirmed to the Parliamentary Commissioner for the Armed Forces during a field visit.*

Previously poor leadership behaviour can also turn into positive leadership, if a soldier recognises mistakes and changes behaviour consistently, with purpose and ultimately successfully:

- *A specialist instructor at a Bundeswehr school described a lecture theatre under his instruction as a “group of arseholes” and, referring to a female lecture theatre participant suffering from abdominal pain, said that women suffered from this kind of pain because they deserved it. A disciplinary fine was imposed for these and other statements. As the soldier had shown remorse from the outset, he was given the opportunity for probation at a teaching post. He subsequently demonstrated good behaviour and was rehabilitated. In anonymous evaluations of his lessons, he was seen to be extremely helpful, as a good comrade, and motivating.*

Excessive harshness in training

Recruits are normally confronted for the first time with the tension between personal freedoms and the principles of duty and obedience for a soldier at the start of general basic training. The first few weeks with the troops are particularly formative for the understanding that young service personnel develop of the principle of leadership development and civic education (*Innere Führung*). Modern **people management** is therefore an essential condition for retaining suitable young talent. If recruits are frightened off within the first few months by a questionable style of leadership, this limits the increase in personnel and ultimately the effectiveness of the troops:

- *A former recruit who had quit six days after starting basic training described how the instructors had constantly shouted at him and his comrades and how one of them had said that “they should become like soldiers in the National People’s Army and soldiers from the past [...], just ignoring the politics from then”. They were also made to stand to attention and exercise until three recruits collapsed. The investigations that were initiated confirmed that there had been a harsh, rough and strict tone during training, which, however,*

had not involved shouting or insults. Some recruits developed circulatory issues and did not receive immediate medical treatment. One instructor admitted that he had made comparisons with German armed forces “of the past” in order to emphasise the “exemplary and disciplined behaviour” of such soldiers. The responsible agency described these comparisons as “fundamentally inappropriate” and raised awareness among all instructors.

To introduce young service personnel to life in the armed forces, the Bundeswehr has to take a closer look at the **generational issue** and bring today’s realities of life and individual requirements into harmony with the military requirements of obedience, discipline and operational readiness with greater care. If there are a particularly high number of withdrawals of formal obligation in a basic training unit, this may also be reflect the quality of the instructors. Higher-level agencies and superiors at all levels have to monitor such developments very closely and intervene early and decisively.

Collective punishments, such as at a basic training platoon, are not allowed:

- *For example, one group in the platoon had to do morning exercise at 4.45 a.m. every day for a week after two recruits forgot to top up their ration cards. One section leader set off a confetti cannon in the quarters of his recruits to reprimand them for leaving windows open. For three days, the recruit who had last done something wrong had to carry a sledgehammer, which was known as the “hammer of shame”. The platoon was disbanded and the training assignment was withdrawn from the main section leader and the platoon leader. A severe disciplinary fine was imposed on the section leader and court disciplinary proceedings were initiated.*

The **tone of voice** within a unit is also crucial. Instructors act as role models. Insults are not a way to lead and belittling someone is completely inappropriate in training:

- *During an inspection of quarters, the section leader of a basic training platoon called a recruit a “street hippie” and a “headless chicken” and told him to hang himself. He told another soldier that he was lucky not to be in the Air Force, which he explained with: “You look so ugly in that jumper, you’d be thrown out of the plane without a parachute.” The soldier was given a severe suspended disciplinary fine.*
- *After a recruit from a basic training company collapsed in a daze at the end of a 1000 metre run, his deputy platoon leader pulled him to his feet by the arm, slapped him in the face with the flat of his hand and told him not to snap out of it. During the run, he referred to other soldiers as “washouts” and “crybabies”. The platoon leader was charged before the disciplinary and complaints court. A decision was still pending at the end of the year under review.*

Nevertheless, such extreme cases are not representative of the many impeccable and outstanding instructors at the Bundeswehr.

Lifesaving acts and acts to help others

The brave and dedicated service personnel of the Bundeswehr always do their best to help people in need. Lifesaving acts and acts to help others occur in a wide range of different situations. There are large-scale humanitarian aid operations that are planned in advance and carried out in a well-organised way by the Bundeswehr.

- *Following the major earthquake in Turkey and Syria in February 2023, the Bundeswehr supported Turkey to deal with the aftermath. More than 100 service personnel on the ground set up and ran a rescue centre in the badly affected Hatay Province as part of providing humanitarian aid.*

Far more often, service personnel themselves spontaneously, directly and courageously rescue people in everyday situations. In both cases, the assistance is invaluable and the soldiers deserve special recognition.

The Parliamentary Commissioner for the Armed Forces daily receives reports of a range of cases in the Bundeswehr via the Reporting System for the Internal and Social Situation of the Bundeswehr (ISoLaBw) – not just regarding negative incidents, but positive cases as well. Positive cases in the reporting system include many private lifesaving acts and acts to help others by lots of service personnel both on and off duty. In the year under review, there were a total of 263 positive reports.

At 158 cases, rescue efforts for **road accidents** accounted for the largest proportion of lifesaving acts and acts to help others in the year under review. The actions of service personnel cover the entire spectrum of textbook first-aid: from making the site of the accident safe, starting the rescue chain and freeing casualties from (sometimes burning) cars, to cardiopulmonary resuscitation until the arrival of rescue services, as well as looking after other people involved in the accident and later giving witness statements to the police.

The courageous intervention of service personnel often saves lives, as the following selected examples show:

- *In several cases, service personnel used improvised tourniquets – usually belts or branches and gauze bandages – to stop life-threatening bleeding in seriously injured people.*
- *Two junior rank soldiers pulled two shocked casualties out of their car, which burst into flames seconds later.*
- *A vehicle with three occupants turned over several times on the motorway – one person was thrown out of the vehicle. A non-commissioned officer instantly interrupted his journey home and started lifesaving until the rescue helicopter arrived.*

It is not uncommon for service personnel to provide **first aid** as a group. Marching columns or platoons on their way to or from military training grounds witness accidents and intervene to provide aid. One military police patrol, for example, acted in an exemplary manner:

- *In a serious road accident, the driver and co-driver of a lorry were trapped in the cab and suffered life-threatening injuries. The military police, who happened to be at the scene, secured the site of the accident and began rescue. Using crowbars and lashing straps, the soldiers freed the casualties before the fire brigade arrived and supported the life-saving first aid at the scene of the accident.*

The service personnel of the Bundeswehr are also heroes in everyday life. In 81 reported cases in the year under review, they prevented deaths and injuries to third parties or helped to solve criminal offences in person outside of their official duties. Examples include many resuscitations and provision of first aid in pedestrian zones, on public transport, at neighbours' homes, at big events and at private parties. There were also rescues of people drowning at sea and in lakes. Cases of committed intervention in robberies and shoplifting to apprehend perpetrators and hand them over to the police are also not uncommon. The following examples show that the lives of strangers are also saved at risk of own life:

- *A corporal, senior grade noticed an apartment block was burning, from rising fire and smoke. He told passersby to call the emergency services and went into the burning building himself, because of the urgency of the situation. With enormous physical effort, he managed to rescue two people who needed help from their apartment on the first floor of the building just in time and before the emergency services arrived. The soldier was rightly awarded the Gold Cross of Honour with red edge.*
- *After hearing the horn of a passing goods train and the screams of passersby on the railway track, who did not actively intervene, a non-commissioned officer acted quickly and courageously and brought a man – who was on the track bed and under the influence of intoxicants – back onto the platform.*

Cases like these illustrate the outstanding determination and willingness of service personnel to act on behalf of others. Subsequent **recognition** by the Bundeswehr is important in such cases. It ranges from formal recognition (e.g. verbally when joining the unit in the morning or by group order, sometimes with granting a few days' special leave) to the award of the Gold or Silver Cross of Honour with red edge for acts of rescue and first aid in Germany, with no distinction made between ranks. In total, the Bundeswehr awarded this particular version of the Cross of Honour in 46 cases during the year under review – some in the presence of the rescued person.

Lifesaving acts and acts to help others by service personnel are not always just recognised internally by the Bundeswehr, but also get civilian recognition:

- *In the above case, the military police officers were each awarded the Christopherus Medal of the Free State of Bavaria as part of a public commendation, as well as the Silver Cross of Honour, at the recommendation of the district commissioner's office.*

Such decorations are not just a special act of appreciation within the Bundeswehr. As a visible reward for exemplary behaviour that is desirable for the state, holders of such awards are personal role models for morally good, exceptionally brave or exceptionally committed behaviour. The Bundeswehr should therefore make full use

of the whole range of potential honours and recognition, depending on the specific cases. It is also important that the processes are streamlined so that recognition can be given promptly.

9. Culture of remembrance and cultivation of tradition

The Bundeswehr has a chequered history spanning almost 70 years. And it reminds us of this in many places, in many ways and at a range of different occasions. Remembering the dead of the Bundeswehr has special significance. Inaugurated in 2009, the **Bundeswehr Memorial** on the grounds of the Ministry of Defence in Berlin is the central memorial for the more than 3,300 members of the Bundeswehr who died during or as a result of their service. The graves of these women and men are found in cemeteries all over the country. They include 31 graves of honour and 15 graves with Bundeswehr plaques of honour, which, with the consent of the surviving dependants, are awarded for the members of the Bundeswehr who have fallen on special assignment abroad. In addition, the **Grove of Remembrance** in Schwielowsee was created as a place of private remembrance for the surviving dependants in 2014. A **memorial stele with an electronic memorial book**, which was inaugurated in 2020 and commemorates the 114 members of the Bundeswehr who have died on international missions since 1993, is in front of the Defence Committee chamber at the German Bundestag.

These memorials and places of remembrance have come about from the changes in the way the Bundeswehr treats the fallen among its own. Dr Dieter Eißing is a clear example of the change. The medical corps major, who died in Abkhazia in 2001, has been absent from the collective memory of Germans, although he was the first Bundeswehr soldier to die in combat. The Bundeswehr itself also buried this event – until finally in August 2023, in the presence of the Parliamentary Commissioner for the Armed Forces, the “Medical Services of the Bundeswehr Kronshagen” barracks were ceremoniously renamed the “Medical Corps Major Dr Eißing Barracks” (“Oberstabsarzt-Dr.-Eißing-Kaserne”). It was a good day for effort to make the armed forces’ own history visible and commemorate the Bundeswehr’s dead.

This is not the only **renaming** of Bundeswehr facilities in the year under review as part of the cultivation of tradition. The Medical Service at the Falckenstein barracks in Koblenz has renamed barracks streets and the parade ground after outstanding people from the Medical Service. The Dr Käthe Neumark ground (Dr. Käthe-Neumark-Platz) now commemorates a female Jewish doctor who was involved in the First World War, the first female military doctor in recent German military history. The Staff Sergeant Pauli street (Oberfeldwebel-Pauli-Straße) commemorates the Seedorf paratrooper who fell victim to a suicide attack in Afghanistan in 2010; while the Medical Corps Major Dr Broer street (Oberstabsarzt-Dr.-Broer-Straße) remembers the medical officer who was also killed by enemy fire in Afghanistan in the same year. This is the right approach. It would therefore be all the more important to stop using names such as Hindenburg and Rommel. Corresponding images in barracks should also be removed or at least contextualised. After all, it has become a core element of the Bundeswehr’s self-image to make its own history since 1955 visible – to the troops themselves, but particularly to the public.

For decades, **educational and military history collections** and regional exhibitions have been dedicated to commemorating the history of the Bundeswehr, the branches of the armed forces, warfare specialities, individual units and sites. However, they are primarily for the purpose of historical and civic education and for civilian initial and follow-on occupational training within the Bundeswehr. Most of these roughly 110 educational collections and exhibitions on military history are unknown to the German public, and lots of them are not even open to the public. This is changing gradually.

The visitor centre on the history of the Special Forces Command (SOFCOM) at the Graf Zeppelin barracks in Calw, which opened in 2022, is an example of a new and modern approach to the history of the unit. It is a place of meeting and transparency. The **Military History Museum** in Dresden – a Bundeswehr institution – has been committed to this approach for a long time. It is one of the most important museums of history in Europe. In the year under review, the museum revised the last section of its permanent exhibition, thereby completing the chronological journey. The result is a convincing presentation of the stages of the Bundeswehr and its transformation that still define the Bundeswehr today.

The development of the **German Tank Museum** in Munster, which is planning a new building to expand its exhibition space, is also positive. The museum presents the development of German armoured troops in the 20th century with a number of exhibits, including a newly designed permanent exhibition.

Lots of associations and organisations are also working to increase the visibility of the Bundeswehr, its history and its service personnel in the public eye. Some things deserve more attention, such as the 116-kilometre **March of Remembrance** organised annually since 2018 by the Association of Reservists with the support of the German Armed Forces to commemorate service personnel who have fallen in the line of duty. The march is a great sign of solidarity with those who have given their lives for us, for our freedom and security.

During her visit to the German-British Amphibious Engineer Battalion 130 in Minden, the Parliamentary Commissioner for the Armed Forces heard about another successful example, the **Minden Citizens Battalion**. The aim of the association is to strengthen the links between the city's civil society and the Bundeswehr and to build bridges as per the motto of the Engineer Battalion. Lots of former service personnel are members and contribute the knowledge and skills they acquired as engineers.

At the Scharnhorst barracks in Bremen, a specially established **association** presents the military history of the Hanseatic city of Bremen and Bremerhaven. This exhibition is also an example of a modern way of engaging with regional history and bringing the military and the civilian public together.

For decades, the **German War Graves Commission** has made a significant and visible contribution to the culture of remembrance and reconciliation among former opponents at war. The association provides invaluable learning centres, educational opportunities and meeting places for service personnel and the German public generally. This makes it all the more important for the association to have sufficient financial resources.

The culture of remembrance is also part of cultural policy. Last but not least, the coalition agreement describes the culture of remembrance as a commitment to democracy and the path to a common future. This also includes the Bundeswehr as a parliamentary army. It is part of the national culture of remembrance. The umbrella organisation of German cultural associations – the **German Cultural Council** – has put this into practice in an exceptional way in the year under review. The managing director of the “Politik & Kultur” newspaper and the Parliamentary Commissioner for the Armed Forces started a joint initiative which led to the newspaper covering the topic of “The Bundeswehr and the culture of remembrance” as an encouraging sign of appreciative perception of the Bundeswehr by parts of the cultural scene. Rundfunk Berlin-Brandenburg (RBB) took this still unusual link as an opportunity to broadcast the presentation of this project and a panel discussion thereafter on the radio from the German Bundestag on the Day of National Mourning 2023.

All this shows that appreciation, recognition and respect for the troops have grown significantly in the course of the *Zeitenwende* in society. Combined with a change in the Bundeswehr's culture of remembrance, which focuses on its own achievements, its own history and its own fallen, these are excellent conditions for greater public awareness of and engagement with the history of the Bundeswehr and its culture of remembrance and commemoration.

10. Administration of justice and law violations

Bundeswehr disciplinary and complaints courts and Disciplinary Attorneys for the Armed Forces

For the first time in years, the 20 chambers at the Bundeswehr Disciplinary and Complaints Courts, North and South, were almost fully staffed with judges in the year under review. This is a first ray of hope on the way finally to reducing the excessive length of proceedings effectively at the Bundeswehr disciplinary and complaints courts. At almost 90 per cent, the number of posts filled is positive, even though the Ministry of Defence assess the applicant situation to be increasingly challenging in urban areas with a high density of posts. During a visit by the Parliamentary Commissioner for the Armed Forces to the Bundeswehr Disciplinary and Complaints Court, North, the President of the Court confirmed this positive development and reported on the increasing number of cases that are handled and the gradual reduction in backlogs. According to the Ministry of Defence, the total number of completed cases increased to 756 in the 2023 year under review (2022: 660).

The fact that the military service courts have increasingly made use of the option of settling simple cases by **disciplinary court order** since 2022 has also helped speed up the process, so that the average duration of proceedings was 23 months in the year under review. In exceptional cases, proceedings have also been completed more quickly, as the following case shows:

- *In March 2023, the competent Disciplinary Attorney for the Armed Forces initiated court disciplinary proceedings against an officer. He was suspected of physically injuring and insulting subordinates. The*

accusation was filed with the disciplinary and complaints court in June 2023 and the proceedings came to a legally binding conclusion by disciplinary court order of August 2023.

However, the large number of petitions in the year under review where petitioners have complained about the often years-long length of their disciplinary proceedings and the resulting consequences shows that such a swift resolution is far from always achieved.

- *Some petitioners complained of being relieved from a security-sensitive task, which in some cases led to a change of post with a change of location, while others were relieved of career-related training courses or were no longer scheduled for relevant training. There were also petitioners who had to be recalled from deployment early or who were rejected at very short notice for an mission abroad already scheduled.*

The criticism is valid, in particular as service personnel do not get regular appraisals during ongoing disciplinary proceedings and therefore cannot be considered for any subsequent promotions because of the lack of appraisal.

In 2023, the average duration of disciplinary proceedings was around two and a half years for a judgement to be reached. It was therefore around one and a half years longer than the period of one year given to the Bundeswehr disciplinary and complaints courts by the Federal Administrative Court. Further improvements are therefore necessary to allow the Bundeswehr disciplinary and complaints courts to fulfil their statutory mandate and to take account of the requirement to expedite disciplinary proceedings. One building block could be the long-planned reform of the **Military Disciplinary Code** The draft law currently being prepared provides for a series of measures to streamline proceedings and speed up sanctions, while also safeguarding the procedural rights of the accused. Among other things, it is also to be possible in future for all disciplinary measures to be dealt with by disciplinary court order. It is to be hoped that the amendment will be introduced to the Bundestag soon and can be passed within this legislative period.

The high workload seen by the Bundeswehr disciplinary and complaints courts is also the result of the continuing imbalance between judges and military disciplinary attorneys. There are eight military disciplinary attorneys for each judge. This is why the fundamental structure and the organisation of the disciplinary and complaints courts were reviewed in the year under review. The review found that it may be appropriate to create two new posts for judges. The final ministerial decision on how to proceed was still pending at the end of the year under review.

Working through the often complex **legacy cases** remains particularly critical. The resulting backlog has a considerable impact on the service personnel affected. In some cases, proceedings have lasted from eight to more than ten years:

- *Back in 2014, a junior non-commissioned officer was accused of multiple counts of service fraud and false official reports. The disciplinary and complaints court did not make any significant progress in the proceedings for several years. As a result of discriminatory statements made by the soldier in 2019, a supplementary charge was issued in April 2020. In March 2023, the court then ruled by disciplinary court order and determined that the proceedings had been 96 months too long since the supplementary indictment was submitted. The court proceedings therefore lasted almost nine years.*
- *After the Disciplinary Attorney for the Armed Forces conducted disciplinary investigations against a senior non-commissioned officer for three years, it charged the soldier with mistreatment of subordinates and breaches of the duty of care and comradeship before the disciplinary and complaints court in summer 2018. In its judgement of April 2023, the court found negligent bodily harm and, alongside other mitigating factors, recognised an unreasonably long trial period of four years.*
- *In June 2011, the competent Disciplinary Attorney for the Armed Forces opened disciplinary investigations into a soldier for driving under the influence of alcohol, discriminatory statements and misconduct towards subordinates. The proceedings initially had to be discontinued in 2017 as the result of a procedural bar (initiation of disciplinary proceedings by an incompetent initiating authority). In the meantime, the soldier left the Bundeswehr in 2015. In November 2017, the Disciplinary Attorney for the Armed Forces charged the former soldier again with the same offence before the disciplinary and complaints court. The court concluded the proceedings with a disciplinary court order in March 2023 – more than five years after the court received the charge and more than ten years after the initial disciplinary investigations began.*

The Federal Administrative Court took another case, which has been before the Parliamentary Commissioner for the Armed Forces since 2018, as an opportunity to point out that the handling of proceedings must always be

measured against the **principle of proportionality**. Forms of resolution other than court decision by judgement or disciplinary court order, such as resignation of rank, should also be exhausted in specific cases:

- *The disciplinary proceedings opened in 2015 were against a reserve non-commissioned officer who had made inciting statements as a member of a parliamentary group. The proceedings were pursued further by the Bundeswehr, although the former soldier had effectively declared a unilateral resignation of rank in the course of the proceedings, to bring the proceedings to a close. The Federal Administrative Court found that the former soldier had been subjected to unnecessary court disciplinary proceedings that were burdensome owing to the length of proceedings, which continued for several years, were disproportionate overall and tied up court resources without necessity.*

According to Section 17(1) of the Military Disciplinary Code, disciplinary matters must always be dealt with in an expedited manner. Excessive length of proceedings is therefore unacceptable. Excessive length is also open to criticism because it has to be taken into account by the Bundeswehr disciplinary and complaints courts in favour of the accused as part of the second stage of the sentencing considerations and usually leads to a significantly milder disciplinary measure or even to proceedings being discontinued, as a **mitigating consideration**. However, these decisions, which often come years later, are counter to the purpose of disciplinary law, which is to discipline and educate the soldier within the time window of the offence.

- *The Disciplinary and Complaints Court, North demoted a former instructor to the rank of petty officer in the reserve – among other things for several sexual offences against subordinate female soldiers after consuming a considerable amount of alcohol at a platoon graduation ceremony. The court found that the soldier had shown videos of sexual practices and had questioned female soldiers about their sexual preferences. The instructor had expressed an “abnormal attitude immanent to personality towards female subordinates” and had repeatedly violated the Legal Status of Military Personnel Act (SG) with serious consequences. Although he confessed, the trial lasted three years. As the delay was solely due to the court’s excessive workload, the court decided not to demote the soldier to a junior rank soldier as required.*
- *In a case involving sexual harassment of subordinate female soldiers and defamatory statements, the Disciplinary and Complaints Court, North found the allegations against a senior sergeant, who was addicted to alcohol at the time, largely confirmed and demoted him to the rank of sergeant. After 23 months of inactivity before the court, he was not demoted to a junior rank soldier, as the events dated back to 2016 and the soldier had been dismissed from service with a reduction in pay. The court found that he had already confessed after the written charge had been served and that delays were due to the court’s excessive workload. It reduced the period for which the now-abstinent soldier was barred from re-promotion to two years.*

Dealing with witnesses poses a particular challenge for the affected units and personnel management in criminal and disciplinary proceedings involving sexual assault that take for years. This is because every further statement comes with the risk of **re-traumatisation**. Wherever possible, use should therefore be made of existing simplifications in procedure in favour of prosecution witnesses (such as reading transcripts of evidence from court proceedings at the main hearing) to avoid prolonging proceedings and unnecessary stress for the parties involved.

The often considerable personal, career-related and financial consequences that the accused soldier suffers as proceedings continue cannot be fully offset by the mitigating measures taken into account in the judgement.

The Parliamentary Commissioner for the Armed Forces regularly receives petitions from service personnel who cannot be promoted because of criminal investigations or court disciplinary proceedings, as they are barred from promotion during the process. Although, in such cases, they can generally apply for **indemnification** under military law, which, if they are successful, puts them in the same position in terms of service, pay and pension as if they had already been promoted at an earlier date, the legal requirements for such an indemnification are very strict. The Bundeswehr must be shown to have culpably breached its duty to select the best and the loss – the failure to be promoted or delayed promotion – must have been caused by the breach of duty. These high hurdles to granting indemnification sometimes lead to a lack of understanding and to resentment among those affected:

- *One officer – ultimately unsuccessfully – sought to be indemnified because, in his opinion, he had been promoted to captain too late because of an unlawful disciplinary investigation and the resulting ban on promotion. He based his application in particular on his acquittal at the second instance in the criminal proceedings and on a subsequent order to refrain from initiating court disciplinary proceedings, as a result of which the ban on promotion was lifted and he was promoted two years and four months later. However,*

the Ministry rightly argued that there had been no culpable breach of duty on the part of the Bundeswehr because the original investigations had not been initiated in breach of duty. The initiation of criminal proceedings by the public prosecutor's office as an independent investigating authority on the basis of sufficient suspicion already indicated that the criminal allegations that were made were not unfounded ab initio. Such investigations give rise to doubts as to the suitability of awarding promotion. There was arbitrariness and there no irrelevant considerations that could establish a breach of duty.

Contrary to the petitioner's assumption, the acquittal in the criminal proceedings and the order to refrain from proceedings per se did not amount to a breach of duty by the Bundeswehr. This outcome is legally sound, but is often difficult to understand for service personnel who are not legally trained.

In addition to financial consequences, **psychological stress** can be caused by the constant shadow of disciplinary proceedings, the conclusion of which is not foreseeable and the outcome of which is uncertain. In quite a few cases, the doubts, uncertainties and existential fears of service personnel over a period of years are disproportionate to the offences with which they are charged.

The 2nd Military Affairs Division has also ruled that the principle of mitigating consideration must not be followed in cases where the Bundeswehr's trust in the soldier has been destroyed. As a result, in such cases the service personnel get no compensation for the excessive length of the proceedings, which is contrary to the rule of law, and can only claim purely financial indemnification via further court proceedings:

- *A junior-ranking soldier had been absent from duty without leave on several occasions and for long periods of time. The resulting breach of a central duty of any soldier had fundamentally destroyed trust in the soldier. There was then no leeway for taking any excessive duration of the proceedings into account in mitigation. The soldier was free to claim compensation for the detrimental consequences of the excessive length of the proceedings.*

In view of the statutory principle of acceleration, which must be observed not just by the Bundeswehr disciplinary and complaints courts, but also by all the parties involved in disciplinary proceedings, there is also reason to criticise the length of proceedings at the **disciplinary attorney for the Armed Forces**. The excessive workload that has persisted there for years and the high volume of proceedings were once again seen in 2023, although it was possible to maintain a 90 per cent post occupancy rate. Nevertheless, specific disciplinary attorneys for the Armed Forces are still not equipped to cope with the workload. The post occupancy rate also does not reflect the actual number of personnel available for daily processing of cases. Disciplinary attorneys in fact are primarily full-time legal advisors. This role already covers a wide range of tasks, including advisory services for military decision-makers and support and advice during participation in exercises and missions abroad, as well as legal instruction. The refocusing on national and collective defence and the associated legal issues and challenges are increasing the scope of such tasks even further. Previously, new employees had to be inducted on site, but since January 2023 the newly developed entry-level qualification programme has taken the pressure off. New members of the administration of justice complete various qualification modules in the first six months, including the basic training course for legal advisors and the training course for military disciplinary attorneys. These are supplemented by an onboarding module, work shadowing and a troop internship. An evaluation was still outstanding at the end of the year under review, so it remains to be seen whether this new approach will have the desired effect.

The following examples show how the **delays in proceedings** described above occur and how problematic these cases are:

- *In one case, the competent disciplinary attorney for the Armed Forces began preliminary investigations against the petitioner in November 2018. It was only two years later that she initiated the disciplinary proceedings, although the criminal proceedings on the same matter had already been discontinued in February 2019. The disciplinary proceedings were only discontinued in July 2023 after the Disciplinary Attorney General for the Bundeswehr, following the intervention of the Parliamentary Commissioner for the Armed Forces, instructed the disciplinary attorney for the Armed Forces to reprimand the soldier within three months or bring about discontinuation of the proceedings.*
- *In another case, a soldier in essence criticised the manner and duration of the preliminary disciplinary investigations conducted against him over a period of 18 months, which ended with an order to refrain from proceedings. The exchange of investigation documents between the agencies involved and the soldier's defence lawyer alone took a total of almost two months. After the announcement to the soldier that the order*

to refrain from proceedings was now being prepared, it took a further six months or so before it was served, during which time it was still being processed by the Ministry of Defence.

- *In February 2017, the disciplinary attorney for the Armed Forces initiated preliminary disciplinary investigations into another petitioner and issued a notice of commencement of proceedings in June 2017. It took a further three years for the charges to be brought before the disciplinary and complaints court, where the proceedings were still pending at the end of the year under review.*

It is to be hoped that the overall positive development in the administration of justice and at the Bundeswehr disciplinary and complaints courts will continue and, alongside the measures already taken and the planned reform of the Military Disciplinary Code, will lead to effective acceleration of proceedings. It is therefore to be welcomed that the Ministry of Defence is now also reviewing internal rules as part of the “Working Group on sub-legislative measures” to see whether they can accelerate proceedings and increase efficiency. According to the ministry, in addition to organisational, personnel and regulatory measures, equipment with modern and digital working tools is a further building block. It also remains to be seen how the further development and nationwide introduction of the e-file at the disciplinary attorney for the Armed Forces offices and at the Bundeswehr disciplinary and complaints courts will develop.

Interpersonal conflicts

Conflicts can arise at any time within the Bundeswehr – as in all areas of life. Conflicts either occur at the same hierarchical level or in a direct relationship between superior and subordinate. Conflicts can also affect entire areas of the organisation, such as a dispute over the performance of tasks between staff units and individual companies. Conflicts between direct superiors and subordinates are often the result of the unequal distribution of power and responsibility. Other causes include a lack of appreciation and awareness from superiors, the feeling that too much or too little is being asked of you. A perceived careless or authoritarian leadership style or a lack of or inadequate communication can also lead to conflict. Poor or inadequate work performance can also trigger conflict. This can affect the relationship between superiors and subordinates as well as at the same hierarchical level, particularly in disputes between competing individuals. It is not uncommon for events, incidents or sequences of events from private life to have an impact at the professional level, such as relationship conflicts or conflicts based on the inability to combine work and family life. Even **banal events** can play a role:

- *A first lieutenant accused a superior senior officer of stealing two fronds of pampas grass from his garden.*

The service personnel manage to resolve most conflicts that arise in day-to-day operations quickly through discussion as comrades. The conflict is seen as a need for clarification and an opportunity for improvements or clarifications. In exceptional cases, superiors resolve conflicts from the top down via disciplinary proceedings.

However, it is not always possible to resolve a conflict amicably or by applying disciplinary regulations. Service personnel then often contact the Parliamentary Commissioner for the Armed Forces with conflicts that are at different stages of escalation. As an auxiliary organ of the German Bundestag, the Parliamentary Commissioner for the Armed Forces does not become a party to the conflict via such a petition; she always maintains objectivity. As when processing other petitions, the Parliamentary Commissioner for the Armed Forces makes her statements on the basis of the comments she receives from the relevant parts of the Bundeswehr.

Bullying

In most of these conflict situations, service personnel claim to have experienced or still be experiencing bullying in their units. In the year under review, the Parliamentary Commissioner for the Armed Forces received 53 such petitions. The Parliamentary Commissioner for the Armed Forces also recorded a total of 30 incidents (reportable events). Bullying is defined as “continuous, consecutive or overlapping behaviour towards individual employees with the purpose of hostility, harassment or discrimination in order to achieve objectives which are not covered by the legal system and which, at least in their entirety, violate the general right of personality”. This means that lots of behaviours do not fall under the definition of bullying. It’s often the case that a sufficient causal link, ongoing involvement or the objective of specifically violating the dignity of the person concerned and creating an environment characterised by intimidation or insults is not demonstrated. Hence, no cases of systematic bullying were identified in this year under review.

In contrast, the term “bullying” is already used in everyday language for less serious misbehaviour, particularly of shorter duration. In some petitions, it is also used synonymously with inappropriate or strict leadership behaviour. This explains why there is such a large discrepancy between the numbers of relevant petitions and the cases of bullying ultimately identified. Even if no systematic bullying was established as a result, this does not mean that the petition was entirely unfounded. Separate, minor issues are still often resolved.

It is the responsibility of superiors to make sure that **investigations** into allegations of bullying or other incidents involving conflict are performed thoroughly, with care and, above all, independently. This includes recognising whether it is possible at all to confront the persons concerned without risk of bias and to conduct neutral investigations. This is particularly doubtful if the incidents concern the unit itself, even if the service personnel have already left the unit. In connection with investigations into bullying, inappropriate behaviour by superiors and violations of sexual self-determination, the Parliamentary Commissioner for the Armed Forces repeatedly hears concerns from service personnel, and rightly so, when investigations are conducted within the affected unit. In this case, the investigators seem to be too involved in what is happening. Despite all efforts to be objective, the many professional and personal connections between investigators, witnesses, those affected and those accused can never be completely disregarded. This is often reflected in the statements, in the way in which evidence is assessed and rated, in the questioning or the decision not to question, in the type of questions asked and in the assumptions that are made. In such cases, whoever takes part in the questioning (e.g. takes the minutes) or has or claims to have special knowledge, such from access to minutes and files, can also gain significance within the unit.

Sometimes initial investigations within the unit turn out to be incomplete or the investigations as a whole to be inadequate, and failures have first to be corrected by more or less extensive **follow-up investigations** – sometimes only when the persons affected are no longer members of the unit.

In addition, in cases where disciplinary investigations have also been conducted, it is only possible to correct the outcome of completed disciplinary proceedings retrospectively in exceptional cases in accordance with Section 35 of the Military Disciplinary Code. In fact, the decision is usually made solely by the disciplinary superior who is responsible. If misconduct in the course of duty is subsequently established by higher-level agencies, it is generally no longer possible to apply sanctions.

- *In one case investigated on grounds of bullying, gender discrimination and breaches of the principle of Innere Führung, specific allegations were confirmed, but bullying and discrimination were not identified. The soldier had been transferred at her request. However, the superior agencies did not share the order to refrain from proceedings without finding a disciplinary offence against one of the accused. Specifically, they found that cancellation of a training course without an official reason because of personal differences constituted a disciplinary offence on the part of the accused. He had breached his duty of care. Nevertheless, the investigations were not resumed as there was no exceptional case according to the Military Disciplinary Code. Preliminary disciplinary investigations were also not initiated. The Federal Ministry of Defence took the view that the necessary “supplementary clarification of the facts” had “sufficiently reminded the persons involved of their duties of care”.*

This provision of the Military Disciplinary Code can theoretically allow disciplinary superiors to protect accused individuals who enjoy good standing in the unit or play an important role for their superiors, particularly in cases of bullying. This all suggests that consideration should also be given at a higher level to how to safeguard the **independence** of investigations, particularly for allegations of bullying, violations of sexual self-determination or poor leadership behaviour.

In practice, interviews about allegations of bullying often reveal a discrepancy between the experiences described by those affected and other parties involved, because they have experienced or viewed the facts differently and assess them differently. Anyone who feels excluded or not seen in their unit may, after a while, perceive every terse remark as part of deliberate, actively degrading behaviour. When comrades or superiors are later questioned about the specific situations, they no longer remember the event exactly, interpret it differently or have simply not attributed any particular significance to what happened or what was said. What often preoccupied or deeply hurt one soldier for a long time thereafter may be of little significance in the memory of others. The statements of the investigating agencies therefore often describe – unsatisfactorily for many of those affected – a broken relationship, disrupted communication, failures in communication (on one or both sides) between the parties involved or in the subjective perception of those affected. Sometimes, they identify failures in the behaviour of superiors and problems in the internal structure of individual units. It is also sometimes assumed that there are

communication issues between different generations of service personnel, whose language and principles are no longer viewed as compatible.

- *One female soldier complained of discriminatory, inappropriate leadership behaviour and unempathetic, sometimes loud and harsh comments from her company sergeant. Although the superior was the subject of a disciplinary investigation, no disciplinary offence was found to have been committed. The outcome was a communication issue between an experienced non-commissioned officer and a young female soldier, which was due to different expectations and work attitudes, priorities and impressions, as well as the expectations of independence when carrying out tasks. Several one-to-one discussions were held with the soldier to raise his awareness and command supervision was increased.*

The different categorisation of events leaves no doubt that high demands can be placed on the **communication skills** of superiors, instructors and other multipliers in particular.

- *At a non-commissioned officers' evening, one comrade was given printed Pokémon cards as a "farewell gift", on which a female comrade was depicted by an unflattering picture and negative defamatory text. The female soldier, who had felt marginalised for more than a year, found one of these cards and reported the incident. The company commander then informed her of her options for making complaints and getting support. The soldiers responsible for the card received severe disciplinary sanctions, as did the section leader who had not intervened. In addition, mediation meetings were held with the involvement of the female soldier and command supervision of the sub-unit was significantly increased. As a result, the female soldier decided to stay in the unit, despite being offered alternatives.*
- *In another case, which also concerned allegations of sexual harassment, there was no evidence of bullying or systematic marginalisation. However, there was evidence of single incidents, including a superior striking the female soldier concerned with a folder. Another superior had not intervened in verbal misbehaviour by a soldier towards her. As part of the investigations, the Bundeswehr identified clear misconduct in dealings with each other and within the individual rank categories. In addition to disciplinary measures against those involved, the focus was on building a healthy internal structure within the unit. To this end, a team-building event with the support of the Leadership Development and Civic Education Centre and further training for the unit on the topic of "Sexual harassment and dealing with each other" were arranged.*

Those affected often bring incidents to the attention of the Parliamentary Commissioner for the Armed Forces **after some time**. Some only find the courage to turn to the Parliamentary Commissioner for the Armed Forces after transfer or when leaving the unit. Sometimes they keep a diary over a period of time – including on external advice – to record incidents. This is understandable, because experience shows that clarifying incidents that are described specifically at least has a chance of success, while vague accusations generally cannot be checked. However, if witnesses are only interviewed years after the events, the number of incidents that are clarified is low, because lots of those interviewed can no longer remember what happened or the roles played by those involved. In this case, bullying can usually no longer be identified. The investigations themselves often take a long time, as a lot of witnesses have to be interviewed at different locations, if interviews are still possible at all. Even if misconduct is identified, it can usually no longer be sanctioned by disciplinary action, given the length of time.

- *The limits of what is possible from investigation were reached in a case with incidents spanning across more than four years. Although the female soldier, who had consulted a large number of support points within the Bundeswehr before submitting her petition, had described more than 35 incidents, made allegations and called on a long list of witnesses, there was no evidence of systematic bullying. The investigation took a long time, not least because witnesses were unavailable. The results of the investigation were originally incomplete and required extensive follow-up investigations, in particular follow-up questioning, following the intervention of higher-level agencies. As a result, the soldier's statement could only be clearly confirmed in single cases, which the agencies involved partly attributed to the witnesses' lack of memory, to insufficiently specific or contradictory witness statements or to the fact that the people who had originally made confirmed statements could no longer be identified beyond doubt. Several soldiers had already left the Bundeswehr; according to the investigating agencies, it was therefore no longer possible to question them for data protection reasons. As a result, two soldiers were found to have made unfriendly and derogatory remarks towards the female soldier; one of them had to "continue to work on his attitude towards women in the Bundeswehr". They were given orders to refrain from proceedings because of the length of time or were reprimanded for using inappropriate language. A superior at the time received a reprimand for investigations*

in an individual case that required improvement. Otherwise, no misconduct was established. The female soldier was transferred to another unit on her own initiative.

This kind of result of an investigation can leave a bad taste in those affected, whose perception is sometimes perfectly understandable subjectively, including for the investigating agencies, and whose suffering is often very clear. Even if it is made clear that this in no way means there was no bullying, the victim's account can no longer be confirmed.

Some service personnel are left feeling that they are alone in their experience of the unpleasant situation. They then often have to come to terms with what they have experienced without the desired confirmation – the goal they are pursuing via the petition may not be achieved. Petitions on bullying can sometimes only help service personnel to a limited extent to improve their situation in the unit.

If a person accuses one or more other people of bullying or other inappropriate behaviour, this sometimes leads to further petitions or even “**counter-petitions**” from the accused or service personnel associated with them. Rather than resolving the conflict, such behaviour can promote escalation and take over entire units. This is illustrated by the following example of an entire file of petitions and reports that was closed in the year under review:

- *After conflicts between two experienced non-commissioned officers and a superior transferred into the unit, members of the unit described the atmosphere as tense within a few months. Four months after a mediation meeting, the female soldier and a male soldier of the same rank asked the unit command leadership for help. When there was no change, both of them lodged a complaint – as they said they would – which was followed by preliminary disciplinary investigations against both non-commissioned officers for bullying. Their report and their own complaints against the female soldier also led to preliminary disciplinary investigations against her. The conflict escalated further and destroyed the internal structure of the unit, so that the commander eventually took over the investigation. After the preliminary investigations were passed to the disciplinary attorney for the Armed Forces, the three main parties involved were placed on temporary assignment at the same location. Six months later, the temporary assignment of the two non-commissioned officers was cancelled at the request of the new unit leadership because of the high volume of tasks, but the temporary assignment of the female soldier was extended. The female soldier submitted a petition to the Parliamentary Commissioner for the Armed Forces, which was followed by three petitions from the same unit – including one of the non-commissioned officers. The focus was on investigating the initial complaints, the consequences of the disciplinary investigations and the temporary assignment, as well as new allegations against the other parties to the conflict or third parties, which triggered investigations against other soldiers. The allegation of bullying was not proven from the petitions. The preliminary disciplinary investigations against the female soldier and one non-commissioned officer ended with orders to refrain from proceedings and found that a disciplinary offence had been committed. Disciplinary proceedings were initiated against the other non-commissioned officer; he was temporarily transferred close to the base for a further four months. His case was dropped and a large disciplinary fine was imposed – including for insulting remarks towards the female soldier. The female soldier, who had been temporarily assigned until the end of her term of service, decided against applying for an extension; after more than two years, she finally received the decision on her initial complaint. In the view of the investigating command authority, the behaviour of all the main parties involved, who had not shown sufficient willingness to engage in dialogue, was not compatible with the principles of leadership development and civic education. Their behaviour, including complaints against each other and reports, had a considerable negative impact on the internal structure of the unit. The superior unit announced continued close command supervision and monitoring of the unit.*

If it is not possible to recognise and deal with tensions loaded with conflict within a unit, the relationship between the people involved ends up being so fractured that it seems hopeless for them to work together with trust into the future. In this case, superiors can often only consider temporary assignment or transferring one or more of those involved. In practice, this often means that long-serving, qualified soldiers – often non-commissioned officers – who are viewed as indispensable, stay in the unit, where they have sometimes created questionable **positions of power**. On the other hand, female soldiers who have joined later, and sometimes also male soldiers, who experienced marginalisation or have tried to assert themselves within the existing structures, are transferred or temporarily assigned. From the point of view of leadership, this may be objectively justified in times of operational readiness – but the signal that it sends unintentionally is problematic. The message is that anyone who can be sure of the support of superiors thanks to their expertise and experience and, in view of the power base they have

created, the solidarity of their comrades, can continue to behave as they are behaving and, in case of doubt, will get away (almost) without consequence. In other cases, after experiencing marginalisation, discrimination or sexual harassment, female soldiers themselves seek ways to be transferred, end their service early or at least no longer extend their term of service. In one case, the unit seemed to want to dismiss the female soldier while a petition of bullying was still pending, following disciplinary proceedings within the unit.

Measures to solve conflicts

Preventive measures need to be taken well in advance so that conflicts of all kinds do not have to be resolved with extreme – and often unsatisfactory – action, such as a temporary assignment or transfer. Superiors must recognise conflict situations at an early stage and use the right tools to find a good solution quickly and constructively. The factors of empathy, communication and time are crucial here. The aim has to be to guarantee a non-discriminatory and respectful environment – also in the relationship between experienced service personnel and younger recruits, between genders and between ranks. Superiors are therefore constantly called on to establish and maintain a climate of mutual trust, so that service personnel who are new to the unit do not feel marginalised. They should always focus on the overall structure of the unit – such as via training, awareness-raising and increased command supervision – and thereby contribute to improving the overall atmosphere for all service personnel.

Superiors and those affected also need to know that they can get help from the many agencies and networks available at the Bundeswehr and should take advantage of them. The Bundeswehr's specialised psychosocial services, consisting of the **Social Services**, the **Psychological Service**, the **Medical Service** and the **military chaplaincy**, are available. Members of the Bundeswehr Psychological Service can advise superiors in particular on how to deal with bullying and conflicts (prevention, development, finding solutions). The social workers from the Social Services provide preventive measures at the Bundeswehr's agencies and are active in direct intervention. They are subject to a special duty of confidentiality, so they can offer a safe environment for confidential discussions. Involving the Social Services or Psychological Service from the Psychosocial Network is an opportunity for those affected to tackle a conflict actively at the earliest possible stage. Those affected and superiors can also get further local support from the Equal Opportunities Officers and women's representatives. If required, they can also advise on conflicts at the workplace and provide assistance to development strategies to resolve conflicts. Training them as trained mediators would also be a good way to contribute to de-escalation and conflict resolution. The Social Services could also benefit from such further training. All these services are on hand if those affected feel that they are unable to talk to their comrades and superiors. When it comes to superiors, young superiors in particular have to be supported in penetrating the structure of a unit, recognising problematic structures and implementing the principles of *Innere Führung*. This also means that it must not be interpreted as a weakness in leadership to seek advice, to say you are biased in individual cases or to want to place the investigation in other people's hands for other objective reasons. Voluntary **coaching for superiors** is another good and suitable measure for learning how to recognise conflict situations at an early stage and the options for action that are suitable for mediating the conflict and finding a solution.

It seems that there is still a **lack of knowledge** among troops about the wide range of help on offer and the many possible solutions to bullying and other conflicts. It would therefore be positive if the Federal Ministry of Defence publicised all the support options more clearly and more widely than before in suitable formats.

Alcohol and drugs

The excessive and uncontrolled consumption of alcohol and other drugs is a challenge for society as a whole. The Bundeswehr also has a responsibility to face the challenge. In addition to the duty of care, which requires the Bundeswehr to protect service personnel from harm to their health, the operational readiness of the troops has to be guaranteed as well. Moreover, the risk among professional firearms carriers is higher than among the rest of the population. This is why the Bundeswehr has stricter requirements and correspondingly tough sanctions for violations.

The consumption of narcotics is a disciplinary offence for service personnel, both on and off duty. This means that consumption is not just prosecuted under criminal law, but is also subject to disciplinary sanctions by the Bundeswehr – in some cases up to and including **dismissal**. In the first four years of service in particular, this can lead to dismissal, and members of the Bundeswehr are informed of this in the first few weeks after joining the service.

The number of reported offences involving illegal drugs in 2023 was slightly lower at 161 reports than in the previous year (2022:176).

- *Two soldiers took cocaine in the car of one of the soldiers on the fringes of an official summer party. One of the two soldiers, who was still in his first four years of service, was dismissed by the Bundeswehr without notice. Court disciplinary proceedings were initiated against the other soldier, where he was accused, among other things, of inducing the other soldier to take drugs.*
- *A reservist was discharged from reserve service for possession of 18 grams of amphetamine, which was found in his quarters.*
- *Having bought 50 grams of cannabis and taken cannabis on two occasions in 2015 and 2016, a senior non-commissioned officer was debarred from promotion for twelve months in the year under review. The court decided not to impose harsher penalties because of the length of the proceedings and the fact that the employee had not been promoted in the meantime, and pointed out in its judgement that demotion could also be considered in comparable cases.*

Alcohol consumption is often one of the causes of misbehaviour and putting oneself or others at risk. The number of reported behaviour, sometimes aggressive behaviour, of service personnel on the fringes of social events with their comrades as a result of alcohol is striking. Alcohol serves as a social “lubricant” at such events, blurs existing relationships of subordination and promotes comradeship to a certain extent. However, this does not justify the disciplinary offences and risks that arise and are associated with excessive alcohol consumption, as the following two cases illustrate:

- *After his farewell party, an officer in a heavily intoxicated state pressured several lower-ranking subordinates to continue partying with him. When they refused, he threatened them with people he knew and explained: “They stab cunts like you!” Preliminary disciplinary investigations were initiated against the soldier and a severe disciplinary fine was imposed.*
- *During a non-commissioned officers’ evening, the first sergeant suggested a voluntary race where the aim was to run down a small hill to be the first to get to a lake. One soldier, who said he had drunk about “ten small beers” before this, slipped and hit his upper body on a wooden walkway. Internal haemorrhaging was diagnosed at the hospital; the soldier was in intensive care by then and was only able to leave the hospital two weeks after the incident.*

Occasionally, petitions relating to alcohol-related excesses lead to the relevant company leadership feeling compelled to restrict alcohol consumption at official events. That is the right approach, as it is the responsibility of superiors to prevent alcohol abuse as part of command supervision. They have to recognise risky drinking behaviour and offer support. Particularly when deployed, it is right to set very strict standards for discipline and the operational readiness of all service personnel at all times. When consuming alcohol, moderation and responsibility are always crucial.

Loss of ammunition and weapons

It must be guaranteed that no part of a weapon or any cartridge disappears from Bundeswehr stocks. The following case illustrates the importance of complying with the service regulations on handling firearms:

- *During a training course, 44 participants were each issued with a P8 and a G36 rifle, for which they signed. A trainee who was not part of the course received both of the instructor’s weapons without documentation. During the lunch break, a course participant guarded the weapons that had been set aside. After the lunch break, it was noticed that the P8 handed out to the trainee was missing. Only after thirty minutes of searching unsuccessfully was the order given to lock the gates of the barracks. The weapon remained missing. The Ministry of Defence considered the command supervision to be inadequate because of a lack of personnel as well as the storage and recording of weapons before and after the lunch break without names. Ultimately, the public prosecutor’s office closed the investigation without outcome and no disciplinary action was taken against any of those involved.*

The case demonstrates the great importance of end-to-end **documentation** of the issue and storage of weapons. The lack of training personnel also has an impact on safety and carelessness, when handling weapons.

If there is actual suspicion of a loss of ammunition or weapons within units, it is always crucial for superiors to act swiftly, decisively and proportionately. Relevant orders must be issued accurately and clearly because otherwise the factual and legal distinction between necessary checks for completeness and any searches can quickly become blurred. The latter fall under the strict provisions of Section 20 of the Military Disciplinary Code because of the sometimes associated significant interference with the personality rights of service personnel. For searches of this kind of private lockers and bags, for example, it is usually necessary to obtain a court order in advance – which may even be at night during the 24 hour court on-call service. The investigations should focus exclusively on the service personnel who may be involved. There is a lack of understanding and resentment when service personnel get the impression that they are under general suspicion. Unless there is imminent danger, long interrogations at night are also not allowed.

Accidents

In 2023, there were a total of 53 accidents during a total of 31,590 parachute jumps. According to the Ministry of Defence, the main cause was incorrect sequence of movements on landing. More than half of all jumps in the year under review were made using the T10 system, a parachute model that was acquired back in 1958 and is being phased out because of its higher drop speed, lack of manoeuvrability and other factors. The Ministry of Defence announced that the replacement of the T10 system is expected to reduce the risk of injury. However, the procurement of new parachute systems is not expected to be completed for another three years.

Gross negligence resulted in an accident during a manoeuvring and training flight on a maritime reconnaissance aircraft:

- *There was turbulence over the Baltic Sea, as a result of which the members of the crew were thrown through the cabin and nine were injured, two of them seriously. The air accident report concludes that the injuries also happened because two flight instructors on board were sitting unstrapped in a seat or a camping chair because of a lack of adequate seating. This type of seating is standard practice and has been accepted by superiors for years.*

The air accident report quite rightly calls for the relevant aircraft models to be retrofitted and for the requirements of training operations to be taken into account for subsequent procurement. Retrofitting should be done immediately.

11. Voluntary military service and homeland defence

Since the suspension of compulsory military service in 2011, voluntary military service has played a key role in recruiting personnel for the Bundeswehr. This gives young people the opportunity to gain an insight into the Bundeswehr and the wide range of career opportunities during service, which lasts between seven and 23 months. During their voluntary military service, lots of service personnel decide to stay in the Bundeswehr for a longer period of time. During the period under review, a total of 2,416 military service volunteers were taken on as temporary-career volunteers. This demonstrates how important voluntary military service is for the Bundeswehr's recruitment of personnel. However, the enlistment period of only seven to nine months does seem to need discussing. We need to question whether the benefit of such a short period of military service for the Bundeswehr and the service personnel is in reasonable proportion to the effort required.

Two years ago, the “**Voluntary military service in homeland defence**” was established alongside traditional voluntary military service. Its aim is to increase the reserve and improve the Bundeswehr's press and public relations by tapping into a new target group. After seven months of military training, volunteers serving in homeland defence are available for exercises in the territorial reserve for a period of six years until they have served for a further five months in total. These reservist services can be completed close-to-home, such as in a homeland defence company or a homeland defence regiment. Six homeland defence regiments are to be established by 2027. There are such regiments in Bavaria, North Rhine-Westphalia and Lower Saxony already. Berlin, Hesse and Mecklenburg-Western Pomerania are to follow. The homeland defence regiment, which is subordinate to Regional Territorial Command, gives the reserve a new command structure with the aim of creating a modern, highly effective reserve. Applying this structure, the reserve service personnel in homeland defence can be integrated quickly and easily into the existing active structures.

At the end of 2023, a total of 9,642 women and men (and 300 in homeland defence) were doing their voluntary military service in the Bundeswehr (2022: 9,163 and 287 in homeland defence). Of these, 8,801 (and 768 in homeland defence) started their service in the year under review (2022: 8,618 and 986 in homeland defence). A total of 259 of the military service volunteers in homeland defence in the year under review extended their period of service on traditional voluntary military service. There was no enlistment to the junior ranks as temporary-career volunteers.

Within the six-month probationary period, 1,795 (and 206 in homeland defence) service personnel exercised their right to resign and ended their service in the Bundeswehr early (2022: 1,698 and 214 in homeland defence). The main reasons for leaving early were personal, such as a better alternative civilian career, different ideas about service in the Bundeswehr or the distance from service to home town.

When **leaving the Bundeswehr early**, the blanket statement “private/personal/family reasons” is not very helpful. A more specific question about causes would be desirable to be able to respond effectively to problems. Regardless, new routes should also be taken for such evaluation, such as by also asking those who stay in the Bundeswehr for their reasons for staying. The knowledge that may be gained could then be incorporated into considerations on personnel retention.

The Ministry of Defence has also initiated a change in the law for military service volunteers (traditional and homeland defence), according to which a **notice period** of four weeks to the middle or end of the month was introduced within the six-month probationary period in the first five months. This means that it is no longer possible simply to withdraw a formal obligation overnight. This should mean a longer period of reflection about the intention to leave the Bundeswehr and thereby also contribute to reducing dropout rates. This is to be welcomed. Depending on the date of notice of termination, the cooling-off period can now last up to six weeks, which is comparatively long in view of the notice period of, typically, two weeks to the end of the month in civilian working life. Recruits should therefore be made explicitly aware of this rule before enlistment. This is because lots of young service personnel resign within a few days of starting their service – which seems to be spontaneous and depend on the situation. This means they miss out on the chance to get to know their tasks properly, to familiarise themselves with the conditions among the troops and the special circumstances of life, as well as the strong and positively formative comradeship.

Remarkably, the Bundeswehr only dismissed a total of 106 cases (and 2 in homeland defence) of military service volunteers, mostly because of a lack of physical or character suitability, around three quarters less than in the previous year (2022: 408 and 23 in homeland defence). This means that the **dropout rate** – which includes both terminations and dismissals by the Bundeswehr – is 21.6 per cent for military service volunteers and 27.1 per cent for homeland defence. Given the large number of personnel needed for the armed forces, these figures need to be reduced via appropriate measures.

12. Reserve

Little is possible without the reserve, as was once again demonstrated in the year under review. A total of 43,065 reservists were called up. Of those, 3,246 were women. During this period, 19,084 reserve duty personnel – both assigned and non-assigned – supported the active troops in 45,194 services, the callup periods for which ranged from one day to twelve months. Of those, 1,436 were women.

Germany’s return to national and collective defence as a result of the changed security situation requires a motivated, permanently trained reserve that is integrated into the troops. It is therefore an essential pillar of the Bundeswehr and ensures that the armed forces can be expanded quickly and to meet requirements in an emergency. During normal service operations, reservists have long ensured the operational readiness and resilience of many units – across the entire spectrum of tasks performed by the Bundeswehr. The range of deployment in this case extends from the homeland defence companies, the government district and government region liaison groups to the mirror posts in the units or separate pools of specialists. The conceptual basis for the reserve is the “Reserve Strategy”, which the Ministry of Defence developed as a key document in 2019 and has been updating ever since.

The requirements of the reserve must be given greater attention, particularly in terms of materiel and infrastructure:

- *In discussions with reserve duty personnel and on field visits, the Parliamentary Commissioner for the Armed Forces repeatedly hears that reservists do not find the conditions they need for service.*

Reserve assignment for retiring service personnel

In the “Reserve Strategy”, the Bundeswehr is taking a targeted approach to meeting the demand for qualified personnel in the reserve. The reserve assignment for retiring service personnel, which is a core element of the strategy, was started in October 2021 for this purpose. The reserve assignment for retiring service personnel means that all temporary-career volunteers, career soldiers and military service volunteers retiring from active service and eligible for military service can generally be scheduled in the reserve. Specifically, if they are not above 57 years old, they are offered a vacant reserve post at the end of their active service, particularly in the reinforcement reserve. The reserve assignment is for a period of up to six years and takes into account the relevant skills acquired during service. In cases where no posts that match qualifications are available in the target organisation of the reinforcement reserve, the service personnel are scheduled as guard and security soldiers-. The equipment they receive is the subset for the reserve assignment for retiring service personnel, which can be expanded on an ad-hoc basis. The fact that the reserve assignment for retiring service personnel also includes short periods of military service has caused misunderstanding:

- *Some service personnel criticised the fact that even military service of up to six months leads to a reserve assignment for retiring service personnel and that they have to keep their equipment for a further six years. The short period of time shows there is lack of interest in their further involvement in the armed forces. The Ministry of Defence explained that these service personnel would be able to demonstrate that they had completed guard and security training at the end of the three-month general basic training. This alone is enough for them to be deployed as reservists for protection and security forces in Germany in the event of tensions or for defence.*

This is reasonable. Furthermore, this group is not required to take their personal equipment home with them.

Implementation of the reserve assignments for retiring service personnel is still in its infancy and has not yet realised its potential, as the figures show. Since it was introduced in 2021 up to the end of the year under review, a total of 46,022 service personnel have left the Bundeswehr. Of those, there were a total of 33,996 women and men for whom a reserve assignment for retiring service personnel was in principle suitable. However, the Bundeswehr only applied 10,716 reserve assignments for retiring service personnel, which corresponds to around 32 per cent. That is far from satisfactory. Among the reasons cited by the Bundeswehr were deficits in the check for reserve assignment and callup. Bundeswehr wants to counter these obstacles via amended regulations that are to be communicated to the troops. Incorrect proposed reserve assignments of troops to the Federal Office of Bundeswehr Personnel Management (BAPersBw) in the double-digit percentage range, which had to be returned for correction, have prevented rapid implementation of the reserve assignment for retiring service personnel. To shorten the correction process, the Federal Office of Bundeswehr Personnel Management (BAPersBw) has been making its own final decision on such proposed reserve assignments since October 2023. The Vice Chief of Defence and the Reserves Officer have temporarily appointed an officer in charge of reserve assignment for retiring service personnel, who is supporting implementation of the reserve assignment for retiring service personnel with advice and evaluation and contributing to preparation of a situation report at leadership level. It is to be hoped that these measures will also lead to more reserve assignments for retiring service personnel in the short term.

It is still unclear what will happen to the women and men concerned once the six-year reserve assignment for retiring service personnel has expired. It is conceivable that they will then automatically no longer be on reserve assignment for retiring service personnel or that their reserve assignment will be extended until they reach the age of 65. The Bundeswehr owes the reservists a swift response to this question.

In peacetime, the Bundeswehr follows to the principle that reserve exercises are voluntary. Reserve duty personnel must agree to be called up. They may also need their employer’s consent to be available for duty. The reserve assignment for retiring service personnel in peacetime therefore does not automatically lead to more service for the reserve.

Personnel matters

A key factor when recruiting reservists is a swift appointment process. According to the Bundeswehr, in 2022, for example, the average time from application to appointment to the career path of reserve medical officer with a provisionally awarded higher rank (lateral entry) was more than eleven months. Given all due understanding for

the effort involved in processing an application – if necessary, initiating a security clearance check and searching for a suitable reserve assignment post – this length of time is clearly too long.

Including errors in processing on top, the length of the procedure can be completely unacceptable:

- *One reservist described how his efforts to be deployed in the Bundeswehr reserve had been unsuccessful over the past two years. The Bundeswehr's investigations found that the person concerned had applied to a unit in March 2021 for admission as a reserve boatswain candidate on the sergeant career path in the Reserve Medical Service. Owing to the delayed submission of his unit's application to the Federal Office of Bundeswehr Personnel Management (BAPersBw) (six months) and a communication breakdown at the responsible Bundeswehr careers centre (spelling mistake in the petitioner's email address), almost one and a half years had passed before it was even possible to start processing the petitioner's application at the applicable Bundeswehr agencies.*

The Bundeswehr has to streamline appointment procedures and do everything in its power to attract highly motivated potential recruits to join the reserve as quickly as possible.

Speed should also be a matter of course for **callup** to service:

- *An active reservist could not understand why a short-term callup to service with less than eight weeks' notice was not possible, even though there was an urgent need in a unit. The Ministry of Defence explained that, in unforeseeable and particularly urgent cases, a request – with qualified justification – can also be submitted within the two-month period. This happens regularly in day-to-day service operations and is done by the Bundeswehr's careers centres. However, whether a short-term callup can be done depends on various factors. For example, those called up would have to have a security clearance check, be fit for military service and have complete health records.*

It is understandable that the Bundeswehr requires a certain lead time and relevant documentation. However, it is unfortunate when interested reservists try unsuccessfully over a long period of time to contact the various agencies within the Bundeswehr before being called up, such as to discuss the next steps. In this case, active communication by the Bundeswehr with those affected must be significantly improved, particularly if a series of additional measures, as described in the above case, are required for callup. There is also the basic question of whether the number of documents and forms to be completed for each exercise, such as the declaration of confidentiality and economic viability check, cannot be reduced to minimise the bureaucratic workload for all the parties involved.

Another important part of the reserve is recruitment and training of reserve officers for operational service. Qualification is within or outside military service and is intended in particular to cover the demand for platoon leaders and deputy company leaders. During aptitude tests, the Bundeswehr checks whether applicants meet the admission requirements for the **reserve officer career path**. Demand is also a key factor. It means that not everyone who passes the assessment gets a confirmation of recruitment, which leads to disappointment and a lack of understanding. According to the Bundeswehr, there are no plans to increase the number of posts, given a lack of demand from troops. There is no training in excess of demand. The lack of demand is incomprehensible to many potential applications, given the increasing importance of the reserve.

The legal requirement that all **periods of prior service** must be taken into account continues to cause discontent on the reserve officer training path, which is completed as part of military service. Since the training for reserve officers on military service is with the status of temporary-career volunteer and has to be completed within three years, but the minimum period of obligation as a temporary-career volunteer is already two years, applicants may only have a maximum of one year of prior service.

- *For example, a former basic service conscript who is now an active reservist was turned down because he had previous service of more than one year. He particularly criticised the Bundeswehr's failure to communicate the current legal situation. The Ministry of Defence has recognised the problem and has announced that it is reviewing options.*

Given that such cases are already familiar from previous years, a solution should now be found quickly in the interests of those affected so that the Bundeswehr does not lose any more well-trained and highly motivated women and men from the reserve.

- *For reserve officer training on military service, reserve officer candidates (3-year temporary-career volunteers) already expressed criticism in 2022 that, contrary to previous promises, they were not promoted to senior officer cadet after 30 months as a result of the new version of the Military Career Regulation (SLV).*

The Parliamentary Commissioner for the Armed Forces took up the criticism. Initially, the Ministry planned to resolve this issue via the amendment to the Legal Status of Military Personnel Act (SG) in 2023. However, the corresponding amendment proposal was removed from the draft bill. The assignment of the rank of senior officer cadet to the career path of reserve officers on operational service under discussion is now to be implemented via a separate amendment to the Military Career Regulation (SLV). This should be done immediately to increase the attractiveness of the career path and ensure equal treatment as compared to active service personnel. Nevertheless, it is regrettable that those reserve officer candidates who drew attention to the issue via their complaints will no longer benefit from the new regulation because their training has already been completed. However, they deserve thanks and recognition for helping future comrades via their criticism.

On a positive note, the Bundeswehr's "**Training for those without prior military service**" project, which was launched in 2018 in cooperation with the Reservist Association, is becoming increasingly popular. This opens the door to the reserve junior ranks on operational service in the organisational area of the Joint Support and Enabling Service. This option is aimed at women and men between the ages of 17 and 64, who can complete their military service in this way in less time and then complete reserve service close-to-home. The condition is that they must also be available for military service and successfully pass a security clearance check. As part of modular basic training, those who are interested receive military training at weekend events, which includes in particular handling weapons, life in the field, guard and security duties, as well as instruction on military law and civic education. Since the project was launched, a total of 927 women and men have completed the training. It is therefore very pleasing that all Regional Territorial Commands will be offering this training from 2024, as a result of the increasing number of those interested. The Bundeswehr has already set up five training companies for this – independently of the gradual buildup of the homeland defence regiments – with initial capability as of 1 January 2024. It is striking that the dropout rate for this training is almost zero. Regionality appears to be a factor leading to success in this case. This illustrates how important and attractive it is for reservists to serve close-to-home, which is also more compatible with private and professional commitments. Such low-threshold provision allows Bundeswehr to reach people more effectively.

Reservists are not just deployed on general troop assignments, but are also increasingly reinforcing **specialised units**. New approaches are sometimes required to recruit the necessary skilled labour from shortage occupation groups. The Cyber and Information Domain Service organisational unit, for example, is taking a pioneering approach on reservist work with its Cyber-Reserve concept. This is aimed at new target groups who can work with the Bundeswehr who, for various reasons, are not available for reserve service. The aim is to strengthen national security provision – particularly in the cyber and information domain – via sharing expertise and the transfer of knowledge between society, business, authorities and industry. In other units too, such as the special forces and military intelligence, it may be worth thinking about new ways in which reservists with high-value skills, such as IT and languages, can reinforce our active forces even more effectively and in an even more structured way

During her field visit in Munster, the Parliamentary Commissioner for the Armed Forces learnt about another good example of successful reservist work at 93 Tank Demonstration Battalion. The 5th company, which is made up exclusively of reserve duty personnel, successfully performs its mission in association with the active troops, making the Tank Demonstration Battalion a pioneer for working with reservists.

- *During the visit, reservists expressed the desire for parts of the extensive training to be provided in a modular or hybrid format. This would help to avoid longer periods of leave and allow for better compatibility with civilian work commitments. According to the Bundeswehr, this is already possible and happens where there is a corresponding need and where it makes sense in terms of learning methodology.*

The Parliamentary Commissioner for the Armed Forces expressly encourages the Bundeswehr to make such qualifications modular and provide them digitally to take account of the limited time available to reserve duty personnel.

Looking at other nations can also help provide further impetus for a modern and effective reserve:

- *During a visit to the 62 Air Transport Wing in Wunstorf, the Parliamentary Commissioner for the Armed Forces learnt that the US contribution to the large-scale Air Defender exercise also involved reservists. The*

USA took part using air force units from its Air National Guard, which consisted exclusively of reservists. They had all the materiel and personnel they needed to fulfil their mission at an airfield (without comprehensive infrastructure). The Air National Guard model can therefore serve as an example of how reserve forces can be designed and successfully deployed in combination with active forces.

Benefits payments and dependents maintenance and other benefits

Benefits payments and dependents maintenance is an issue that almost all reserve duty personnel face. Everyone on reserve service submits an application for provision of maintenance at the end of their callup and get corresponding benefits under the Benefits Payment and Dependents Maintenance Act (USG). As in previous years, problems arose applying the law when it came to the **enlistment allowance**.

Among other things, the provision in Section 13 of the Benefit Payment and Dependents Maintenance Act (USG), according to which there is an enlistment allowance for longer service (at least 33 days per calendar year) under certain conditions, caused discontent. The process is prone to errors. The basic principle is that a unit gives reserve duty personnel the opportunity to sign an agreement for extended service. If the person concerned accepts the offer by signing, the agreement is returned to the agency, where it is countersigned. The reserve duty personnel should get a copy. A further precondition for receiving the allowance is that the enlistment agreement is received by the Federal Office of Bundeswehr Personnel Management (BAPersBw) before the 15th day of reservist service for the calendar year. According to internal regulations, the responsible unit has to send a copy of the enlistment agreement to the Federal Office of Bundeswehr Personnel Management (BAPersBw) on time. Nevertheless, reserve duty personnel are also subject to an obligation to cooperate, which has since been confirmed by the courts, irrespective of the obligation of their military unit to pass on information. This means, for example, a copy of the agreement has to be submitted to the authority responsible for provision of benefit payments and dependents maintenance.

- *In lots of cases, the problem is that reserve duty personnel have no influence at all over submitting this agreement on time. They cannot affect the way their unit works, and they do not have the legal information. In other cases, they do not even get a copy of the enlistment agreement, which means that it cannot be sent on to the authority responsible for provision of benefit payments and dependents maintenance. The authority responsible for provision of benefit payments and dependents maintenance is aware of this problem. That is why it has already used existing communication channels to inform and raise the awareness of reserve duty personnel, personnel management and personnel administrators repeatedly about the requirements of Section 13 of the Benefit Payment and Dependents Maintenance Act (USG). An explanatory leaflet has also been available on the Bundeswehr website since March 2022. It is also easy for reserve duty personnel to send the enlistment agreement to the authority responsible for provision of benefit payments and dependents maintenance promptly using the “USG-Online” app.*

However, this presupposes that those affected actually get a copy of the agreement. However, the constant increase in petitions on this demonstrates that such efforts are not enough and the procedure is far too complicated and bureaucratic. It is therefore time for new arrangements for this process.

Since the suspension of compulsory military service, reserve service has been voluntary. There is therefore not always a general understanding in society for those undertaking military exercises. It is therefore vital for the reserve that employers give their employees time off to undertake reserve exercises. In this regard, the Bundeswehr provides a lot information for private companies and authorities.

- *In the year under review, some reservists were annoyed and financially disadvantaged by the fact that their public employers only gave consent to undertake reservist service on condition that they take unpaid special leave. However, this led to a lack of continued payment of income and no entitlement to provision of maintenance benefits during the period of callup. The Ministry of Defence has stated that the statutory entitlement to payment of wages cannot be circumvented by a leave of absence agreement, as it was not an option under labour or service law. In those cases where desired by those affected, the Bundeswehr contacted their employers to explain the legal situation and avoid further financial disadvantage for reserve duty personnel.*

These cases illustrate once again that it is not just coordination between all those involved that is important, but also knowledge of the legal situation in the leadup to reservist service. At this point, the Parliamentary

Commissioner for the Armed Forces would expressly like to thank all private and public employers who make it possible for their employees and civil servants to complete reserve exercises.

Reservists are becoming increasingly involved in standby commitments, which have increased in recent years when compared to special assignments abroad. They would therefore like to see both types of service treated equally under the law on provision of benefit payments and dependents maintenance. The following case illustrates why this is necessary:

- *One petitioner, who took part in a standby commitment abroad that lasted almost nine months, criticised the fact that, as a civil servant working for teaching services, he would be in a worse position under the law on provision of benefit payments and dependents maintenance compared to civil servants who were on a special assignment abroad. For a special assignment abroad, the employer is legally obliged to continue to pay the salary for the entire duration of the reservist's service. The obligation to continue to pay salary is limited to a period of six weeks for a reservist taking part in standby commitments. It is true that civil servants only get (just) the minimum benefit when taking part in standby commitments. Other employees, by contrast, can apply for reimbursement of their loss of earnings or, if applicable, benefits for the self-employed. In the opinion of the Parliamentary Commissioner for the Armed Forces, this unequal treatment is not logical and should be removed.*

This also applies to existing unequal treatment when it comes to **the reimbursement of travel expenses** for travel home:

- *So far, reserve duty personnel have had to agree to live in government accommodation. Exemptions are possible, especially for assignments close-to-home. However, there is only a claim to reimbursement of the travel costs for the daily journey home, as for active service personnel, if it can be shown that no government accommodation is available.*

The suggestion made by the Parliamentary Commissioner for the Armed Forces of creating a formal choice between accommodation at the location of duty or the reimbursement of travel expenses for trips home continues to be the subject of ministerial review and should now be decided as soon as possible.

Also in need of change is the clearly very bureaucratic procedure for receiving **service pay** for work at weekends, which the Parliamentary Commissioner for the Armed Forces heard about during a field visit:

- *One soldier reported that the three-page application had to be signed off first by the senior personnel NCO to be certified as true and correct, and then signed off by the company commander. The Federal Office of Bundeswehr Personnel Management (BAPersBw) then had to be involved before the amount – in this case 20 euros – would be paid out.*

The labour alone for this costs more than the final amount paid, so the Bundeswehr has to simplify this procedure.

On a positive note, a legal basis in the Benefit Payment and Dependents Maintenance Act (USG), which came into force in January 2024, has finally removed discrimination against reservists for the **Corona Special Bonus - Public Health Sector**. As the special bonus for this group was not tax-free – unlike initially for active service personnel – the payout was 70 per cent of the bonus. Since the tax was abolished for active service personnel, reserve duty personnel are to receive the 30 per cent of the Corona Special Bonus that has not yet been paid out retrospectively. Payments should be made promptly in due course.

However, there is no need to change the transfer of **leave entitlements**:

- *Reserve duty personnel regularly criticised the fact that they had not been able to use leave entitlements they had acquired during their reserve exercise because the callup was planned with too little notice. The Bundeswehr has explained that it is not legally possible to extend a reservist's service – which is sometimes what is wanted by reservists – for the sole purpose of using up leave entitlements. Leave entitlements acquired during a reserve exercise can only be used within the exercise itself. Any leave not taken in full or in part must then be paid out at the rate for the minimum leave granted by law. This also rules out setting up a long-term leave account for reserve duty personnel to transfer any outstanding leave entitlements, which has been suggested in some cases.*

To avoid misunderstanding, the Bundeswehr should inform and raise the awareness of personnel involved in callups, as well as among reserve duty personnel accordingly. Military exercises should also be timed so that reservists can, in principle, take leave as part of their service.

Reservists also see themselves as having responsibility outside service:

- *During his reserve service, a reservist volunteered at weekends to support the clean-up work following the flood disaster in the Ahr valley in July 2021. However, he did not receive the coveted Flood Service Medal. The Ministry of Defence initially stated that he had not acted in an official capacity, which is why the medal could not be awarded. However, according to the wording of the founding decree for the medal, it is not relevant whether there is a verbal or written order or whether the individual is acting in an official capacity. In addition, in cases of doubt, the medal should be awarded generously. After re-examining the facts, the Ministry of Defence put aside its negative position and agreed to award the petitioner the Flood Service Medal.*

Recognising the special commitment of the volunteer, who provided assistance during the flood operation in his free time without waiting for a written or verbal order, is the right signal and an important signal for appropriate appreciation by the Bundeswehr.

13. Veterans

The **Invictus Games** in Düsseldorf, which were held for the first time in Germany on 9-16 September 2023, were a major highlight in the year under review. Around 500 athletes – including service personnel and members of the fire brigade and police – from 21 countries took part. The week had standout moving moments, impressive performances and, in keeping with the motto of “A Home for Respect”, there was a lot of recognition and appreciation for the competitors.

All participants and visitors to the Games, including a great number of school classes, were impressed by what it means to suffer an injury or illness with lasting physical and mental consequences during deployment or service and to fight your way back to life, often after a long period of rehabilitation. The many personal stories shown were particularly moving, as was the courage and strength that some showed in opening up in front of a large audience. The Invictus Games have achieved their goal of promoting the visibility of issues facing the disabled. They have also clearly demonstrated once again that sport can be an important part of the rehabilitation process for all service personnel with physical and/or psychological disabilities. Their families and friends – often their most important supporters – were also there as part of the team and thereby had the chance to network, share their experiences and support each other. The many forums, events and meetings to share ideas and bring together suggestions and ideas for further improvements were a success.

Even before the games, the Parliamentary Commissioner for the Armed Forces accompanied the German team, learnt about the training and saw for herself the excellent conditions at the Bundeswehr Sports School and the Centre for Sports Medicine in Warendorf. She attended the opening and closing ceremonies, a lot of the competitions, presented medals and engaged in intensive dialogue with the team and many of the service personnel watching the games.

The Bundeswehr Sports School has been providing **Sports Therapy** for injuries sustained during operations for many years. The service personnel taking part in the courses get comprehensive training support at the School, which continues with aftercare. However, like any therapy service, this is also time-limited. It is also only available to service personnel who have been injured on operations. It is therefore to be welcomed that the Joint Support and Enabling Service Headquarters is now using a platform to allow all service personnel with physical and/or psychological disabilities to take part in information courses, competitions (e.g. events organised by the Conseil International du Sport Militaire) and training camps, regardless of their performance level. The focus is not necessarily on performance, but on the potential experience gained for a positive route to rehabilitation.

The positive response to the Invictus Games 2023 in society, politics and the media is now an opportunity to establish and consolidate a **veteran culture** in Germany. This opportunity should be exploited. A visible veteran culture, which is an important building block for better recognition of the military profession as a whole, is almost non-existent in Germany. Establishing a veteran culture is not just the task of the Bundeswehr, but society as a whole. The proposal under discussion for a Veterans’ Day should therefore be discussed intensively in parliament and then also implemented quickly.

The **term veteran** itself is also worth discussing. In November 2018, the then Minister of Defence stated that a veteran is anyone who is on active service as a soldier in the Bundeswehr or has left the service with honour, i.e. has not lost their rank. Whether this broad term does justice to veterans who are wounded or suffer physical or

psychological injury on deployment abroad or during service should be considered with care. For these service personnel, it may be that adding further information to the term veteran might help them get the appreciation and recognition in society they deserve. One option would be to use the term “veteran with deployment experience”.

Fortunately, the organisation of the **veterans’ offices** is now taking shape. On 1 October of the year under review, the first of these offices in Berlin was brought into service as a pilot and was officially opened in January 2024. It is intended to increase the visibility of veterans and strengthen the care provided to this group of people – especially for injuries sustained during operations. Unfortunately, however, there is still no progress on the establishment of a planned veterans’ home, where veterans in need can get temporary accommodation. The Bundeswehr should now follow up this good idea with action.

A key aspect of the Bundeswehr’s work with veterans and of great importance to many service personnel and former service personnel in terms of their commitment is the review of the 20 year Afghanistan mission at the German Bundestag in the Study Commission set up for this purpose.

14. Diversity

Service personnel of different origins and backgrounds, different faiths, ages and genders, diverse sexual orientations and gender identities, with – visible or hidden – disabilities or impairments serve side by side in the Bundeswehr. Nevertheless, the Parliamentary Commissioner still hears about acts and statements that are perceived as discriminatory, particularly from queer members of the Bundeswehr, both in conversations and from petitions and reports:

- *Experiences ranges from open to indirect discrimination to open ignorance and lack of knowledge among comrades. In single cases, there are also reports of superiors who, in the view of those affected, do not intervene or do not intervene clearly enough when service personnel are discriminated against because of their sexual orientation or gender identity. In personal interviews, queer service personnel viewed the attitude and sensitivity of superiors and their consistent, value-based intervention as decisive for the working atmosphere and for the willingness of those affected to open up and use their abilities fully. Queer service personnel also reported their experience that their sexual orientation – including at personnel meetings and during the appraisal process – was repeatedly made an issue, unlike their heterosexual comrades.*

To take decisive measures in response, it would be beneficial to have instructions for superiors prepared in collaboration with representatives, regular training courses for existing personnel of all ranks, as well as appreciative communication as an appraisal and suitability criterion when selecting leadership.

Although the breadth of investigations and statements in petition matters shows that sensitivity and an error culture have increased significantly within the force in recent years, it has to be emphasised time and again that diversity is only experienced in practice where decisive steps are taken against discrimination and harassment. It must be clear to all service personnel that discriminatory behaviour will not be tolerated – not even “in jest”. It is therefore to be welcomed that the **Service Regulation** “Dealing with sexuality and sexual misconduct in the Bundeswehr”, which came into force on 1 September 2023, provides for far-reaching preventive measures and requirements for the exercise of command supervision by superiors, in order to protect the rights of all members under the Federal Ministry of Defence. The plan is also to provide information at the start of the period of service or employment that includes how to deal with (unconscious) prejudices and how to sanction discriminatory behaviour. The intention to make the topic of “dealing with sexuality” one of the compulsory or optional topics for advanced training also indicates the importance that the Bundeswehr now places on the issue within the Bundeswehr. The following cases show that responsible superiors have punished discriminatory incidents decisively and used them as an opportunity to raise awareness in their units:

- *Investigations conducted following a report by a trusted contact confirmed that a soldier had made discriminatory remarks about a transgender recruit and had also outed him to a female comrade. After weighing up the overall circumstances, the soldier received an appropriate disciplinary measure and was immediately removed from the training organisation. As it was considered impossible for him to remain in the unit, the company commander sought to transfer him as soon as possible.*
- *A soldier who had insulted a comrade as a “faggot” several times, for which there was evidence, was given a severe disciplinary fine for homophobic remarks. He avoided being dismissed without notice by exercising*

his right of withdrawal. After the incidents were reported, the company commander briefed the platoon and, immediately after the investigation was completed, the entire company.

Sometimes, pragmatic solutions and a healthy error culture can also send visible signals that discriminatory behaviour will not be tolerated:

- *One female soldier reported a discriminatory sign on a toilet door at a Bundeswehr centre for initial and advanced training to the Parliamentary Commissioner, with a photograph. A phone call to the commander's office was all it took for the sign to be removed, the person responsible identified and awareness-raising measures to be announced, in particular for leadership personnel.*

Regarding discrimination based on sexual orientation and gender identity, the Bundeswehr and the Federal Ministry of Defence also made clear during the period under review that they consider the 2022 study “Bunt in der Bundeswehr?” on diversity in the Bundeswehr to be a mandate for action. The Ministry identified a total of 16 measures in the interministerial “**Queer Living**” **action plan** as relevant on this and has developed measures to implement them. The action plan also aims to improve the everyday lives of queer people and their position in society. The Bundeswehr plans to integrate the topic of “diversity” into the training and qualification of all members in future, and it may be included in two elective topics as early as 2024.

The study “**Bunt in der Bundeswehr?**” on diversity in the Bundeswehr found that people with disabilities and women in particular were affected by discrimination above average. Female soldiers are also confronted with stereotypical ways of thinking. Although the “**Diversity Agenda**” announced in spring 2023 was not adopted in the year under review, it was adopted at the start of 2024. Selected measures were already presented in May 2023 at the Bundeswehr's high-ranking **Diversity Conference** in Berlin under the motto of “Shaping the future together”. Several workshops were held to facilitate direct discussion between superiors, experts, interest groups and service personnel from all the services. It is to be hoped that this successful format will be continued as planned in the coming years to review the form and implementation of existing measures and give visible weight to the concerns of affected service personnel.

It is positive that the Ministry of Defence has finally made the study “Bunt in der Bundeswehr?” on diversity in the Bundeswehr available to a wider public following the conference – albeit indirectly via a request under the Freedom of Information Act (IFG) on the “Frag den Staat” platform. It would be desirable if the Bundeswehr published studies and expert reports on such socially relevant issues promptly and at its own initiative in future to facilitate public discussion and assessment.

Transidentity

Measurable progress was made in the year under review for transgender service personnel who intend to undergo gender reassignment surgery as part of their transition process:

- *Those affected primarily criticised the lengthy processing of applications, which was sometimes perceived as harassing or inappropriate. After years of stagnation, there is now hope – not least after changes in personnel in key positions – that applications in connection with gender reassignment will in future be processed promptly and with the respectful approach that service personnel urgently need for the ongoing process of transition. The willingness of the Ministry of Defence to support affected service personnel in the meantime by making specific decisions, taking a proportionate approach, should also be highlighted.*

The responsible bodies also took the criticism as an opportunity to review all of the relevant cases and remove issues with the existing procedure. They found that the process takes 147 days on average and a maximum of 609 days. This is clearly too long – as the Ministry has also openly admitted. In addition to the reassigning tasks and areas of responsibility and strengthening command supervision, measures were taken to shorten processing times and improve communication with the roughly 20 to 28 service personnel who submit applications each year. Approval processes lasting more than 30 days now have to be justified and transition as an issue has to be given greater consideration in training. The Parliamentary Commissioner welcomes the measures taken and continues to support the reforms actively. The fact that a **transgender officer** took up her advisory role (alongside main role) for those affected at the Medical Service Command at the end of the year under review is a step in the right direction.

Sex reassignment surgery cannot be compared with general free medical care, where suitability can be measured exclusively on the basis of objective quality management criteria:

- *Discussions with transgender service personnel have repeatedly demonstrated a desire for greater flexibility in the choice of clinic.*

This is understandable, as – for many service personnel – the expertise of the clinics for the specific **gender reassignment operations** and their experience with transgender people in sensitive preparation, care and aftercare is obviously important to be able to put themselves in the care of such an institution without concerns. It is obvious that the best-qualified Medical Centres in this highly specialised field are not always close to home or place of service. A rethink of the regulatory framework for gender reassignment operations or greater flexibility in the application process would be desirable to find pragmatic solutions in specific cases (e.g. for the clinic of choice, cost cover and co-payments, paying the costs of travel and aftercare) that do not overstretch the budget. This often requires accommodation on both sides.

- *Meetings between the Parliamentary Commissioner and those affected have repeatedly shown how crucial sensitive care and support with trust from military doctors are for the process of transition.*

As the number of transgender service personnel in the Bundeswehr is relatively small, this is new territory for many of the doctors. It would therefore be desirable for military doctors to have direct access to advice from competent contacts within the Bundeswehr in addition to the “Guide for the military medical service – gender reassignment measures in transsexualism”, which is currently being revised.

This year under review also saw the necessary revision of the General Regulation “Military medical assessment” on trans-discriminatory diagnoses.

Third gender

The first signs of increased flexibility are coming through in the procurement of clothing for members of the third gender within the Bundeswehr who select their own preferred clothing:

- *One petition complained that it was difficult to procure suitable clothing, because only items that match biological sex could be obtained. This was because the workforce management system previously in use only allowed you to enter “woman” or “man”. Since the end of 2022, it has been possible to enter “Other” and “Prefer not to say”. According to the Ministry, the relevant clothing regulations are to be revised in 2024. Rules on equipment for people who feel they belong to the diversity group should also be included in revision so that it is possible to select the equipment yourself, regardless of your entered gender.*

External appearance

Social trends such as tattoos and permanent make-up mean that more personal forms of expression and appearance are also increasingly becoming an issue for service personnel:

- *Personnel repeatedly criticise the rigid practice, which is perceived as old-fashioned, such as for the hair and beards, as well as jewellery and tattoos, of service personnel.*

For almost five years, the Federal Ministry of Defence has been working on revising the outdated service regulation and drafting a new ordinance. The length of the process seems incomprehensible, given the subject of the regulation, which will inevitably require constant updating. The aim has to be a readable, modern and flexible regulation that can be adapted to the requirements of the times and the market for applicants without major bureaucratic effort. More flexible regulations are necessary, not least because of the new generation of applicants that is needed urgently by the Bundeswehr.

15. Compatibility of family and duty

Combining work and family life is a major challenge for service personnel in the Bundeswehr, given the particular nature of the military profession, even in routine operations. In addition to the workload involved in training courses, missions and exercises at home and abroad, the demands arising from the return to national and collective

defence have to be taken into account as well. Training for members of the Ukrainian armed forces brings challenges in terms of time and personnel too. This impacts service personnel with family obligations particularly hard, as they depend on predictable, reliable scheduling to look after their children or care for relatives:

- *In several service personnel, petitions or their families complained about the short-term decisions made by their superiors to send them on training courses or exercises without taking family matters into account, or to assign or transfer them far from home at short notice.*

The *Zeitenwende* demands even greater flexibility and mobility from all service personnel. One of the Bundeswehr's key tasks is therefore to establish a framework that makes the compatibility of family and duty possible, even in the context of the altered security situation. It is with good reason that the General Conference of Military Equal Opportunities Officers in September 2023 was primarily dedicated to the topic of "The ability to combine work and family life with a view to national and collective defence".

Proactive measures for times of crisis

For any state of crisis, the Ministry of Defence is continuously developing measures to support the compatibility of family and duty. Some of these are now being taken into account by the "Equal Opportunities Development Act for Military Personnel (MilPersGleFoG)", which was adopted in November 2023. As an umbrella law, it also contained the overdue amendment to the Soldiers' Equal Opportunities Act (SGleiG), which – based on the Federal Equal Opportunities Act (BGleiG) – includes care for the first time. The provisions on the reimbursement of childcare costs and the increased flexibility of service conditions, including easier access to working time models, are particularly welcome. According to the explanatory memorandum to the act, the improvement in financial support is also intended to cover crisis, Alliance, tension and defence situations. It also includes a provision to provide care for children and relatives in need of care. This also includes advice and agency services provided by the Bundeswehr.

The measures developed for any state of crisis also include the **operational concept** developed by the Bundeswehr officer for the compatibility of family and duty to strengthen operational readiness and support members of the Bundeswehr with family care responsibilities. According to the Ministry, some of the measures assigned to the four pillars of "Preparation in routine operations", "Support for members of the armed forces and their families locally", "Expansion of financial support" and "Support for special care requirements" are already being implemented (including via the amendment to the Act on Equal Opportunities for Female and Male Military Personnel of the Bundeswehr (SGleiG)).

There is coordination with other ministries, Länder, municipalities and local authorities on further measures. For example, there are plans to maintain a network of voluntary "godparent families" from the social environment of service personnel who would take in their children in the event of an emergency. Childcare capacity at the family's place of residence would have to be checked for this, which would involve consulting youth welfare offices and potentially also other local authorities. The **cold start file** developed by the Bundeswehr Command and Staff College, which allows every soldier to check his or her personal readiness for deployment regularly, should also be highlighted. This file is designed to give service personnel time to consider early on how they can organise family obligations during absences on deployment and the fallback levels that may be necessary. It would also be good to develop informational material that is suitable for children to promote acceptance and understanding among young people, instead of creating fear and rejection.

Childcare

To concentrate on their varied range of tasks, service personnel need to know that their children are well looked after. Guaranteeing childcare that meets the needs and takes into account the specific requirements of the military profession is therefore one of the most important concerns for service personnel with parental duties. Although there is a legal entitlement to a childcare place vis-à-vis the cities and municipalities, the Bundeswehr should nevertheless strive to further expand the services on offer in the interests of its attractiveness as an employer. The Bundeswehr is constantly developing in this area and responding to the increased demands and requirements. This is demonstrated in particular by the changes in the period under review compared to the previous year. At the end of the year under review, the Bundeswehr maintained a total of 1,138 childcare places nationwide. These were made up of 593 places at external day-care centres (including 63 places at eleven locations for course

participants), 117 places in day-care and large day-care centres and 428 places in day-care facilities close to the armed forces. This development is extremely positive and shows the importance the Ministry of Defence attaches to the compatibility of family and duty. This is also evident from the fact that, in critical single cases, targeted and satisfactory support is provided by the officer for work and family life.

However, there has been no improvement in childcare at one of the largest Bundeswehr bases in Munster. The city of Munster is currently building two day-care centres with a total of 80 places and has given the Bundeswehr the opportunity to take part in the potential expansion of one of the two day-care centres with ten to 15 places. However, given the size of the site, this is far from being enough. In parallel to the option of purchasing **places at the external day-care centre**, the establishment of a large day-care centre for up to ten children within the Bundeswehr site is being pursued and is currently in the infrastructural planning phase. Given the known and continuing high demand for childcare at this large site, it would be more than desirable if the Bundeswehr were to create parallel structures alongside the municipal structures promptly and, above all, expeditiously. However, given the workload of the Land building authority, the continuing shortage of skilled labour in the construction industry and the lengthy administrative processes, the situation at the Munster site is likely to remain difficult and the needs assessment will no longer reflect the actual demand by the time the steps are completed.

The situation at the Kümmerbruck site is also in need of improvement. Even though the demand is acknowledged, presenting ad-hoc solutions is not working. This is all the more true if the framework conditions are not attractive for child day-care providers. Childcare is also an economic factor:

- *Participants at a discussion during a field visit at the site told the Parliamentary Commissioner that the site had had its own childcare centre until 2020, but that it had to close as it had been uneconomical. The contract with the provider had provided that payment was limited to the childcare actually provided. Two attempts to find new providers initially failed because the contracts were not attractive. In the meantime, the Federal Office of Bundeswehr Personnel Management has been able to attract two interested organisations to operate a mini-day-care centre. Subject to ministerial approval, the day-care centre can start operating by September 2024 at the latest. The key factor for the contractual arrangement is assumption of responsibility for the shortfall in compensatory measures for the construction.*

Notwithstanding the efforts made to date, the Parliamentary Commissioner's field visits during the period under review also identified a need for childcare at other sites and the need to expand structures. However, this cannot be achieved without the cities and municipalities:

- *At 295 Artillery Battalion in Stetten am kalten Markt, service personnel described the number of childcare options on and around the site as catastrophic. According to the Ministry of Defence, the situation is unlikely to improve in the foreseeable future. Purchasing places at external day-care centres in municipal or church facilities has failed for the time being. The municipality only feels obliged to provide childcare places for the families living there. Nevertheless, further options are being reviewed. Service personnel struggled to understand why the vacant top floor of the newly completed family support centre could not be used for childcare purposes.*
- *At the Special Forces Command in Calw, the service personnel reported that the town was very reluctant to assign quota places and could not offer enough places. Of the 18 childcare centres in the region, only two offer all-day childcare, while the other centres do not have childcare hours that are compatible with working hours. A childcare centre on site would therefore be desirable. The Ministry of Defence confirmed that there is considerable demand for childcare. In November 2023, there was an information event at which an initial assessment of the childcare situation was run together with the city, the district, the site and the bodies that represent service personnel.*
- *The Equal Opportunities Officer of 230 Mountain Reconnaissance Battalion and 8 Mountain Combat Service Support Battalion in Füssen complained that she had planned to set up a daycare centre in the family support centre for the Regional Territorial Command. The infrastructure and personnel were available, but the Regional Territorial Command had not made the family support centre available for a day-care centre, as there were sufficient places in the surrounding area. The problem was the opening hours of the existing day-care centres, which are not compatible with military service. The Federal Office of Bundeswehr Personnel Management confirmed the problems. The garrison senior officer has announced that he will submit an application to start a childcare project.*

However, there have also been some successes: In March 2024, the new construction of the day-care centre in the Julius Leber barracks in Berlin, which is in urgent need of renovation, will start and is scheduled for completion in 2026. An extension to the existing day-care centre is being built at the Bundeswehr Hospital in Ulm, which will increase childcare capacity from 50 to 80 places from September 2025. Despite being full, it was also possible to find a solution quickly and pragmatically for an urgently needed daycare place in one case:

- *A military couple from Dornstadt/Ulm described how, despite great efforts, they had been unable to find a local day-care centre for their daughter, even though they were facing transfer very soon. The officer for work and family life, who was involved by the Parliamentary Commissioner, arranged an emergency childcare place quickly and unbureaucratically.*

In one case, the cooperation between the Bundeswehr and the municipal administration on the provision of a childcare place was also exemplary:

- *With the active support of the local mayor, childcare for the children of a female soldier who had been promoted to commander was organised at short notice at the new location.*

It is also extremely pleasing that **holiday care** for school-age children of members of the Bundeswehr is to be made permanent. Following a pilot project in 2022 and positive evaluation, a survey confirmed high demand at over 30 locations. The project was then continued in 2023 with the Protestant Support Association for Soldiers and the Catholic Working Group on Service Personnel Welfare as sponsoring organisations and holiday care was offered at a total of ten Bundeswehr sites. Depending on the individual needs at each site and the capacities of the providers, further expansion of holiday care is planned. This is very welcome, given the challenges faced by military parents during the summer holidays.

There is also good news regarding the reimbursement of additional **costs** for childcare during initial, further and advanced training, which is regulated in the Act on Equal Opportunities for Female and Male Military Personnel of the Bundeswehr (SGleiG) for individual cases. Unfortunately, the previous rules on reimbursement, which set the statutory minimum wage as the upper limit for the reimbursement of costs, did not take into account the regular adjustment of the minimum wage. According to the Ministry of Defence, this will now be corrected as part of the amended Soldiers' Equal Opportunities Act (SGleiG) with the new version of the corresponding service regulation, which is due to be published in the first quarter of 2024. In the meantime, a ministerial decree is ensuring that the applicable minimum wage is taken into account. According to the Ministry, the limit to the minimum wage follows the principles for applying a comparable provision under the Federal Equal Opportunities Act (BGleiG).

Ordinance on Domestic Help for Soldiers (SHV)

The Ordinance on Domestic Help for Soldiers (SHV) is designed to relieve families of the challenges placed on them by special assignments abroad, standby commitments, standing operational tasks or preparation for a special assignment abroad. There is entitlement if childcare or care for relatives can only be provided by a family and domestic helper and the costs cannot otherwise be reimbursed. The Ministry of Defence states that this reimbursement of costs is for dealing with exceptional circumstances and is not meant to be a standard benefit for the absence of normal assistance from the rest of the family in the event of a work-related absence. Those eligible can currently invoice costs of up to € 50 per day (with a maximum hourly rate of € 10). This means that the hourly rate is well below the statutory minimum wage. The level of support should therefore be based on a realistic rate. The barriers to this scheme are also too high and actual needs are not covered at all. The term “Ordinance on Domestic Help” also suggests it is possible to receive funding for “domestic helper”. But actually, these are allowances for “care services”. This, too, repeatedly leads to misunderstanding and confusion. The name of the ordinance should therefore reflect its actual purpose. A swift revision of the entire ordinance should be included in the Ministry's deliberations on how to strengthen the short-term operational readiness of personnel. It could be helpful to standardise the benefits for care of children or relatives in need of care and not have provisions for this in different regulations, as has been the case to date.

Alternative working models

At the General Conference of the Military Equal Opportunities Officers in September 2023, the Chief of Defence and high-ranking officials from the Federal Ministry of Defence countered the concern that the focus on national and collective defence could lead to a restriction of alternative working models and that this could force service personnel with family responsibilities out of the troops. It was made clear at the Conference that the flexible working models in routine operations should be retained. Fortunately, this puts an end to considerations to the contrary that involved restricting the option of **part-time work** in order to increase operational readiness.

Since the COVID-19 pandemic, **teleworking** in particular has become an integral part of the models for improving the compatibility of family and duty in routine operations. Fortunately, the excessively long period of time between the approval of a teleworking space and providing the technical equipment, which was criticised in the last annual report, has decreased significantly. There were no more petitions on this in 2023. However, there were errors and delays in processing applications, which are at an unacceptable level:

- *In one case, an application was delayed for almost seven months because of a clerical error. The relevant case worker also had not received adequate training. The soldier's repeat application was initially processed, but he was not informed. Further delays of three months were then caused by the permanent illness of the occupational health and safety specialist to be involved in the process. In the meantime, enquiries from the soldier remained unanswered. He only learnt that the application had been approved in the meantime as a result of his petition. It was clearly necessary to undertake a structural revision of the authorising agency's internal procedure which has now been initiated.*

It is not uncommon for a petition to centre around the assumption that superiors generally will not allow teleworking or will delay or complicate the application process. In other cases, the number of hours is disputed. Determining the tasks that are suitable for teleworking is a challenge for superiors and has the potential for conflict, because of the often differing views of those affected. Service personnel need to recognise when their ideas are incompatible with the requirements of service. On the other hand, superiors need to be creative in determining the tasks required for the post, for example by reallocating or reassigning tasks. Transparency and a willingness to compromise are essential.

During the pandemic, the Bundeswehr expanded the options for **working from home**. As part of emergency provision, it had already set up an OpenVPN solution in spring 2020, which allowed a lot of service personnel – there were 7,500 users in the Navy alone – to work from home. An interim solution, which was limited in time and subject to conditions by the Federal Office for Information Security (BSI), ended on 1 August 2023 with the end of the temporary official approval. Service personnel were critical of the solution being shut down.

- *During a visit to the Navy Headquarters in Rostock, service personnel reported that, since the OpenVPN solution was shut down, mobile working is no longer possible to the same extent as before. Nothing is known about a follow-on solution.*

The Ministry of Defence disagrees. There is a solution approved by the Federal Office for Information Security (BSI), about which comprehensive information has also been provided. This currently consists of the **GenuCard** hardware solution, which will be replaced by the software-based GenuConnect remote access service solution in the coming years. The delivery time for the GenuCard, i.e. from ordering by the organisation to being provided to IT users, is around two weeks.

- *At the Naval Operations School in Bremerhaven, the commander pointed out that the number of GenuCards was far too low for his area of responsibility and regretted that the troops had lost OpenVPN, an established and excellent tool for the compatibility of family and duty, especially for commuters, after three years of use.*

The Ministry conceded that there may not always be a sufficient quota of GenuCard hardware. However, if the allocated quotas are not enough, redistribution across organisational areas is possible at any time.

The Naval Operations School wants to keep **OpenVPN** with a version independent of the BSI:

- *It is argued that the use of OpenVPN could also be approved without involving the BSI, by the information security officer for the Hercules follow-up project at the Federal Office of Bundeswehr Equipment, Information Technology and In-Service Support for nonHerkules projects (OpenVPN nH), which is OpenVPN for mission-critical projects up to VS-NfD classification.*

According to the Ministry of Defence, using OpenVPN nH is possible to a limited extent in individual cases. However, this would require special approval by the Chief of the Cyber and Information Domain Service. A specific risk assessment would need to be carried out in advance before approval is given, which may result in specific requirements.

Nevertheless, the efforts of personnel management and the applicable units in favour of flexible working models should not be seen as a “one-way street”. Overstretching the solidarity of others is fundamentally misguided. Rather, the aim should be to find an appropriate balance between mutual solidarity, deployment requirements and the ability to combine service and family life. Service personnel affected by family obligations also have to work within their means and show a willingness to compromise, not least so that their specific needs can be met in a way that is acceptable to their comrades.

This also applies to custody agreements for separating couples that define specific working hours and childcare times. To implement such agreements, binding duty hours models sometimes have to be created in the unit – with both leadership and comrades making concessions – which have an impact on everyone’s duty schedules and thereby potentially restrict their flexibility. A sense of proportion is necessary in this regard:

- *A soldier serving as an instructor felt that he was treated unfairly and without comradeship by his superiors and comrades because of the alternating model he was following. According to the statement, his course plans, the training times of the training sections and the times of his lessons had been specifically adapted to the times when he had to look after the child. He also got a personal service car so that he could travel between the training centres in good time. To make this possible, some of his comrades had put their own interests second and also made allowances in case of planning conflicts or unscheduled cancellations when there were deviations from the petitioner’s weekly model because of personal circumstances.*

Not least given the difficulties in recruiting new suitable personnel, the Bundeswehr should not waver in its various efforts to further develop the compatibility of family and duty in routine operations. From the point of view of personnel and operational management, family obligations may mean reduced availability or flexibility in day-to-day work – but in many cases it is limited to a section of a long working life and therefore is just a snapshot in time: A few years down the line, personnel who need to finish work early to pick up their children from childcare, during the “rush hour” of their lives, may be able to stay on duty longer in the evenings and cover for their younger comrades. Anyone who has experienced understanding and solidarity in a challenging phase of life and recognised the value of that support is certainly more receptive to finding creative solutions and giving something back later on in their work life.

Service personnel in all phases of their lives need **attractive working conditions**, particularly in view of the high demands of operational readiness and quality of work. They are dependent on the support of the Bundeswehr for their day-to-day work so that it is and remains possible to combine work and private life. It also has to be possible to have a career, even if you have decided to start a family at a young age. Career planning that states the requirements for mandatory training courses, practical training periods, assignments and other mandatory goals at a certain point in time is no longer in keeping with the times. Flexible working models and inclusive career paths are the hallmarks of a modern employer that reflects social diversity and understands diversity as a strength. It therefore cannot be a solution to reduce flexibility for the sake of increasing operational readiness. The task over the next few years will actually be to combine flexibility and operational readiness by modernising existing concepts creatively. Involving service personnel in the search for new approaches can generate considerable added value.

- *A successful example of this is the call for ideas on the topic of “Equal Opportunities” in the Human Resources category of the IntraXperience intrapreneurship programme. With the Navy as practical partner, two female Navy soldiers worked on structural improvements for service personnel with family responsibilities in childcare and compensation for loss of income in the year under review.*

More resources, better visibility and a longer project and funding period with real chances of being implemented would be desirable here.

Family-friendly assignment planning

Personnel management continues to be thoughtful when it comes to deploying service personnel close-to-home for serious personal reasons. The condition is that this is compatible with the requirements of service. Efforts are

limited, for example, when there are simply no suitable posts or other opportunities to accommodate legitimate requests and family-related needs. Even if there are no **serious personal reasons** from a medical point of view, personnel management can find solutions for welfare reasons for onerous family obligations:

- *A soldier with two sick children, one of whom needed therapeutic help, wanted to be transferred back to his former location. Serious changes such as moving house and changing school because of a transfer threatened to set both children back massively in terms of their health development. The children's mother had died and the soldier's wife was very busy as a nurse. Although the medical advice service had not recommended that serious personal reasons were recognised, personnel management applied for the establishment of a non-permanent post for welfare reasons and ordered the desired transfer.*

However, it is incomprehensible that a similar complaint was still pending at the Federal Ministry of Defence more than two years later, even though the reason has since ceased to apply as a result of the personnel management measure.

Once again, divorced or separated service personnel justified their wish for deployment close-to-home, transfer or special working models on their **custody or access rights**. Again, attempts by personnel management to take these concerns into account as far as possible in individual cases was evident throughout:

- *In the case of a divorced female soldier, the Federal Office of Bundeswehr Personnel Management initially checked across all branches of the armed forces whether a post was available at the desired location. This was just as impossible to achieve as the request for an exceptional (repeated) change of career, as the strict requirements for this would not have been met. However, personnel management agreed to continue to check alternative deployment options in the desired part of the country, as well as in another possible region. These efforts should be recognised.*

Parents with school-age or younger children face problems with transfers at short notice. In addition to organising the move and the needs of a parent – who is often also working, school and childcare places have to be found very quickly and often temporary childcare solutions and flexible working time models have to be found for the transition. This needs a willingness to accommodate, proactive support in working with personnel management, superiors and comrades, and a readiness to find creative solutions to manage a new start in your career successfully.

Family-related absences – such as for parental leave or employment being prohibited during pregnancy – create **vacancies** that can be substantial and serious, particularly in key positions or in the medical field. Rapid solutions are needed here. The Parliamentary Commissioner therefore welcomes the Ministry's ideas on making compensatory posts more flexible and extending them beyond part-time employment. In the interests of the employees affected by the additional workload and the readiness for deployment of the Bundeswehr, it should accelerate and push forward to finalise the internal coordination and changes to the regulations. However, this improvement can only be achieved if the Bundeswehr manages to fill the compensatory post with suitable personnel.

16. Health

Personnel levels at the Medical Service

The Bundeswehr Medical Service is particularly dependent on good and sufficient personnel. High-quality and prompt medical care can only be provided with a sufficient number of suitable specialist personnel. It was therefore a far-sighted decision by the Ministry of Defence in 2022 to create up to 2,000 posts and open them up in stages, taking into account personnel feasibility. These additional posts are essential when it comes to strengthening and further developing the Medical Service, particularly for medical support of Division 2025. However, the biggest challenge will be to fill these additional positions, as well as the regular positions that become vacant, and to recruit sufficient young talent. Many areas of the Medical Service are also already suffering from a large number of unfilled posts. Given the increasing shortage of labour, particularly in the care sector, it is also crucial to implement measures to increase the attractiveness of the sector, such as incentive pay for skilled workers, more flexible working hours and improved working conditions, as there is strong competition with the civilian sector. Low-threshold offers, such as lower minimum enlistment periods, also seem sensible ways to attract personnel.

At the same time, we must not lose sight of the existing structures:

- *One soldier complained of the inadequate staffing situation at the Prenzlau Medical Clinic. Since the transfer of the last troop doctor away, there has been little or no medical care. The review found that a doctor's post there had been vacant since 2015 and that no permanent replacement was possible because of vacant posts at the neighbouring Medical Clinics. For several patients, the change in the troop doctors led to different approaches in the treatment methods, which fortunately did not result in any negative consequences for their medical care.*

It is pleasing to note that the situation improved significantly in the second half of 2023, thanks to new appointments and transfers.

- *The inadequate staffing of the Neubiberg Medical Clinic was also the subject of another petition, which – in the opinion of the Ministry of Defence – was justified. The relocation of future members of the Air Force to the Bundeswehr University Munich in 2015 led to a noticeable increase in aeromedical care, which the aeromedical group had been unable to meet adequately with the existing posts.*

It is hoped that in future, the Bundeswehr Medical Service Command will match the aeromedical group to the care required. It is important that this measure remains on schedule for implementation in 2024.

- *During a visit to the 911 Electronic Warfare Battalion in Stadum, service personnel complained about the lack of personnel at the local Medical Clinic. Once again, the Bundeswehr Medical Service Command confirmed the shortage of personnel. Despite a high post occupancy rate on paper, there are isolated restrictions within service operations, because of the actual absences of the post holders. The superior Medical Centre uses a personnel pool to compensate for foreseeable vacancies.*

It gives pause for thought that no emergency medical care is possible in Stadum outside the premises of the Medical Clinic, as there is no rescue vehicle, no adequate mobile equipment and no paramedics or emergency paramedics. In such cases, it is therefore necessary to alert the civil emergency services. This does not strengthen the troops' confidence in the Medical Service. At remote locations in particular, it would make more sense for service personnel to be able to rely on their own Medical Service comrades to provide care in emergencies.

This should be possible, particularly given that the Bundeswehr Medical Service, with its personnel trained in emergency medicine and deployed in all areas of the military organisation, is the largest emergency medical services organisation in Germany – deployed not just nationally but internationally as well. Until now, however, there has been a lack of standardised concepts and specifications for emergency paramedics, whose qualifications have depended on the applicable Land and possibly varied from one another. It is therefore very welcome that there has been a chief emergency physician at the Bundeswehr for the first time, since October 2023. His role is to draw up, implement and monitor technical specifications and also to create legal certainty for non-medical personnel when carrying out emergency medical procedures on behalf of the Bundeswehr. He also is to define treatment standards and guarantee the technical content for training courses.

Medical care

Section 69a of the Federal Civil Servants' Remuneration Act (BBesG) grants service personnel who are entitled to pay certain free medical care in the form of free military medical care. This is designed to maintain and restore the readiness for service and deployment of service personnel and includes medically necessary and economically appropriate benefits for maintaining health, preventing and recognising health problems at an early stage and treating illnesses. The benefits are generally granted as benefits and services in kind and must as a minimum match those in Book V of the Social Code (statutory health insurance). The details are governed by the Bundeswehr Medical Care Insurance Ordinance (BwHFV).

In individual cases, problems can arise regarding the extent of benefits:

- *Several female soldiers suffering from lipoedema complained about a refusal to cover the costs of a professionally recommended or desired surgical procedure (liposuction) to treat the condition under free military medical care.*

The rejection was based on the fact that the illness is categorised in stages I to III, with the main criteria being the accompanying skin changes. According to the guidelines of the Federal Joint Committee of the Statutory Health

Insurance Funds, which also are used as a guide for the Medical Service, the costs of **liposuction** are only covered from a confirmed stage III. The female soldiers concerned had not yet reached this stage. During processing of the petition and other comparable cases, the Ministry of Defence stated in this regard that, from a military medical point of view, it was to be criticised that the guideline of the Federal Joint Committee did not sufficiently take into account the possible movement-restricting complaints that can already occur in the lower stages and impair physical mobility and resilience and thereby also the ability to serve. The Ministry considered that maintaining or restoring fitness for service is a particularly important assessment factor. In future, service personnel will therefore also be able to have lipoedema below stage III treated by surgery at the expense of free military medical care if there are demonstrable restrictions in their fitness for service as a result of the disease-related complaints. Approval must be applied for on a case-by-case basis from the relevant specialist department in the Ministry of Defence. This change is very pleasing for the service personnel affected.

However, the principle still applies that free military medical care is provided by the Bundeswehr's medical facilities – primarily at one of the Bundeswehr hospitals. As liposuction is a plannable (i.e. not time-critical) surgical procedure for which specialist expertise is available in the Bundeswehr hospitals, according to the Ministry of Defence and the Bundeswehr Medical Service Command, it can only be performed at the hospitals. In this case, a longer waiting time for an operation appointment is also reasonable. This is a reasonable response. However, it should be borne in mind that, if the waiting period is too long, the soldier's limited fitness for service may become a permanent problem that is also not in the Bundeswehr's interest.

It is pleasing to hear reports of positive experiences with the Bundeswehr Medical Service:

- *It was a matter close to the heart of a senior non-commissioned officer who had been injured on operations to inform the Parliamentary Commissioner of his excellent treatment at the Hanover Medical Clinic. He particularly emphasised the outstanding commitment of a female sergeant first class, who was a competent contact for him on all matters and provided him with fast, uncomplicated and effective support. There was never a “That won't work” moment with her, instead always finding very intelligent solutions. Her sensitivity and empathy made him feel more than well looked after. He also expressed his gratitude to a medical corps major, who was also hugely appreciated by other service personnel who had been injured on operations.*

This example is probably just one of many in which members of the Medical Service go above and beyond the call of duty for their patients and are there for them. All member of the service, who often enough stay unsung in the background, deserve the greatest thanks and recognition.

The medical facilities that are organisationally assigned to the applicable service station typically maintain the health records of service personnel. This means that service personnel also have to receive military medical treatment and undergo military medical examinations in the same place. In cases of leave from work (such as maternity or parental leave) or for mobile working, this is difficult for those affected to understand. In terms of improving the provision of military medical care for troops, a directive issued by the Surgeon General in March 2023 is therefore very welcome. Following a corresponding application to the relevant disciplinary superiors, a transfer can now be made to a **medical facility close to the place of residence** if there is a place of duty other than the home base or a leave of absence from duty for a foreseeable period of at least three months or if the majority of the duty period is not performed at the location. This is a pilot project with a time limit until 1 July 2024, which is to be converted into a permanent regulation if the evaluation is positive.

An **electronic health record** would be of great benefit in these cases. For five years, the Ministry of Defence has made it a priority to provide an electronic health record for all service personnel.

- *The impression described by service personnel during a visit to 4 Medical Regiment in Rheine that the Medical Service is “always a little forgotten” when it comes to IT projects, is obvious.*

It is high time finally to make substantial improvements on this. Lots of the general challenges make **digitalising healthcare** more urgent than ever: This includes complying with statutory requirements such as the Hospital Future Act (KHZG) of 2020, which provides for penalty rules for hospitals that do not achieve minimum digital standards by 2025. It is also about ensuring high-quality healthcare in cooperation with international partners and allies, the future of treating civilian patients at Bundeswehr hospitals and, finally, ensuring military healthcare in all conceivable conflict scenarios. In the context of national and collective defence, healthcare in all conflict scenarios also means being able to transfer the wounded from military to civilian hospitals – with all the necessary digital interfaces, such as digital health record, for example. This is also a key element in the fundamental connectivity between military medical facilities and civilian healthcare structures in Germany.

Every day that outdated analogue procedures are part of life in the Bundeswehr's healthcare system also puts strain on service and medical personnel:

- *At the start of several months of training, a senior non-commissioned officer turned to the Medical Clinic responsible for his temporary assignment, because he needed certain medicines. However, the health record to be sent by post with the supporting documents had not yet arrived there. Weeks later, it turned out that his health record had been sent to another Medical Clinic that was not responsible for him.*

This problem would not have arisen at all with access to a digital health record. The way in which the conventional paper file system at the Medical Service is prone to error is also evident in another case:

- *A soldier who needed his health record as final proof of his fitness to drive had to wait two months for it to be sent. It was not until a petition was submitted to the Parliamentary Commissioner that there was movement on the matter. In its statement, the responsible Medical Clinic referred, among other things, to an "increased number of health record search reports and requests", which could not be processed quickly because of vacancies. The long waiting time was stressful for the person concerned, because in the worst case scenario he might have missed out on content relevant to his career for armour officer training.*

Medical personnel also suffer daily from the inadequate digitalisation of their working environment.

- *At the end of 2022, eight people at the Bundeswehr Hospital in Ulm scanned additionally created paper records because there were no legally compliant electronic patient records. According to the Ministry of Defence, the scanning was necessary because the electronic patient record kept in Ulm did not meet the court's requirements for evidence.*

The planned reduced workload for medical personnel via digitalisation is turning into the grotesque opposite. Members of the Medical Service complain about shortages of personnel on all field visits. This is another reason that digitalisation for efficiency is urgently needed.

- *In a survey of employees at the Bundeswehr Hospital in Berlin, almost two thirds rated digitalisation at their hospital as inadequate to unsatisfactory. More than 90 per cent of those surveyed see digitalisation as making their individual areas of work completely or at least partially easier. According to the survey, medical personnel are very open to change. Only two per cent of those surveyed were not prepared to change their work processes. According to the results of this survey, the most pressing need is to introduce the digitalisation of patient and medical examination documentation.*

It is positive that at least the technical requirements are in place not just to launch the electronic health record, but also to connect all the Bundeswehr healthcare facilities to the civilian telematics infrastructure, according to the Medical Service. **Financing** also seems to be secured. The funds should be enough for the coming budget years. In the federal budget for the year under review, € 18 million were available to implement the electronic health record. However, only € 4.5 million of this was linked to contracts. The contractual implementation of the single project steps should be driven forward so that the goal of introducing the electronic health record by 2027 is finally achieved.

Given the considerable problems with personnel recruitment and retention, maintaining the health of active staff is particularly important. For existing physical or psychological restrictions of service personnel, work-related **rehabilitation** is of crucial importance. The aim is to achieve a significant improvement in such restrictions and restore the ability to work that is threatened or already impaired by the restrictions. The rehabilitation process is geared towards the requirements of military service. The Medical Service has been running a pilot project on this for several years. There are now rehabilitation centres at five selected locations, each based on the existing specialist medical centres. According to the Regional Medical Service Support Command, the initial findings of the current evaluation are positive. Implementing work-related rehabilitation at facilities run by the Bundeswehr is highly appropriate. The multi-profession cooperation between the Medical Service, Social Services, Psychological Service and military superiors is also much better at achieving a return to military service than if rehabilitation is in a civilian environment. Given these positive findings, it seems more than desirable to build up work-related rehabilitation throughout the Bundeswehr to maintain its readiness for deployment. However, this also requires the necessary resources to be provided, in particular relevant posts.

Military psychology

Military psychologists in the Bundeswehr fulfil a wide range of tasks: from providing leadership advice to military superiors, teaching and training on psychological topics, preparing for and following up on missions abroad, and individual counselling for service personnel and their families in the event of personal or work-related problems, through to crisis intervention. There are currently 83 posts in the Bundeswehr.

- *During a visit by the Parliamentary Commissioner to the Rapid Response Medical Service Command in Leer, service personnel criticised the fact that the post of military psychologist at the base had been “rationalised out of existence”. The nearest military psychologist is in Weißenfels, about 550 kilometres away. Psychological support close to site is particularly important for the units’ missions and assignments, which are also psychologically stressful. The Ministry of Defence announced that it considers the psychological support for troops as guaranteed by how the workload is managed. The Psychosocial Network in Leer is supported professionally by the clinical psychologist at the Bundeswehr Hospital in Westerstede. There are also currently three peers and care guides for those injured on operation. Nevertheless, direct military psychological support in Leer makes sense and will be examined as part of the future reorganisation of the Central Medical Service.*

This intention is to be expressly welcomed and it is to be hoped that it will come to fruition. The Parliamentary Commissioner will closely monitor further developments.

The **sports therapy** after injuries on operations that is run at the Bundeswehr Sports School is provided with the support of psychological and other specialists. For a long time, only one military psychologist post was available. Given the increasing numbers of participants who have (also) suffered from psychological injuries on operations over the years – now more than 90 per cent of all participants – it is more than pleasing that the Joint Support and Enabling Service Headquarters responsible for this finally decided in May of the year under review to establish an additional military psychologist post from October 2023, which has since been filled. The Parliamentary Commissioner had been campaigning for this for some time.

Deployment-related mental illnesses

Service personnel who suffer mental health problems suffered on operations are confronted with a lot of stressful situations and restrictions in everyday life. **PTSD assistance dogs** are meant to help minimise such stresses and restrictions and thereby improve quality of life. A lot of affected service personnel already have an assistance dog of this kind and many more would like to benefit from one. However, the cost of training these dogs is high, ranging from € 10,000 to € 28,000, depending on the provider and the level of training. Those affected therefore repeatedly express the wish that the Bundeswehr should cover such costs under the free medical care programme. Unfortunately, this is not possible. For free military medical care, costs can legally only be covered for assistance dogs that are categorised as aids. That categorisation is based on academic recognition and is currently only available for guide dogs for the blind. As long as the costs are not covered, the only option is to finance the dogs via a foundation, such as the German Foundation for Hardship Cases (Deutsche Härtefallstiftung), or via private fundraising campaigns:

- *During a field visit at the German MINUSMA contingent in Mali, the Parliamentary Commissioner learnt that the military police at the camp had raised more than € 13,000 by selling waffles and iced coffee at a fortnightly “military police coffee” event, which was to be donated to a comrade suffering from post-traumatic stress disorder from his missions in Afghanistan, to purchase an assistance dog.*
- *A soldier with his own mental health problems suffered on operations has launched the “Aktion Pfötchen – Kronkorken für Therapiehunde” (“Little Paws – Bottom Caps for Therapy Dogs”) campaign together with the Bundeswehr’s Service Relief Association (Soldatenhilfswerk). Proceeds from the recycling of collected bottle caps and cash donations help affected comrades purchase an assistance dog. A lot of supporters in the Bundeswehr are contributing to the success of the campaign with collections and donations. Such active comradeship is exemplary.*

After the long break forced on us by the coronavirus pandemic, four sessions of the **specialist counselling seminar “Support and Care Under One Roof”**, which is targeted at service personnel with mental health problems suffered on operations and – particularly importantly – their families, was finally run again this year.

This support service, which is particularly valuable because of the expertise and outstanding commitment of the multi-professional welfare teams, should benefit as many people as possible within available capacity. It is therefore regrettable that attendance was not always full at the sessions this year. It is to be hoped that capacity can be used in full again next year. To achieve this, however, service personnel with mental health problems suffered on operations have to be made aware that this is available. The official Bundeswehr website on the Internet provides detailed information about the specialist counselling seminar. However, it should be criticised that, for current dates in the year under review, it was still reported that there were no seminars because of the coronavirus pandemic.

In times of personnel shortages, it is essential to keep highly qualified and trained personnel in the force and bring them back into service. The direct superiors of those injured, who are part of reintegration management, play an important role in this case. Unfortunately, there is still too often a gap between theory and practice. It is essential that the medical and military sides of things are properly interconnected. Military superiors are responsible for integrating those affected into their unit, challenging them and encouraging them and making them understand that they are needed. This is an important part of recovery and should be more firmly anchored in awareness.

To date, the **Act on the Continued Employment of Personnel Injured on Operations** has required an operational injury and has therefore been based on a special assignment abroad or a comparable assignment outside Germany. Given the refocus on national and collective defence, however, the scope of the Act now seems too narrow. Exercises simulating realistic deployment on the principle of “train as you fight” are continuing to grow significantly and, like missions themselves, come with an increased risk of serious injury to body and mind. Service personnel can also suffer lasting injury in Germany. This should be taken into account in the ongoing evaluation of the Act on the Continued Employment of Personnel Injured on Operations.

The Central Contact, Guidance and Coordination Centre for People Suffering the Consequences of Deployment (**ZALK**) has an important role in processing concerns and applications relating to the Act on the Continued Employment of Personnel Injured on Operations. All active and former members of the Bundeswehr who suspect that health restrictions are the result of a deployment abroad can contact ZALK. ZALK advises them and provides information, as well as advising and providing information to the other agencies involved in the processes and is therefore also available to superiors, for example, who sometimes feel isolated when they have questions. The number of cases it has to handle has increased continuously in recent years. In the year under review, there were 1,815 ongoing proceedings (2022: 1,712; 2021: 1,581). This is associated with an almost consistently high number of new applications every year. In 2023, ZALK received 339 new applications (2022: 343; 2021: 339). The figures show that, despite the drop in missions abroad, a significant decrease in the number of cases to be processed is not foreseeable. In fact, we have to take into account the fact that mental health disorders in particular often only arise with considerable delay. The scope of welfare and care for those injured in operations must therefore continue to be effectively delivered in the future.

Radar victims

The issue of radar victims has occupied the Parliamentary Commissioner for many years. Once again this year, the Parliamentary Commissioner held talks with the Chair of the German Association to Support Radar Victims (BzUR e.V.), which is tirelessly campaigning for further improvements in the practice of compensation for this group.

After considerable delays, the Ministry of Defence finally published the long-awaited study on possible **damage to genetics** in deceased radar technicians, which it had commissioned following a resolution of the German Bundestag. However, in the opinion of the Ministry, it did not lead to any findings that require action. Nevertheless, it will continue to monitor the further development of scientific findings in research and teaching on the effects of radar radiation and adapt its practice as an administrative body, if necessary. This is to be welcomed. It is also pleasing to note that the Ministry has promised the German Association to Support Radar Victims (BzUR e.V.) a review of thirteen outstanding court cases submitted by the association.

Suicides and attempted suicides

In the year under review, the Parliamentary Commissioner recorded 15 suicides (2022: 18; 2021: 20; 2020: 11; 2019: 21) and 57 attempted suicides (2022: 64; 2021: 58; 2020: 61; 2019: 52) by service personnel. These

statistics are based solely on the reportable events submitted to the Ministry of Defence and the Parliamentary Commissioner as daily reports, including a few cases of purely verbal suicide intentions or those feared by relatives. The actual number of suicides and attempted suicides may be higher. It is assumed that the reporting bodies are not notified of every case of suicide and attempted suicide. Only doctors have access to medical records, for instance. Finally, the statistics for the 2023 annual report also include cases that have not yet been conclusively reviewed. These may therefore also include cases where the suspicion of suicide or an attempted suicide is not confirmed.

The review of a total of 72 cases of suicides and attempted suicides found a link to a PTSD- in five cases, including after missions abroad and as a result of stress on operations. In a few cases, service-related stress, such as imminent dismissal from the Bundeswehr, anxiety associated with examination, low chances of being taken on as a career soldier or fear of proceedings before a disciplinary and complaints court were among the reasons for the attempted suicides. However, the vast majority of reasons were personal and private, often in connection with a mental illness.

Cases in which superiors fail to recognise mental illness or suicidal tendencies promptly are rare, but can occur. Assessing and assigning indications also plays a major role here. In the cases of attempted suicides in the Bundeswehr known to the Parliamentary Commissioner, the superiors with responsibility and even comrades acted in an undisputedly exemplary, caring and prudent manner and quickly. There were no indications of negligent, inappropriate or tactless behaviour on the part of superiors. That is very good news.

This exemplary development in how to handle and provide follow-up care for suicides and attempted suicides in the Bundeswehr must also be applied to the necessary **prevention work** in the force. The Bundeswehr is working hard on this. Establishing and maintaining mental health is and remains the key to preventing suicide. It requires raising the awareness of and training the armed forces as a whole and also destigmatising the process of seeking and accepting help for those affected. The Bundeswehr is addressing both of these issues in the “Alliance for Mental Health in the Bundeswehr” project initiated in 2023. The Bundeswehr Psychotrauma Centre and the German Prevention Association are pursuing the goal of expanding the Bundeswehr’s capacity to treat mental illnesses, in particular depression, among Bundeswehr personnel and contributing to the prevention of suicidal acts. Personnel at Bundeswehr bases, particularly superiors, are to have awareness of the issue of mental illness raised, as an aware working environment can save lives.

The last 15 years have also seen a significant rise in national and international studies on suicide risk factors specific to armed forces. It is therefore all the more astonishing that the specific challenges faced by armed forces in the context of mental health are sometimes ignored politically. In June 2023, the European Commission published a 35-page communication to the European Parliament on a comprehensive approach to mental health. In its report, the Commission focusses on particularly affected groups and other issues, including victims of crime, refugees and displaced persons and ethnic minorities. Service personnel are not mentioned once in this document. The armed forces are also missing from the analysis of particularly vulnerable types of work. It is therefore right and position that the European Organisation of Military Associations and Trade Unions (EUROMIL), as an umbrella organisation, has increasingly taken up the issue over the past two years and has called in particular for greater political and social visibility. Suicide prevention in the armed forces was also on the agenda again after 2022 at the International Conference of Ombuds Institutions for the Armed Forces (ICOAF), which was held in Vienna from 18 to 20 June 2023 with attendance of the Parliamentary Commissioner. The international exchange is part of the necessary raising of awareness to the problem, because – while some countries are doing a huge amount and in many different ways (this certainly includes Germany) – in other countries there is still a lack of awareness of the issue or it is even completely unrecognised.

17. Duty of care

Social Services

The Bundeswehr Social Services provide all service personnel and their families with free counselling and support on all social matters. Its services are also available to former service personnel with potential physical and psychological injuries they may have suffered during service, as well as to pension recipients, family members and surviving dependants. The Social Services have more than 300 qualified employees at more than 90 locations in Germany and abroad. Its work is divided into social counselling and social work. Social counselling includes

advice and information about all existing relevant regulations on social matters, such as financial and social security for special assignments abroad, on length of service, disability and surviving dependants' benefits and on parental leave and parental allowance, as just some of the areas covered. The social counsellors also provide support when applying for eligible benefits. Social work provides support for work-related or family conflicts, marital and partnership problems, financial difficulties, loss of a relative, mental illness and addiction.

For some years now, **service dogs** trained by the Bundeswehr School of Dog Handling have also been used for social work. These work as “social icebreakers” to create a stress-free and pleasant atmosphere for discussion. Given positive experience, the Bundeswehr should continue to support this project.

In addition to counselling for individuals and families, social work also actively involves prevention, such as via presentations and training courses. The social workers support the post-deployment recovery seminars with family members, the specialist counselling seminars for service personnel injured on operations, as well as mission preparation and mission support.

Since 2021, the Social Services have also been running the “Löwenstarke Familienwoche: Eigene Wege finden!” (“Lion-strong family week: finding your own way!”) – in two sessions for the first time this year. This programme, funded by the German Foundation for Hardship Cases (Deutsche Härtefallstiftung) and the Catholic Family Foundation for Soldiers (Katholische Familienstiftung für Soldaten), is aimed at military families with high levels of stress, regardless of the cause. The aim is to find solutions and new approaches in discussion with like-minded people who are facing similar problems. This process is supported by specialists from various disciplines. Networking with each other and self-help into the future should strengthen families in the long term. The programme does not end after one week. The families instead continue to get support from the Social Services over a period of three months. The services provided by the Social Services reflect comprehensive approach to duty of care and the employees of the Service deserve great praise for their daily, often stressful work. The fact that the work of the Social Services is focussing even more on the families of service personnel is particularly positive.

Bundeswehr Assistance Network

The Bundeswehr works with organisations and initiatives with a wide range of objectives and opportunities in the Bundeswehr Assistance Network, to incorporate their services into the Bundeswehr's support and care services. This means that help can regularly be provided quickly and without bureaucracy. We would like to take this opportunity to express our sincere thanks for this work. In the year under review, for example, the German Foundation for Hardship Cases once again supported a number of active and former members of the Bundeswehr injured on operations who were suffering hardship. To handle the increasing number of applications quickly, the Foundation's office has to be adequately staffed. This was also the 50th “Children in Need in Families of the Bundeswehr” (Aktion Sorgenkinder in Bundeswehrfamilien) fundraising campaign organised by the Bundeswehr- Social Service with its 2,500 volunteers.

The Bundeswehr **art competition**, which is organised alternately by the Protestant Support Association for Soldiers (EAS) and the Catholic Working Group on Service Personnel Welfare (KAS), should also be highlighted as an integral part of the support work. In its 17th run, the competition with the current theme of “un.verwundbar” [un.woundable] gives all members of the Bundeswehr the opportunity to deal in art with this important issue, which affects not just service personnel, but also their families and their entire social environment. Many aspects and thoughts can be processed under this motto, such as the question of where vulnerability begins and where it ends, or how to accept, reduce, overcome and heal personal vulnerability. As a member of the jury for the 16th art competition, the Parliamentary Commissioner is also looking forward to the future artworks and contributions in 2024 and the travelling exhibition that will follow the competition.

Financial matters

Pay

The principles of the civil service derived from Article 33(5) of the Basic Law apply to career soldiers and temporary-career volunteers as well as to civil servants. This includes the principle of alimentation, which obliges the Bundeswehr to support service personnel with an appropriate lifetime alimentation (financial support). The

benchmark for this support is usually the results of collective bargaining for the public sector at federal and municipal level, which also took place in the spring of the year under review. It was therefore understandable that, after the agreement reached between the parties to collective bargaining, service personnel increasingly asked when the pay increase and the inflation adjustment would reach their own accounts. The necessary amendment to the Federal Civil Servants' Remuneration Act (BBesG) was adopted by the German Bundestag in November 2023. The changes applied retrospectively to 1 June 2023. It was positive that the Bundeswehr in the meantime made payments on account under reservation, to mitigate higher financial costs.

The **inflation adjustment**, under which service personnel also received a one-off special payment of € 1,240 net in June 2023 and monthly tax-free special payments of € 220 net from July 2023 to February 2024, was only granted if certain conditions were met:

- *Two military service volunteers who joined the service in May 2023 felt disadvantaged because they did not receive the one-off special payment for June 2023. According to the Ministry of Defence, there is no entitlement because the cut-off date for the claim would have been the existence of an employment relationship on 1 May 2023. However, since the employment relationship for those military service volunteers only starts when they actually start their service, this was 2 May for both of them, because of the public holiday.*

It is clear and correct that the results of collective bargaining can only apply uniformly to all members of the public service. However, the disappointment of military service volunteers is understandable. With a view to future negotiations, the Ministry of Defence should make the parties to the collective agreement aware of the potential disadvantages for this group when determining cut-off dates.

- *In several petitions, female soldiers on parental leave criticised the fact that they were not entitled to an inflation compensation bonus.*

The feeling of being treated unfairly is understandable – but the Federal Ministry of Defence had no room for manoeuvre on this. As the Ministry explained, the decision was ultimately based on a collective agreement that had been applied to salary recipients under the responsibility of the Federal Ministry of the Interior and Community. Consequently, there were no options to deviate from the agreement in favour of service personnel on parental leave.

The changes to the results of **collective bargaining** were also the reason for a staff doctor serving at a Bundeswehr Hospital contacted the Parliamentary Commissioner:

- *While the general Military Personnel Overtime Remuneration Ordinance (SMVergV) is subject to the variations of the collective agreement, there is no corresponding change to the Medical Service Remuneration Ordinance (SanDVergV) applicable to on-call duty and standby duty at Bundeswehr hospitals. A planned amendment to the Military Personnel Overtime Remuneration Ordinance (SMVergV) will mean that remuneration under the Medical Service Remuneration Ordinance (SanDVergV) will be significantly lower in future. The staff doctor believed therefore that the affected service personnel are at a disadvantage. The Federal Ministry of Defence rejected this allegation and stated that there was currently no discrimination. However, the financial differences between the Military Personnel Overtime Remuneration Ordinance (SMVergV) and the Medical Service Remuneration Ordinance (SanDVergV) have narrowed significantly over the years. As early as 2016, the Federal Ministry of the Interior and Community that is responsible in this area therefore demanded a complete matching of the Medical Service Remuneration Ordinance (SanDVergV) to the remuneration rates under the Military Personnel Overtime Remuneration Ordinance (SMVergV), including the associated changes. However, this was not feasible for reasons relating to the pay system.*

The Ministry of Defence's announcement that it is demanding a significant increase in remuneration rates in accordance with the Medical Service Remuneration Ordinance (SanDVergV) at the next opportunity is encouraging.

Service personnel who return to the Bundeswehr as re-employed personnel should be able to rely on the fact that all the essential requirements for correctly calculating and distributing pay have already been clarified before they enter service:

- *After joining as re-employed personnel in May 2023, a sergeant first class realised that he was only receiving pay at experience level 1, even though he had already served in the rank for twelve years as a temporary-career volunteer and later as a reservist. The Federal Office of Administration had wrongly assigned him to*

tax class VI, which was the least favourable for him. According to the Federal Ministry of Defence, this was because of considerable failures in communication between the soldier's parent unit, his responsible personnel superior and the Federal Office of Bundeswehr Personnel Management. The soldier did not receive the correctly calculated pay with the accrued back payments until September 2023.

The purpose of **bonuses** and special payments is normally to recognise an exceptional situation or burden. However, this goal can only be achieved if they are paid out promptly and without considerable delay, as in this case:

- *Two female soldiers at the Bundeswehr Hospital in Hamburg complained that they had not been considered by service management when the coronavirus bonus for 2021 was granted. In the meantime, the Military Equal Opportunities Officer has clarified that they would have been entitled to the bonus. In one case, review found that the Bundeswehr had not actually taken two periods of temporary assignment into account and that this calculation error had had a corresponding impact. In this case, payment was made just over a month after receiving the petition. In the other case, there were legal uncertainties when it came to calculating entitlement. It was clearly only the petition that led to a favourable decision by the Bundeswehr Medical Service Command.*

A change in the **responsibility for child benefit matters** went anything but smoothly:

- *Particularly in the first half of the year under review, service personnel complained that this cash benefit was not paid on time, for months in some cases.*

The background to this was that, given the statutory decision to transfer child benefit payments for child benefit recipients of the Bundeswehr from the Federal Family Benefits Office of the Federal Office of Administration to the Family Benefits Office of the Federal Employment Agency, no changes could be made to the data records for two months from 23 December 2022. All the applications received in this period therefore were not processed until March 2023. Even if it makes sense to end the fragmentation of responsibilities for child benefit matters, such reorganisation must not be at the cost of service personnel and their families.

Health allowance

Delays of several weeks reimbursing financial claims, such as for health allowance, can cause financial hardship when larger sums are involved:

- *In the year under review, several retired career soldiers complained about the Federal Office of Administration's slow processing of their applications for health allowance that involved large medical bills. Some of them took four weeks or more. Those affected had to pay the doctors upfront. Depending on the treatment and medication, claims can quickly run into five figures.*

For welfare reasons, the Federal Office of Administration should prioritise applications that involve large sums of money. It is positive that the Ministry of Defence has drawn the attention of the Ministry of the Interior, which is responsible for command supervision, to the urgency of processing health allowance cases quickly, particularly in cases where costs are due in the short term and are above a limit of € 2,500.

It is also positive that the Federal Ministry of the Interior and Community is planning to extend the deadline for submitting health allowance applications from one year to three years as part of the next amendment to the Ordinance on allowances in case of illness, nursing care and maternity (BBhV). This gives applicants the change to combine smaller invoice amounts and bundle them into a single application for health allowance, which in turn reduces the workload for the Federal Office of Administration.

Separation allowance

The Bundeswehr expects its service personnel to be flexible and to change their place of service, if necessary. To mitigate the consequences, the Bundeswehr – to put it simply – pays the person concerned to move to their new unit or pays a separation allowance so that they can commute to their existing home. To ensure the statements are issued quickly, the Bundeswehr introduced the **Stiewi** System Management IT application at its agencies in Germany by the end of 2021. However, certain areas are still not connected to the system:

- *A soldier at a support centre for civilian initial and follow-on occupational training complained about the long processing time for applications for separation allowance and travel allowances. On review, it was found that the course participants still have to submit the applications on paper. According to the Ministry of Defence, Stiewi is not currently provided for this group.*

This is incomprehensible, as temporary assignments on courses or training are typical cases where separation allowance and travel allowances apply.

If the period of service of service personnel ends and they have moved to another location at least once in the previous ten years with the promise of receiving a reimbursement of relocation costs, the Bundeswehr may reimburse them for the costs of the so-called **final relocation** under the conditions of Section 4 (3) of the Federal Removal Expenses Act (BUKG). When extending the period of service, the ten-year period must be observed

- *The voluntary extension of the period of service by two years would have meant that a career soldier would have exceeded the period with the newly determined end of the period of service and would not have received any reimbursement of the costs for final relocation to Bavaria. He was particularly upset that no-one had pointed this out to him when he applied for the extension. The Ministry of Defence proposed to transfer the petitioner to Bavaria one year before the end of his new period of service for service reasons, with the promise of paying a reimbursement of relocation costs. The Ministry stated that, if he takes this up and complies with all the requirements, he will meet the conditions for reimbursement of cost for relocation to the final relocation.*

The solution found in the interests of the soldier is to be welcomed. The Ministry's announcement that it will raise the awareness of personnel management to keep an eye on the possible impact of a final relocation in such cases is also appropriate.

Rail travel in uniform

Free rail travel in uniform for service personnel is a successful model and has become an established process. According to the Ministry of Defence, the number of bookings made in May of the year under review already amount to four million tickets. The project has significantly increased the visibility of the Bundeswehr in society and has also meant that train conductors are happy to call on the support of members of the Bundeswehr in the event of accidents or problems. The situation was completely different in the summer of the year under review:

- *In several cases of overcrowded trains, the railway staff ordered all service personnel to leave the train over loudspeaker. In one case, the Federal Police were even called in to enforce the rules and escort the uniformed members of the Bundeswehr off the train. The Ministry of Defence took the incidents very seriously and immediately contacted Deutsche Bahn AG. Deutsche Bahn (DB) expressed its deep regret and apologised to the service personnel affected. DB stated that explicitly addressing members of the Bundeswehr during necessary partial evacuations of the trains was not in the interest of the common good, and staff awareness to this has been raised.*

The Ministry's clear and extremely rapid response should be highlighted in particular in this case. Within less than four weeks, it settled the whole matter with Deutsche Bahn. It was also very effective to inform the troops of this via the internal YNSIDE news portal.

In the year under review, there was also occasional criticism of the booking conditions for service personnel, as Bundeswehr tickets cannot be cancelled or exchanged. In addition, tickets for long-distance trains are only valid for **specific trains**. The desire for greater flexibility is understandable, but is not possible, for reasons of cost. Ultimately, the Bundeswehr has to pay for every single ticket that is booked. A communication campaign launched by the Ministry at the start of 2023 was therefore very useful as a way of informing the troops about how to use the offer sensibly and in a way that limits the use of resources. Service personnel should therefore book tickets as if they had to pay for them themselves.

Service dog handlers whose dogs are trained to detect explosives and can be used against people are not allowed to travel with them on public transport. If they want to use the options of free rail travel in uniform for commuting, for example, they are dependent on their dog being accommodated in the barracks:

- *A service dog handler with a dog of this kind complained that the kennel facility at the barracks for 26 Paratroop Regiment in Zweibrücken has been closed since 2016. He therefore has to take the dog with*

him at all times and commute home by car. Following the petition, those responsible locally worked out a satisfactory solution. Since the end of May 2023, four mobile kennel facilities have been available where the petitioner and his comrades can keep their service dogs when they are absent and have them looked after by service dog handlers on duty.

The initiative to arrange this interim solution is exemplary of the pragmatic and comradely thinking in the force. However, this does not change the fact that a new kennel is urgently needed.

Working hours

Service personnel regularly criticise the working time regulations set out in the Legal Status of Military Personnel Act (SG) and the **Military Personnel Working Hours Ordinance (SAZV)**.

- *A lot of superiors feel that the provisions are too strict and would like to see greater flexibility for service at a day-to-day level. Even if, for example, it is possible to run time-intensive sections and content under exceptional circumstances for training events, the corresponding approval process is sometimes very lengthy.*

It is therefore positive that the Federal Ministry of Defence is pressing ahead with the further development of working time regulations for the armed forces. In a initial phase, it revised the implementing provisions for the Military Personnel Working Hours Ordinance (SAZV) and reissued them in June 2023. From the perspective of refocusing on national and collective defence, the increase in operational readiness of personnel as well as the increase in training and exercises have been taken into account. The aim in particular was to create regulations that are understandable and can be implemented on their own and that are geared to the requirements of the service personnel involved in their application. There is now also the option of moderately expanding the service outside the regulations for routine operations. This means that troops can carry out training and exercises over several days with a continuous duration of more than 24 hours, including the necessary recovery times, in a more realistic way and without reference to a specific upcoming deployment under exceptional circumstances. The new provisions are to be evaluated over a period of one year.

At the same time, in a second phase, the Bundeswehr has analysed the statutory and sub-statutory changes that are required for the working hours of service personnel. The focus in this case continues to be on finding an adequate balance between strengthening operational readiness in terms of personnel and guaranteeing occupational health and safety. The outcome of the ongoing consultations remains to be seen.

At the end of the year under review, 3 Minesweeper Squadron in Kiel tested a broad interpretation of the Military Personnel Working Hours Ordinance (SAZV) in the six-month **four-day week** pilot project:

- *The duty rosters for service personnel travelling to sea are drawn up so that there are generally no orders applicable on Fridays – unless a sea voyage is scheduled. This means that those involved in the pilot project can reliably plan for a Friday off during the weeks they spend at their home port, which should not just make the Navy more attractive, but also contribute to a better compatibility of family and duty.*

The Parliamentary Commissioner is also in favour of fundamentally revising the implementation of the European Working Time Directive promptly and adapting it to the needs of the Bundeswehr and its service personnel, because some of the provisions currently contained in the Military Personnel Working Hours Ordinance (SAZV) are not suitable for the armed forces.

The Bundeswehr still does not have a uniform **attendance recording system**. A standard system makes sense, but the general introduction of an electronic attendance recording system is even more important for the vast majority of Bundeswehr sites. Specifically, the Bundeswehr has to upgrade around 600 agencies with around 4,000 terminals, digitalise around 290,000 service and troop ID cards and set up the working time accounts. There is also training of personnel on top.

Following the Bundeswehr equipping the first agencies with a simple electronic attendance recording system in 2005 and working on a comprehensive solution since 2016, the tender for an electronic attendance recording system was issued in 2020 and awarded in 2021. A pilot with subsequent analysis and changes was to follow by the end of 2022. The plan was then to start the nationwide rollout from mid-2023. However, this timetable failed before the General Spokespersons' Committee at the Federal Ministry of Defence. The Committee has so far refused to approve the rollout of the new electronic attendance recording system, under the approval participation process. The General Spokespersons' Committee justifies its position on the basis of unresolved data protection

issues. The new system also cannot reflect the countless and sometimes very complex situations for the different working hours at all Bundeswehr agencies.

In this situation, the Ministry has decided to upgrade agencies with legacy systems, that were causing considerable problems in use, via specific measures. The local personnel representative bodies have approved this step. However, a full replacement of the systems at initially three selected sites failed following an application filed by the Central Staff Council at the Federal Ministry of Defence before the Cologne Administrative Court. The Council argued that the new systems should not be used at any of the Bundeswehr agencies. The Regional Territorial Command Bavaria, the International Helicopter Training Centre in Bückeburg and the Central Institute of the Medical Service in Kiel were affected. At the end of 2023, the Ministry was not yet able to estimate when a decision would be made by the administrative court. In the meantime, the Ministry is endeavouring to push forward with all the necessary preparatory work for the nationwide rollout of a standardised automated electronic attendance recording system. The rollout under the pilot project started around two months after approval by the General Spokespersons' Committee. Regardless of unresolved issues, progress on rollout of the electronic attendance recording system is urgently needed. All those involved should put this at the heart of their efforts.

The delays and unclear prospects are causing irritation and a lack of understanding in many places:

- *During a visit to 472 Logistic Battalion in Kümmersbruck, service personnel were surprised to learn that the cables for installing an electronic attendance recording system had been in place for some time, but it was not known when the recording devices would be installed.*
- *The situation is also the same in Neubrandenburg at 41 Armoured Infantry Brigade. The Brigade has been waiting eight years for the existing facilities to be completed. Unfortunately, the site is not planned as part of the pilot phase and there are no plans for specific measures, which means it is not prioritised for this being introduced. It is hoped that the site will be given high priority in the rollout sequence still being created by the Federal Office of Bundeswehr Equipment, Information Technology and In-Service Support (BAAINBw) and will therefore be included as early as possible.*

At sites that now have outdated electronic attendance recording systems, it is not uncommon in the current situation that personnel using the systems are dissatisfied that problems occurring with the tools cannot be resolved. The reason given for this is that standardised electronic attendance recording is soon to be introduced and therefore there is no more investment in the old systems:

- *A female soldier who had familiarised herself with the working time recording tool at her site reported its obvious shortcomings. It does not guarantee that actual working hours are recorded. The Ministry of Defence has conceded that, in the specific case, the weekly working hours may not seem plausible at first glance. The problem is to be solved by introducing comprehensive, automated attendance recording for all statuses.*

The situation at the Bundeswehr hospitals is slightly different.

- *For example, although working hours are already recorded digitally at the Bundeswehr Hospital in Ulm, applications for the payment of additional working hours still have to be created manually for each authorised person. This involves a huge amount of work. Following problems with personnel in the responsible department, there was a considerable backlog in Ulm.*

Given the very specific circumstances of workforce planning at hospitals, a separate “Workforce Planning” IT system is being introduced at the Bundeswehr hospitals. The good news is that the new system is already in use in Berlin. Koblenz is to have the new system in place by the end of March 2024, Ulm by the end of November 2024 and Hamburg by the end of June 2025.

When service personnel work **overtime**, they should generally reduce the accrued hours as time off in accordance with the provisions of the Legal Status of Military Personnel Act (SG) and the Military Personnel Working Hours Ordinance (SAZV). The underlying purpose of this is to maintain the health of the troops. This principle is not always followed:

- *The petitions by a number of service personnel reported cases in which superiors primarily granted financial compensation for overtime worked instead of time-off in lieu.*

It is understandable that there can be tension here. For example, the orders and plans of a unit may mean that exemptions over a longer period of time are not compatible with performing the mission. Nevertheless, all superiors should ensure that such cases remain the exception and that exemption from duty after overtime remains

the rule. If there is no other option, they must promote understanding for the decision and explain why financial compensation is necessary, in a clear way.

Catering and MWR food service

Catering for the troops with fresh and nutritious food is an essential part of daily routine operations for the armed forces. At the same time, it also applies in matters of national and collective defence, international crisis management, homeland defence, national crisis and risk prevention, partnership and cooperation, as well as humanitarian emergency and disaster relief. The Bundeswehr Subsistence Office is responsible for catering. It primarily fulfils this important role via its mess halls, which are therefore dependent on having sufficient personnel. The Office also guarantees provision via individual field rations and the field kitchens. The “250-person tactical field kitchen” system used since the 1980s has increasingly been unable to comply with hygiene regulations and the requirements under current food legislation in recent years. The age of the systems has also led to more and more systems failing, so there is a gap in capability. It is therefore to be welcomed that the Bundeswehr took delivery of the first of a total of 85 “two-container kitchens” in the year under review. The rest are to follow in the next few years. As was the case for the old system, these newly developed mobile field kitchens provide catering capacity for up to 250 people. Autonomous operation for 24 hours is possible, while complying with all the food hygiene regulations. The systems are also particularly energy-efficient because they can use the waste heat from the generator to preheat the cooking water, for example.

The **amount of waste** produced by packed lunches is a recurring issue on field visits:

- *A lot of service personnel do not consume all of the food provided, which is why a lot of uneaten food is left over and thrown away.*

Although the primary aim should be to optimise the volume of goods provided, in the interests of sustainability the Bundeswehr should also continue to work on solutions that make it possible to reuse originally packaged food in particular, either by redistributing it to the troops or outside the Bundeswehr via donations to charitable organisations. It is regrettable that the result of the relevant review by the Bundeswehr Subsistence Office, which was originally promised for the end of 2022, is still pending.

The Bundeswehr is constantly adapting the design of its **government-furnished meals** via continuous development, taking into account developments in society and requirements such as sustainability. At the same time, the Subsistence Office must meet the high challenges for supplying service personnel on deployment and in crisis situations – such as destroyed infrastructure, power outages, disrupted supply chains or limited food supplies – and always ensure fast and sufficient availability. Not all eating habits that can be found in society can therefore be reflected in the Bundeswehr’s catering plans. Nevertheless, the Bundeswehr regularly expands the range to include more plant-based and vegan items. The digital menu, where each item is labelled with corresponding information (vegan, vegetarian, etc.) and that has been available in all mess halls since May 2022, is helpful in this regard. This increases the transparency of the catering provided and shows what the dishes contain.

In October 2023, reports of a reduction in the catering offered by the mess halls from January 2024 caused some irritation:

- *The Bundeswehr Subsistence Office published a statement saying that it was aiming to reduce the provision “to take account of the price dynamics of the market, but also for reasons of sustainability”. The planned cancellation included beef products, frozen fish and fresh fruit such as honeydew melons, watermelons, apricots, peaches, cherries, strawberries, mandarins, oranges, kiwis, grapefruit and red grapes. The beef roulade (cooked; frozen) should still be available to order, at least “for the Christmas holidays”. The troops expressed the criticism to the Parliamentary Commissioner, in particular for the fact that the only information available was a two-page letter written in bureaucratic and administrative language. In its statement, the Ministry of Defence emphasised that any routine changes to the catering plan have been agreed by experts from the Bundeswehr Subsistence Office and the Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services and the Federal Ministry of Defence. It also clarified that there were no plans to implement the planned reductions to the shopping basket for the mess halls.*

This result is satisfactory. The Bundeswehr’s internal communication, however, is incomprehensible. The Ministry described the communication from the Subsistence Office as “suggestions”, but the wording – as it reached the troops – suggested an instruction, which led to considerable uncertainty. Regardless, the series of

planned removal of fruit from the shopping basket was met with incomprehension. It would not have been in the interests of the attractiveness of service in the Bundeswehr if troops had only been left with apples, pears, bananas and green grapes as fresh fruit from government-furnished meals. Overall, the process was not appropriate for the sensitivity of the issue and the importance of a satisfactory supply of mess halls for the morale of the troops.

It is particularly important to provide varied and good catering on operations, exercises and at sea, when the troops have no alternative options. Service personnel usually have to use government-furnished meals in such cases. With the exception of voluntary military service and reserve duty personnel, they have to pay a subsistence allowance, which is usually offset directly against the expense allowance to which they are entitled under the Federal Travel Expenses Act (BRKG). This simplification can sometimes mean service personnel mistakenly think troop catering is provided for free. However, the regulatory situation can also lead to a contradictory outcome, as the petition of a member of the frigate Bayern demonstrated:

- *During a training voyage at sea that lasted just under two weeks in spring 2023, technical problems meant that the ship returned to Wilhelmshaven early. To get the most out of training possible, the ship's command decided to continue the voyage in harbour as simulation. Given the ongoing technical problems, the next training exercise was run entirely as a simulated sea voyage in harbour. The petitioner thought it did not make sense that the crew members did not receive any reimbursement of their subsistence allowance for the days in harbour – unlike for the days at sea – even though the general conditions were the same. According to the Ministry of Defence, this is the result of the provisions of the Federal Travel Expenses Act (BRKG), according to which a business trip requires a stay "away from the place of employment". If this is not the case, there is no entitlement to an expense allowance. As the ship had been moored at its home port during the simulated voyage, this condition had not been met.*

Even if this is the legal position, the result is not satisfactory. Just like at sea, the crew was on 24-hour duty in harbour. The crew was forbidden from going ashore, which meant that personnel had no chance to find their own catering. Apart from the limited operation of systems, the only difference between the sea voyage and the simulated sea voyage was the geographical location. It is understandable that the petitioner felt that this was unequal treatment. It would therefore be desirable to amend the relevant provisions of the Federal Travel Expenses Act (BRKG).

The Bundeswehr's **MWR food service** faces completely different challenges compared to the mess halls. The MWR food service facilities, most of which are organised as ranks clubs and mess associations, have had to contend with a shortage of skilled personnel, as well as wage and other cost increases in the year under review. However, as places for communication and maintaining comradeship, they have a particular significance for the troops. It is invaluable that comrades can get together after work in a pleasant atmosphere with a good selection of food and drink at attractive prices. That is why the Bundeswehr makes the premises available to those operating the clubs and mess associations free of charge. It is the same reason that personnel are often delegated as orderlies. This is an important supporting pillar for MWR food service, and it is positive that the **decree on orderlies** is due to be updated. Despite these supporting general conditions, the clubs and mess associations providing food were unable to make for some of the increased costs in the year under review. It therefore all comes down to whether the members of the Bundeswehr at a site, whether civilian or military, regularly visit their clubs and mess associations that provide food, and make use of their services. Otherwise, the mess association or ranks club cannot cover its costs. Quite a few tenants then have to close down:

- *During a visit by the Parliamentary Commissioner to the Petty Officer School in Plön, service personnel complained about the inadequate catering. The tenant was reported as having given up running the junior ranks' club because of the strict requirements of the Subsistence Office. The review found that it had cancelled the contract at the end of 2021 because of insufficient attendance figures. A new invitation to tender was unsuccessful because of a lack of interest from applicants, which is why the Bundeswehr Subsistence Office reduced the requirements in the service specification to a minimum. After the only interested party brought the junior ranks' club back into operation in December 2022, it requested cancellation of the catering contract just a short time later – in mid-April 2023. The reason was again inefficiency because of the lack of guests.*

It is understandable that a new invitation to tender seems pointless to all the parties involved, as there is obviously no anticipated change in the situation. It is pleasing that the mess company at the Petty Officer School has been providing support for all career path groups since May 2023.

A tender run for the Rheine site was more successful:

- *The Bundeswehr reopened the Theodor Blank Barracks in April 2020 after a temporary closure, but did not put the MWR food service out to tender because of the low personnel strength at the time (around 100 service personnel). The site has grown to around 550 service and other personnel in the meantime. These numbers in need of service, particularly with its around 190 recruits, is grounds for hope that the forces stationed there will use the provisions and make it economically viable to operate. It is therefore pleasing that a tenant was found in the summer of the year under review, who opened the ranks club in August 2023.*

When tenants change over, they can rarely take over the **operating licence**, because new hygiene requirements have to be observed on a regular basis and there is no protection of these existing rights. Applicable construction measures are often necessary, the performance of which is regularly delayed, because Land building authorities are overstretched. These cases require creative solutions, as in the following example:

- *Following the junior ranks' club closed in Wunstorf at the end of 2021, the available infrastructure did not allow for a new lease under food hygiene rules. A profitability analysis assessed the construction of the new service building as the most sensible option. Until then, the junior rank soldiers and same-level civilian employees can also use the officers' club.*

It is also important that all the parties involved maintain open communication. There was a positive example at the 164 Specialist Engineer Regiment in Husum:

- *During her field visit, the Parliamentary Commissioner learnt that the junior ranks' club was very unpopular with the service personnel, mainly because of its facilities. The review that was initiated prompted the responsible regional manager of the Bundeswehr Subsistence Office to meet with the trusted contacts of the units stationed there and to discuss the criticism with the operator the following day. Together, they developed potential optimisations, and the Bundeswehr Service Centre that was involved also provided support for obtaining more modern furnishings.*

The case demonstrates that criticism of catering, prices or facilities also has to get to operators, so that they can respond. Otherwise, the worst-case scenario is a vicious circle where guest numbers continue to fall and it becomes increasingly difficult to operate economically. Both sides should be aware of this.

An evaluation by the Ministry of Defence on the process of realigning the MWR food service already predicted back in 2017 that the ranks clubs could not be operated economically in the existing structure in the medium to long term. To meet this challenge, the Bundeswehr has developed the “**casino model**”. Its basic idea is to tailor an attractive and contemporary service offering to the relevant location and only to have one service provider per location so that there is no longer any competition between different operators at a barracks. To check how successful this project is at the eight pilot sites, the Ministry of Defence ran a user survey from September 2022 to May 2023. The extremely low attendance rate was sobering, and, while significantly higher in a follow-up survey, was still unsatisfactory overall. According to the survey, there is general satisfaction with the quality of the food, the specific ambience of each casinos and the friendliness of the staff, although there is still room for improvement in specific cases. There is also potential for casino operators to communicate better, work even more reliably, show greater initiative when it comes to events and display prices more transparently. In this case again, both operator and users are jointly responsible for ensuring the success of the project.

The Protestant Support Association for Soldiers (EAS) and the Catholic Working Group on Service Personnel Welfare (KAS) operate **OASE**- service facilities at some Bundeswehr sites. These are familiar to a lot of service personnel, particularly from their missions abroad, but they are also a popular alternative to the mess hall back at home – as are ranks clubs and mess associations – and are synonymous with good food, a relaxed atmosphere and cosy get-togethers. The service for the troops is an extremely important issue, particularly in times of our commuter army and increasing anonymisation in society. The Protestant Support Association for Soldiers (EAS) and the Catholic Working Group on Service Personnel Welfare (KAS) have a central role in this case. They provide the troops with a wide range of different offerings and thereby make a significant contribution to comradeship and cohesion outside service. This gives service personnel the opportunity to take a break from the challenges of everyday service life and relax, thereby strengthening the armed forces. The high commitment of all those involved, in particular the numerous volunteers, deserves recognition and thanks.

Military chaplaincy

The military chaplaincy is an integral part of our troops. The Parliamentary Commissioner had the opportunity to see this for herself in the year under review during field visits and a lot of discussions with representatives of the military chaplaincy. The enormous importance for service personnel has long since ceased to be solely associated with ensuring their right to pastoral care and undisturbed religious practice. Now, an attractive military chaplaincy means an open and pragmatic approach to support and counselling that is available to all service personnel – regardless of their personal religious affiliation. The range of services stretches from providing character guidance classes and organising equipment and leisure activities (including for the family), to direct personal support. The importance of military chaplaincy was also made clear when it comes to training Ukrainian service personnel:

- *During a field visit at 1 Light Infantry Battalion in Schwarzenborn, for example, the Parliamentary Commissioner learnt that the military chaplaincy is an important point of contact both for the training and language service personnel and for the Ukrainian soldiers. Some Ukrainian service personnel had asked for the military chaplain to bless them.*

All military chaplains deserve recognition and appreciation for their commitment.

According to the Ministry of Defence, around 66 per cent of all service personnel in the year under review were members of a religious denomination, while around 44 per cent did not feel affiliated with any denomination. Of the major denominations, 29 per cent belonged to the Protestant faith, 21 per cent to the Catholic faith, 0.1 per cent to the Jewish faith and 1.7 per cent to the Islamic faith, or felt connected to the faith. Three percent stated that they belonged to a different religion. This information is based on the church tax reporting data and on initial findings from an empirical study by the Ministry, which had not yet been conclusively analysed at the time this report was prepared.

Against those figures, a total of 179 military chaplains worked for the Bundeswehr. They include 68 Catholic military chaplains (including pastoral counsellors), 107 Protestant military chaplains and four military rabbis in the Jewish **Military Rabbinate**. The Military Rabbinate is still in the process of being established and has been able to expand its welfare role, including by appointing additional military rabbis in Leipzig and Hamburg. The expansion is expected to be complete by the end of 2024 or by early 2025. In addition to providing pastoral care for Jewish service personnel, the Military Rabbinate can help explain the situation in Israel and raise awareness of what it means to be Jewish in terms of the Middle East conflict.

However, the lack of a military chaplaincy at an equal level for service personnel of Islamic faiths remains highly unsatisfactory. The Parliamentary Commissioner understands the difficult legal situation, which stands in the way of implementation by means of a treaty, as there is no umbrella organisation in Germany authorised to represent all of the different **Islamic branches and denominations**. On the other hand, this problem, which has been known for years, can no longer be at the expense of Muslim service personnel. The Parliamentary Commissioner therefore urges the Federal Ministry of Defence to set up pastoral care quickly with suitable personnel on the basis of a service agreement. The Parliamentary Commissioner will closely monitor the development of the underlying ministerial strategy that is required for this. The target must be to provide the first pastoral care services for Muslim service personnel by 2025 at the latest.

The importance of the military chaplaincy in general and the urgent need for an independent Islamic military chaplaincy was demonstrated by the example of the aid mission in Turkey:

- *Following the devastating earthquake in February 2023, the Bundeswehr provided vital support for weeks by setting up and operating a rescue centre. Muslims were among the service personnel deployed. Pastoral care was provided by two military chaplains, but none of them was Muslim. Although they both did their work with high commitment across all denominations, it became clear in a petition to the Parliamentary Commissioner that the Muslim members of the Bundeswehr sometimes felt unsupported in their religious practice. They also criticised the fact that the mess hall had not been able to provide halal meals (without added pork) and that they had had to eat two vegetarian dishes from the individual field rations alternately for weeks.*

As all parts of the Bundeswehr, the military chaplaincy is subject to the constant need for to adapt operation and strategy. The reorientation of the armed forces towards national and collective defence raises questions around further development in this context. Firstly, it is important to clarify at an early stage how the military chaplaincy is to be organised in a permanent way for stationing of the German Brigade in Lithuania. Secondly, there is the

strategic question of how the much greater and different demand for welfare can be met in the event of tensions or defence.

In future, a regulation will be the basis for **ethical education** for the troops. Unfortunately, its introduction – expected originally at the start of 2023 – has been delayed. At the time this report was prepared, the regulation was still before the head of the Ministry of Defence for approval. It would be positive if this basic central document, which lays the foundation for the personal development of our service personnel, was published as soon as possible.

18. Infrastructure

The Bundeswehr has by far the largest infrastructure portfolio at federal level, with almost 33,000 buildings. Its composition is extremely mixed, ranging from administrative buildings, training facilities and barracks with accommodation, offices and workshops to airfields, harbour facilities, troop and site training areas, children's daycare centres, hospitals, depots, bunkers and underground sites and the Schnöggersburg military training town at the Army Combat Training Centre. Maintaining and regularly upgrading the infrastructure is a huge challenge – both in terms of finance and implementation.

Dilapidated barracks and service buildings are not an advertisement at a time when the Bundeswehr is facing tough competition for adequately qualified personnel. The *Zeitenwende* has hardly been noticed for infrastructure so far. Service personnel still complain far too often about a lack of quarters, a lack of mess halls, run-down sanitary facilities and sports halls in need of renovation.

Existing buildings and construction projects

The Bundeswehr is a commuter army, and the heart of life for lots of service personnel is often far away from their place of service. They are generally entitled to live in the barracks until their 25th birthday. The previous obligation to live in government accommodation has long since transformed into a right that is happily enjoyed. Other service personnel, by contrast, have to find a second home near the barracks if they do not live in the neighbourhood and cannot travel home every day. Even though long-distance commuting is a reality of contemporary life, it is often linked to significant stress. Physical distance from family, overcrowded and late trains, heavy traffic and a lack of free time can cause psychological stress. The high fuel prices also often put a strain on income, particularly for the lower paid ranks. There is further negative financial impact from the difficulty of finding an affordable second home in urban centres or attractive regions. However, accommodation outside the barracks is necessary because the Bundeswehr does not have sufficient **accommodation capacity** for service personnel who do not require mandatory accommodation. During her field visits, the Parliamentary Commissioner regularly hears about these problems. This particularly affects seagoing Navy units and units on special duties, such as shift work or on-call duty.

- *Since the introduction of the Military Personnel Working Hours Ordinance (SAZV), the troops have had to “release” ships and boats when they are anchored at home harbour, so that they do not breach the working hours regulations. Civilian companies take over guard duty, while the crew is no longer allowed to stay on board and has to look for a place to stay onshore instead. However, the housing market at the naval bases is typically very tough because of tourism. Seagoing Navy personnel are also often at sea and on training courses and, including holidays, are sometimes only at the base for a few weeks a year. A second home would therefore hardly be economically viable. This situation has considerably reduced the attractiveness of sea voyages.*

It is therefore a step in the right direction that members of the 3 Minesweeper Squadron are once again being allowed to spend the night on board ships on a trial basis. This should make the service personnel more relaxed and motivated, while also making service on board more attractive. The Helmut Schmidt Bundeswehr University in Hamburg is providing academic support for this pilot project.

- *During her field visit to the 3 Military Police Regiment in Munich, the Parliamentary Commissioner heard that some service personnel who live further away could not stay at home during on-call duty because they had to be at the barracks within 90 minutes. Shift workers were sleeping in sleeping bags in the attic of the office building, because of a lack of other accommodation.*

The Bundeswehr should be able to provide accommodation for both the forces in sea-going units and those with special duties. The same is true for night training. No service personnel should have to make a long journey home when they are too tired. The Bundeswehr should therefore make every effort to create more quarters, accommodation and sleeping facilities at barracks, particularly in the fleet's home ports. Where that is not possible, unconventional solutions may also be found, such as via cooperation projects with public housing associations.

It should go without saying that the Bundeswehr should always base its construction projects closely on the actual and practical **needs** of the troops. Unfortunately, this is not always the case:

- *A lot of service personnel now take a rather critical view of the single-occupancy rooms, which were originally intended as an attractive measure, as they sometimes lead to reduced accommodation capacity and are much less conducive to comradeship than multi-occupancy rooms.*

Where there are mainly single-occupancy rooms, the troops should at least have sufficient community rooms at their disposal. It is incomprehensible that this need is sometimes not taken into account in new buildings or temporary container structures.

During a visit by the Parliamentary Commissioner to 1 Light Infantry Battalion in Schwarzenborn, it became clear that the fast construction of accommodation, which does make sense, also brings disadvantages with it:

- *The service personnel criticised the modular buildings at the Knüll barracks as inappropriate: The building heats up a lot in summer and the windows cannot be tilted. As per the building regulations, there is a disabled toilet, but the building is otherwise not accessible for the disabled.*

The advantages of modular construction generally outweigh the disadvantages, and the Bundeswehr should stick with it. However, it is essential to learn from such mistakes and modify the planning for future buildings accordingly.

Good infrastructure has a significant impact on the motivation of the troops. The Parliamentary Commissioner was able to see this for herself during a field visit in Nienburg, for example:

- *In discussions on site, service personnel stationed there praised the benefits of the premises. In addition to modern and comprehensive training facilities with sufficient lecture theatres and accommodation, there is a good, functioning mess hall, an on-site bowling alley and a swimming pool. This is also why the commander of the Multinational CIMIC Command described the site as an “island of bliss”.*

These statements show how important it is to be able to rely on good and regular catering on site. According to Section 17a of the Legal Status of Military Personnel Act (SG), service personnel must maintain their health, which includes a healthy and balanced diet. They can meet this obligation without any problems if there is a troop **mess hall** at their barracks that is running normally without issues. All too often, however, the renovation or construction of such important facilities takes far too long:

- *The construction of the new service building at the Blücher barracks in Berlin-Kladow, which was announced as necessary back in 2009, is still a long time coming, with completion now scheduled for August 2028. The container kitchen provided as an interim solution is also not due to be completed until September 2024, despite planning having started in April 2019. Until then, the around 500 service personnel and civilian employees will have to continue to use the dilapidated mess hall, which has only been able to operate with a special permit for years.*
- *The mess hall in Lebach has been closed since January 2021 after water damage. The Bundeswehr expects this to be resolved in autumn 2024. Alternative provision has not yet been feasible, which is why the service personnel have had to cater for themselves since then.*
- *In July 2010, the Bundeswehr started a refit of the mess hall at the Freiherr-von-Boeselager barracks in Munster. The work, which started in 2012, had not yet been completed when a massive marten infestation and other structural and hygiene deficiencies led to permanent closure of the hall at the end of September 2016. Since then, the troops stationed there have had to rely on supplies from the neighbouring Oertzetal barracks.*
- *Since 2020, the Bundeswehr has been planning to upgrade the mess halls at the barracks in Aachen to a modern standard. Little has been done since then. Instead, the Ministry of Defence has regularly revised the*

dates for the start of construction of the various steps further and further down the line, most recently to 2028 at the earliest. For the planned construction of a new “trio” building at the Lützow barracks, for example, this means a delay of at least five years.

The Bundeswehr has shown that it can come up with rapid solutions for supply infrastructure on its mission abroad in Mali:

- *During a field visit by the Parliamentary Commissioner, the service personnel were unanimous in their praise for the new operational base kitchen, which was built fast and opened in summer 2022. They reported that it is a spacious, sensibly structured building with a wide range of services.*

Even if the armed forces in Germany have to comply with different regulations than in Mali, there is still an urgent need for action. It would make sense to organise a joint campaign to bring the mess halls up to a generally modern standard. To attract new personnel, the Bundeswehr has to offer attractive general conditions. The points that affect potential young talent specifically are crucial. In addition to personal equipment, these include in particular comfortable accommodation and good catering for the troops. Dilapidated condition, many years of improvisation or a complete lack of mess halls will not inspire recruits or existing personnel.

The Federal Ministry of Defence is aware of the need for new buildings and renovation and is seeking to bring forward the projects. Nevertheless, as in every year in the recent past, the Parliamentary Commissioner once again learnt of projects where the **period for implementation** is disproportionate. One standout negative example was the Bückeberg site, as the Parliamentary Commissioner discovered during a field visit:

- *Lots of the buildings in the light infantry barracks, where the Helicopter Command is stationed, are in need of renovation because of their age. There had even been plans to abandon the premises in the meantime, so that renovation had temporarily been stopped. During a one-and-a-half-year closure of the mess hall because of poor drinking water quality and considerable further damage, a former sports hall, which had been set for demolition for 30 years, had been used for government-furnished meals. Since November 2023, the old premises have at least been available again as a distribution mess, which the troops described as an “interim solution for the interim solution”. Given the ongoing excessive workload for the Lower Saxony building authorities since 2021, the construction of a new mess hall, which has already been planned several times, is not expected for eight to 15 years at the earliest, and the construction of a new sports hall is not expected at all. The hall at the Schäfer barracks five kilometres away is available instead. The junior ranks’ club is contaminated with asbestos and demolition is planned in the next decade. The drinking water quality that is inadequate in some cases, together with an outdated pipe system, also led to the on-site medical centre being closed. Medical care for the troops is therefore provided at the sub-station in Minden, 15 kilometres away, which is not fitted out for this in terms of available personnel or infrastructure. The waiting area is in front of the door or next to it in an unheated garage.*
- *At the neighbouring Schäfer barracks, home to the International Helicopter Training Centre (IHTZ), dilapidated sanitary facilities were discovered, some of which had been closed for use for years. The reasons for the closure were plain to see during the tour and inspection of the rooms, from the extremely strong odour. Shower and toilet containers have therefore also been standing in front of these buildings for years. Although the situation will improve slightly after partial renovation of the sanitary facilities in two buildings, the construction projects will still take a very long time. The service personnel also complained that the sports facilities were inadequate, given the number of personnel on site and the international participants on the course. For example, there is only one treadmill – for more than 1,000 service personnel.*

There are similar defects and damage at other sites that will take a long time to correct:

- *The school building for the Strategic Reconnaissance School in Flensburg has been unusable since the start of renovation in 2012. The initially planned completion date of 2016 has already been delayed to 2025. The central training building is also only running in emergency use and does not meet the requirements of a modern training facility. However, the urgently needed new building is still an open question. The construction of the welfare facility, which is scheduled to open in April 2024, is also behind schedule. According to the service personnel on site, the only ray of hope is the new mess hall, which is first class.*
- *For decades, the Niederauerbach barracks in Zweibrücken had also seen a considerable need for renovation build up. According to the Ministry of Defence, the damage to the building dates back to the years of the Second World War. It cannot be explained why such damage over a period of almost 80 years is only now*

being repaired. The electrical system in the building is inadequate, such as the two sockets per room, which are available for six service personnel to use digital media. The service personnel also rightly criticised the unpleasant odours in the sewage system in one of the residential buildings and the mould forming in the showers, which is a health hazard. The father of one recruit reported that his son had left the Bundeswehr during his probationary period because of these unacceptable conditions.

It is to be hoped that the extensive repairs and new buildings planned for this site over the next few years are completed on schedule.

- *During a visit by the Parliamentary Commissioner to the Rapid Response Medical Service Command in Leer, the troops complained that they had to commute 31 kilometres to Aurich for gunnery training at an outdated shooting range, which they also shared with other users. A new indoor shooting range is not due to replace the unit's original shooting range in Leer, which has been closed since 2014, until 2028.*

At least the Federal Office for Building and Regional Planning, which is also responsible for Bundeswehr buildings, has since been given additional posts to handle these jobs. This at least gives hope that future new construction and renovation projects will be processed more quickly.

There are still delays for one of the digital flagship projects for **gunnery training** – the digital upgrade of shooting range 3 at the Bergen training area. Preparations for upgrading the shooting range, i.e. expanding the road network, cabling and upgrading the guards, are scheduled to begin in mid-2024. Despite highest priority, full completion is not expected before 2028. The Bundeswehr cites changes to the construction documents and lengthy infrastructure processes as the reason for the postponement of the schedule again – the project was originally due to be completed between 2023 and 2024. In the meantime, the necessary explosive ordnance clearance and all environmental protection processes have been started. The construction of the 5G masts for networking, operation and digital analysis is taking a long time and will not be completed before 2028. The centrepiece of the shooting range is a multi-purpose building, also known as the control centre, which is yet to be built and will house the evaluation room, areas for the mobile target structure and technical operating rooms, as well as other facilities. By the end of 2025, an interim container solution financed by the Bundeswehr's "Working group for the further development of training areas and shooting ranges" could have been available for this purpose. However, this solution breaches the Lower Saxony building regulations. Nobody can say exactly when the multi-purpose hall will be built. It should be remembered in this context that the building authorities in Lüneburg Heide last year set up a project team specifically for the construction work in Bergen. This obviously has not sped things up. The decision in November 2022 to place control of the further development of the training areas and shooting ranges at ministerial level also has not had a positive impact on the upgrading work in Bergen last year.

Fortunately, the **digitalisation of gunnery training** is very advanced at many other sites and at many Bundeswehr digitalisation projects. The Army Combat Training Centre in Gardelegen is one of the most modern training facilities in Europe. To ensure that this remains the case in future, the deficiencies in infrastructure- and digitalisation identified during a visit to the troops should be corrected quickly. At the Schnöggersburg training town, in contrast, only 15 of the 500 buildings are equipped with state-of-the-art simulation technology. Full resourcing is necessary. The Cyber and Information Domain Service Headquarters has been planning this for more than a year.

The shooting and training infrastructure at the military training areas in Wildflecken and Hammelburg is also digitalised and state-of-the-art. The Bundeswehr is regenerating its shooting simulators, which are used by all organisational areas and services of the Bundeswehr. Digital solutions have been established in many other areas at many other locations and are being continuously expanded, including via close cooperation with BWI GmbH, such as the digitalised shooting card and digitalised recording of hits.

The Bundeswehr's infrastructure, some of which is very old, sometimes means that buildings are **listed buildings** under preservation order and construction projects are considerably delayed:

- *Between 2019 and 2022, defective doors on a factory building at the Falckenstein barracks in Koblenz caused accidents and serious injuries, including two people losing fingertips. The Bundeswehr Service Centre in Koblenz had already reported the need to replace the gates in 2017 and commissioned the responsible Rhineland-Palatinate state enterprise for property and construction supervision in April 2018. The monuments authority, which is also responsible, only responded in November 2022 and realised that the technical section of the barracks was protected as a listed building and that conditions therefore had to be met. The renovation can now only start in 2024.*

There are good reasons for buildings being listed. Nevertheless, those considerations have to be weighed against the operational readiness of the armed forces and compliance with health and safety requirements. In this case, the lack of coordination between the authorities involved and the fact that it took four years to come to the highly consequential discovery that the property was a listed building should be criticised.

Similar and other delays in construction projects often come with the risk that other related projects slow down, causing a chain reaction. The Parliamentary Commissioner heard about an example of this during a visit to 4 Armoured Engineer Battalion in Bogen:

- *The troops in the Graf Aswin barracks in Bogen are urgently waiting for the construction of new accommodation buildings. However, a condition for starting construction is completion of the new arms room building. This in turn requires the demolition of the old building on the site. However, until autumn of the year under review, this was prevented by the protection periods for bats, which – according to the Ministry – had taken up residence in the roof structure of the building.*

Species protection also had an impact on planned measures by the Bundeswehr:

- *The discovery of protected sand lizards made it necessary to build eleven kilometres of protective fencing at the Nordholz Naval Aviation Command to collect the reptiles and relocate them to alternative habitats. After deterring 357 lizards in the year under review, it is necessary to wait until next summer. This is delaying the construction work for urgently needed hangars and flight operation areas until at least the end of 2024.*
- *It took around a year and a half to decide between artificial and natural turf when upgrading a sports field for the Mountain and Winter Combat School at the Karwendel barracks in Mittenwald. During this time, sand lizards had also colonised the rubble, and their discovery meant that no further measures were allowed for the time being. After a protective fence was built, no more reptiles were seen. Instead of June 2020, the sports field is now scheduled for completion in October 2024.*

It is not the protection of animals and nature, for which there are good reasons, that is a problem. The last case is actually an example of how inactivity and not taking sufficient care can have unexpectedly negative impact. The service personnel, who are responsible for maintaining their physical fitness, are once again the victims of an incomprehensible delay in construction.

Even supposedly **small projects** can take a long time:

- *During a field visit to the Franco-German Brigade in Müllheim, service personnel reported that the vehicle washing facility at the site had not been available fully for use for several years. After exercises, it takes two to three weeks for all the vehicles to be washed. The Ministry of Defence confirmed this. Despite a repair order in July 2020, the responsible building authority was only able to present a renovation concept in July 2023. The authority reported that the three-year delay was due to capacity bottlenecks and staff shortages caused by the pandemic. Completion is now scheduled for October 2026 and handover for January 2027 – six and a half years after the need for renovation was identified.*
- *For the Bundeswehr sports promotion section in Bischofswiesen to use its bobsleigh run even in bad weather, a continuous roof is needed, as the Parliamentary Commissioner was informed during a field visit in January 2022. The Ministry of Defence requested a review and contacted the Federal Ministry of the Interior and Community, because it was a matter of infrastructure requirements specific to top-class sport. In October 2023, it finally emerged that the Federal Ministry did not see itself as responsible, because the requested construction measure was for a Bundeswehr property and was therefore not part of the federal government's training centre funding.*

The fact that it took the two federal ministries more than a year and a half to clarify the question of responsibility speaks for itself. However, it is incomprehensible that the Ministry of Defence suddenly no longer thought it necessary to upgrade the bobsleigh run, in its statement, although it had still instructed the 2022 sports promotion section to submit a corresponding statement of requirements to the Ministry of the Interior.

Sanitary facilities are the subject of repeated complaints:

- *At the 91 Light Infantry Battalion in Rotenburg/Wümme, several service personnel complained about the poor condition of the sanitary facilities in the office and accommodation buildings. There was mould in the washrooms, the floor sealant was cracking, the heating did not always work in winter and the overall level of cleanliness was poor. Most of the piping is too old to be cleaned. Even special measures were no longer a*

solution, because the crust of limescale and urine scale was too ingrained. Apart from cosmetic measures, such as painting over old tiles, nothing has been done. There is also a lack of toilets and showers for female service personnel. Although women have been serving in the armed forces for more than 20 years now, they still make do with swapping signs on the shower doors.

- *The renovation of the men’s washrooms and shower rooms in two buildings at the Eifel barracks in Gerolstein, which started in January 2023, came to a standstill just three weeks later after a construction company became insolvent. As an emergency solution, the 70 or so men in one building can use the women’s washrooms and they in turn can use the wet room of an unoccupied officers’ quarters. In the other building, however, the 50 or so service personnel that are affected still have to make do with sanitation containers.*

Outdated **water supply systems** are another serious problem for many properties. They are, firstly, technically more susceptible to accidents and, secondly, come with a risk of contamination and the associated potential health hazard:

- *One petitioner complained that there had been two burst water pipes and three cases of legionella in the drinking water at the Heinrich Hertz barracks in Daun in the last three years. Some of the troops were unable to use the building’s sanitary facilities for more than a month. The Ministry of Defence confirmed the dilapidated condition of the pipe network.*

There is hope from the fact that renovation of the **drinking water network** has been commissioned and is scheduled to run from mid-2024.

- *932 Electronic Warfare Battalion in Frankenberg/Eder is also struggling with the infestation of legionella and coli bacteria in its drinking water. One soldier reported that the sanitary facilities in four blocks had been closed by the medical authorities in autumn 2022. Since September 2023, the drinking water has no longer been usable throughout the barracks – after a brief improvement. Personal hygiene is only possible at risk to your health and the troop dentist can no longer work at all because of the water contamination. According to the Federal Ministry of Defence, the cause of the infestation is the insufficient flow of water in the oversized and inadequately insulated pipes, which are used to supply drinking water and extinguishing water.*

It would therefore be advisable to separate the pipe networks and renovate the drinking water system. However, work on this, originally planned for October 2023, had not even begun by the end of the year under review.

Outdated building and property structures are often a nuisance, but one that the majority of service personnel can come to terms with, at least temporarily. This has a completely different impact on comrades who are dependent on the **accessibility** of buildings. Supposedly small things can represent an insurmountable obstacle for them:

- *A company sergeant rightly criticised the fact that no consideration was given to the fact that a person in a wheelchair was working there before construction work started in the entrance area of a service building. The side entrance planned as an alternative cannot be used because it is not accessible. The soldier described the planned purchase of a stair climber as a “bureaucratic nightmare” because those involved only ever explained why it was not feasible, instead of looking for a solution. The review found that the necessary accessibility was not known when the work was planned in 2015 – despite the involvement of the interest groups – and that this was only pointed out at the start of construction. The petition did soon lead to a stair climber being hired.*
- *At the NATO naval airbase in Nordholz, four steps prevented a soldier in a wheelchair from accessing the mess hall. His unit had built a ramp so that he could at least get into the squadron building. Nevertheless, it was still difficult for him to work there because there was no accessible toilet. The Ministry of Defence has at least arranged a rapid improvement in the situation, which the Parliamentary Commissioner also saw for herself during a field visit. Following remodelling the sanitary room, squadron service building 31 is now accessible. The welfare building is also accessible via a permanent wheelchair ramp.*

For the petitioner, this development is a first step, even if other buildings in the barracks remain inaccessible to him – for the time being. The Bundeswehr should therefore continue to strive to make older properties accessible.

Sufficient opportunities to engage in **sport** and keep fit are essential for service personnel and should be a matter of course in the armed forces. In practice, this is not the case and is regularly the subject of petitions or brought up on field visits:

- *At the Petty Officer School in Plön, the Parliamentary Commissioner found that the construction of the new swimming and rescue training hall has now been completed. However, technical problems have prevented it from being put into operation until further notice.*
- *The combat swimmers from Eckernförde have been waiting since July 2010 for their diver training pool to be renovated and are still travelling more than 80 km to Neustadt in Holstein for training. There is at least hope that the pool will be in use by mid-2024.*
- *During a visit to 911 Electronic Warfare Battalion in Stadum, the Parliamentary Commissioner heard that the sports facilities at the site are limited. It was reported, for example, that there are no dumbbells or a fitness room, and the installation of a sports container had failed as it was not approved by the Bundeswehr Service Centre. It is only possible every fortnight and outside of holiday periods to swim for an hour and a half in a civilian pool during lunch breaks. There is no flexibility and the Bundeswehr even gets charged if it does not cancel a booked swimming session in good time.*
- *Service personnel also complained about a lack of sports equipment during a field visit to the 62 Air Transport Wing in Wunstorf. They reported that there are just two treadmills in the sports room for the entire wing. This is far from sufficient, particularly in the winter months.*
- *The situation was similar at 472 Logistic Battalion in Kümmersbruck, where the troops find the sports equipment to be inadequate. The tartan track at the barracks is closed and the new sports hall is a long time coming. At most, five to six service personnel can train in the small MilFit container at the same time.*
- *A sports instructor at the sea battalion complained about the inadequate options at the Hugo Junkers barracks in Alt Duvenstedt to prepare physically for demanding missions. He reported a lack of equipment and that the current gym is too small. According to the Federal Ministry of Defence, the problem has been known for some time, but a solution has failed because of the current regulations, under which the size and equipment of the weights rooms is based on the number of posts at the site.*

In the latter case, it is at least positive that the Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services has informed the Navy of the option of reporting the specific requirements of the sea battalion under an exemption. The sea battalion was unable to provide sufficient justification because the fitness room – considered too small – was just big enough according to the regulations. This also illustrates how crucial sharing information about such options is between the agencies involved. It is understandable that the Navy is calling for the rigidly defined quantity specifications for sports equipment and sports opportunities to become more flexible, given the sometimes evidently different physical demands placed on service personnel.

- *During a visit to 7 Service Support Battalion, the Parliamentary Commissioner heard that the fitness room in the General Field Marshal Rommel barracks in Augustdorf had not been usable for ten years.*

In such cases, it would be useful for the Bundeswehr to work with a local fitness centre, as is the case, for example, at the support centre for civilian initial and follow-on occupational training in Darmstadt. As there is no fitness room available at the Starkenburg barracks, this is a way to allow the course participants to engage in sport.

Another option would be to provide **sports containers**. Service personnel expressed interest in such containers on many field visits. The Ministry should take this into account.

However, there were also positive examples on infrastructure in the year under review, such as in Greding:

- *Under fire safety regulations, the weights room on the test site of Bundeswehr Technical Centre 81 had been closed since summer 2022. It is thanks to the great commitment of the barracks commander, who presented another room as an alternative early on, and the active support of the Bundeswehr Service Centre in Ingolstadt that the service personnel at the Technical Centre have had a first-class and accessible fitness room available since October 2023.*

Acceleration

The difficulties completing construction and renovation have been covered in a lot of annual reports. The excessively long times for completion often cause despair among those affected. However, the Bundeswehr has shown in single cases that it is capable of responding quickly to exceptional challenges on infrastructure. It should

also be noted for the Bundeswehr that it regularly relies on the input of a lot of other federal and Land authorities and has almost no influence over their capacities and prioritisation. For example, swift review and approval of projects by the Federal Ministry of Finance would be desirable. Above all, the inadequate performance of the **Land building authorities** – mainly because of a lack of personnel – causes considerable delays on Bundeswehr infrastructure projects. In some cases, therefore, only a fraction of the actual demand for building can be achieved each year. The armed forces also only have low priority in some cases and have to take a back seat to the Land's own demand for building. In this context, the German Association of Towns and Municipalities (DStGB) is also calling on the federal government to work with the Länder to find a solution to bring Bundeswehr sites throughout Germany to a comparable standard of building in the near future.

- *The Engineer School in Ingolstadt, in contrast, is a positive example of functioning cooperation between the organisations involved in an infrastructure project. Following the decision in 2004 to relocate the School from Munich to Ingolstadt, all those involved have shown that it is possible to complete the necessary infrastructure work quickly. Within just five years, a total of 20 buildings have been renovated and eight new buildings built. The move was therefore completed as planned in 2009.*

According to those involved, three factors were key to the rapid progress. They were: sufficient political will and pressure to achieve the jointly recognised target without delay; smooth civil/military cooperation with only a low turnover of personnel; and the consistent and unhesitating use of all the options under the legal framework.

The third aspect in particular sometimes requires a rethink, in the context of the *Zeitenwende*. All those involved should see themselves as accelerators, not obstructors. It is important to take responsibility and make decisions swiftly in the interests of the cause, with the courage to use the options available. These three factors for success should be used as a blueprint for other construction projects across the board.

Another current large-scale project illustrates that this approach has certainly been adopted by the armed forces and the building authority:

- *In December 2022, the Budget Committee of the German Bundestag approved the procurement of 35 F-35A multirole combat aircraft. The Air Force plans to station them at Büchel Air Base from 2027. However, further expansion of the airfield is necessary to accommodate the new type of aircraft, which is a particular challenge for the Rhineland-Palatinate building authority. The ongoing measures, such as renovation of the runway, are already tying up enormous amounts of capacity. To achieve this ambitious goal on time, the Ministry of Defence and the Land building authority have agreed a special infrastructure procedure. In this unique project process, the Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services (BAIUDBw) is taking over key tasks from the Land building authority to implement the required core infrastructure to the tune of around € 550 million – according to an early initial estimate.*

Even if this joint effort to strengthen national and collective defence is to be welcomed, it is a special case that is specifically tailored to this project. However, the example still clearly shows that it is necessary to find a structural response to the increasing bottlenecks at some of the Land building authorities. The Ministry should therefore review how the Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services (BAIUDBw) has taken over responsibility for **investment** for potential as a standard model. However, it is also important to analyse structurally and optimise continuously the processes required for infrastructure projects.

The starting point for the sluggish implementation of construction is often a situation such as described during a field visit at the Bundeswehr Centre of Expertise for Construction Management in Munich, which is in effect a branch of the Infrastructure department of the Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services (BAIUDBw):

- *A quarter of all buildings covered by the Centre of Expertise are in need of renovation. For example, the Rhön barracks in Wildflecken and the Saaleck barracks in Hammelburg had need for considerable investment of € 741 million and € 878 million respectively. Both are the responsibility of the Schweinfurt state building office that has a total upcoming construction volume of € 2.23 billion. As it is currently only able to provide € 25 million a year, it would take more than 89 years just to complete the currently planned work.*

Given such forecasts, the Bavarian State Chancellery responded and set up a task force in November 2022 to accelerate construction projects for the Bundeswehr. All the relevant agencies – the State Building Directorate, the state building offices, the Bavarian Ministry of Building and the Bundeswehr Centre of Expertise for Construction Management in Munich – are involved. Following assessment, they identified three key aspects.

Firstly, they identified uneven use of the 16 Land building authorities and distributed the tasks, even if this weakened the principle of regional responsibility. This includes in particular planning tasks or other support services. Secondly, certain building officer are to assume responsibility for the construction of specific types of building as part of a prioritisation process with a **lead building authority**. This allows for faster and optimised planning and implementation of buildings on the same model. The guiding principle is to retain and apply tried-and-tested solutions. If repeat planning is successful, it will be used as a model plan for other projects of the same type, such as accommodation and shooting ranges. There are already examples of this:

- *The indoor shooting range in Bad Reichenhall and the range in Hammelburg are based on the same planning by the Würzburg building office.*
- *The construction of arms rooms in Weiden, Pfreimd and Oberviechtach is also based on a model plan from the Amberg-Sulzbach building office.*

The third measure is increased use of functional tenders that only define the objective to be achieved, such as building accommodation with an appropriate set of equipment. When used correctly, functional tenders can provide substantial relief and help speed up construction projects. This is because, compared to “traditional” awards of contract, there is no need to prepare detailed specifications. The tender is also aimed at general or design-build contractors, who offer construction services from a single source and thereby minimise coordination problems for the client.

Modular or serial construction can also be useful. There has also already been a success story in this case:

- *In Neubiberg, as part of a pilot project using this approach, 180 new accommodation units were built for the Bundeswehr University Munich in less than two years. This is intended to serve as a blueprint for accommodation buildings at many other sites.*

It is regrettable that this is only suitable as a nationwide approach to a limited extent. This is because the sometimes significantly different Land building regulations, such as on fire protection, sometimes slow down the acceleration effect that is achieved.

A change to the law from October 2022 could also help accelerate construction measures and take the workload off Land building authorities. When it comes to building and functional maintenance of properties assigned to the Bundeswehr for use, the new guidelines for carrying out federal building tasks (**new “RBBau”**) allow the Institute for Federal Real Estate (**BImA**) to carry out measures on its own responsibility. Under the new obligation to offer to award, the Institute for Federal Real Estate (BImA) first has to offer to award the construction work to the regionally responsible building authority. If the building authority is not able to complete the project on time, the Institute for Federal Real Estate (BImA) can complete the project itself. Alternatively, the Institute for Federal Real Estate (BImA) can also commission third parties or other building authorities.

Irrespective of the above construction measures, the availability of **housing** outside barracks is also of great importance for the troops. It is helpful when the Institute for Federal Real Estate (BImA) builds housing units in the immediate vicinity of Bundeswehr properties, such as at the Franco-German Brigade in Müllheim, which are also intended for service personnel. It can offer them at lower rents than on the comparable housing market. A creative idea that the Ministry of Defence is pursuing with the Institute for Federal Real Estate (BImA) is therefore particularly positive:

- *The Ministry is reviewing the possibility of “carving out” parts of land on the outskirts of barracks or other Bundeswehr facilities and transferring them to the Institute for Federal Real Estate (BImA) so that it can create housing for service personnel there. At the Munich site, for example, there are plans to exchange land between the Institute for Federal Real Estate (BImA) and the Bundeswehr to expand the existing residential development for federal employees. In Düsseldorf, the Institute for Federal Real Estate (BImA) is trying to build 450 apartments on the site of the former Bergische Kaserne barracks. However, preparing the development plan for this is very time-consuming and difficult.*

However, this new approach has its limits. From the Ministry’s point of view, the refocusing on national and collective defence and the associated increased need for land – such as for compensatory measures to comply with the Federal Nature Conservation Act (BNatSchG) and the Federal Forest Act (BWaldG) or for land to generate renewable energy to achieve climate neutrality – stand in the way of a systematic review of whether peripheral areas of properties are surplus. This is understandable, as is the principle that the Bundeswehr needs all available

space. However, this should not prevent the troops from identifying the areas itself and registering them as potential areas for creating attractive housing.

In September 2023, the Minister of Defence announced that he would do everything in his power to implement infrastructure projects in a highly targeted way, economically and as quickly as possible. To do this, the Ministry has taken up some of the solutions that have been presented. By decree of the Ministry of Defence in October 2023, passages in internal Bundeswehr, sub-statutory procedural regulations that conflict with the objective of the new guidelines for carrying out federal building tasks (RBBau) are not to be applied until further notice; also, scope for assessment is to be used consistently for the purpose acceleration. The Bundeswehr will strictly prioritise all military construction tasks and focus on the operational readiness of the armed forces and the operational reliability of the infrastructure. The federal and Land building authorities will only be commissioned by the Bundeswehr with building tasks that they can realistically complete. At the same time, the Ministry of Defence will continue to work towards adequate personnel levels at the federal and Land building authorities and will consider the possibility of having tasks carried out in whole or in part by its own agency or other federal authorities, such as the Institute for Federal Real Estate (BImA). This initiative by the Minister of Defence gives hope that there will actually be more movement on infrastructure.

19. Digitalisation

Information technology

The expansion of the Bundeswehr's digital infrastructure remains unsatisfactory. In particular, the connection and provision of high-speed Internet at facilities should no longer even be a question in the world we now live in. WiFi coverage that meets demand is a key factor for attracting personnel. As part of the "Internet in accommodation" project, the Bundeswehr has fitted almost 2,000 accommodation buildings in more than 230 properties with free WiFi. By the end of the programme at the end of 2022, wireless Internet access was fully available in 93 per cent of the buildings covered and at least partially available in 97 per cent. The high level of acceptance of this service is reflected in the fact that almost 175,000 users were registered at the start of the year under review.

As positive as this seems, it only applies to the properties that were included in the "Internet in accommodation" programme. This shows the detrimental impact of earlier local decisions that have since been revised:

- *One soldier rightly complained that using the WiFi at the Hugo Junkers barracks in Alt Duvenstedt costs money, whereas it is normally free at other sites. As it was planned initially to close the barracks, it was not included in the "Internet in accommodation" programme. According to the Ministry of Defence, this will remain the case for the time being, as decisions on the buildings that will stay in use are still pending. Since 2015, however, the troops on site have been able to access paid hotspots from a private provider.*

A solution was found after the Parliamentary Commissioner intervened. Service personnel can now apply for the monthly costs of € 9.95 for Internet access to be reimbursed from the welfare funds for their units. This decision by the Ministry in favour of the troops is very pleasing.

A pragmatic solution would also be necessary for the course participants at the Starckenburg barracks for the support centre for civilian initial and follow-on occupational training in Darmstadt:

- *This property is also not included in the "Internet in accommodation" programme because of planned closure. As the previous external WiFi provider was no longer available, there is no longer any WiFi. It is to be hoped that the Bundeswehr can find an alternative provider.*

It is not just in accommodation buildings that the comprehensive WiFi coverage is urgently required, but in other areas too:

- *For example, there is no public WiFi in the classrooms at the Leadership Development and Civic Education Centre in Koblenz, as the Parliamentary Commissioner discovered during her visit. According to the statement of the Minister, the Leadership Development and Civic Education Centre also sees a clear need for networking with WiFi and LAN to make the training programme more attractive and modern, and is therefore applying for the corresponding infrastructure work.*

However, the Ministry of Defence's statement that this work to be done as part of a regular infrastructure project is not to be expected before 2030 is sobering. This once again illustrates the excessive complexity in the Bundeswehr. Something that would take a few weeks in the private sector is taking several years. In a digitalised world, such conditions are unacceptable. It is therefore sensible to network the classrooms at least provisionally for the time being as an interim solution.

A similar picture emerged at the Bundeswehr School of Military Music in Hilden. The Parliamentary Commissioner learnt with incomprehension that, although the recently constructed classroom buildings have the technical requirements, there is still no WiFi, despite the application being submitted in 2020. The Ministry of Defence justified itself in a roundabout way as follows:

- *“The procedural, technical and procurement-related requirements for providing WiFi at School of Military Music have been established. The infrastructural conditions have to be established by the agency. They are currently being planned. As soon as the infrastructure at the School of Military Music has been upgraded, the work to roll out WiFi will follow. To determine the infrastructural requirements at the agency, the IT infrastructure of the relevant buildings has been checked and assessed on site with the involvement of the agency. The results, including the infrastructural measures to be implemented by the agency, were recorded on a data analysis document, agreed with the School of Military Music and handed over to the responsible Bundeswehr Service Centre for implementation.”*

The Ministry did not respond to the original question as to why the WiFi-provision did not include the classrooms from the start. Public access to the Internet should be a matter of course at all Bundeswehr teaching and school buildings. It would be good if the ministry could resolve this problem.

The Bundeswehr's current system for providing service personnel with IT equipment is no longer up to date:

- *Until now, every change of post has required a great deal of work for the necessary IT changes, sometimes with long waiting times, as the Federal Ministry of Defence itself has admitted. In addition, members of the Bundeswehr without work-related IT equipment only have limited access to the digital infrastructure and online media, for example via shared IT.*

The personalised IT equipment (**pITA**) project is designed to resolve this situation. The project will provide all users with individual end devices, i.e. laptops, tablets or smartphones, and they will be able to select different options, based on the assigned use profiles. Administration is to be by the IT service providers, which is why the involvement of agencies will only be required in individual cases. However, this very welcome development is clouded by the Ministry's announcement that the first users will not be able to migrate to pITA until the end of 2025.

It is sometimes possible to get modern IT equipment, for example, but those affected are unaware of the availability:

- *One sergeant criticised the lack of computing equipment at his battalion. On average, eight people shared two computers. However, the battalion did not just lack computers, but also a matching number of network connections in the duty rooms. The Ministry's review found that the battalion could be provided with additional equipment that was already available and to which the battalion was entitled. It found that, apparently from uncertainty or ignorance of the standardised request procedure for the responsible IT coordination organisation, the battalion had not yet accessed these devices. In addition, the responsible IT coordination centre had informed the battalion about various options for ad-hoc expansion of the existing network connections in the battalion's duty rooms. Those on site were also not aware of this.*

The fast delivery of computers and expansion of the network connections are good news for the battalion. However, it is to be feared that the indications of uncertainty and ignorance regarding the procedure for accessing existing IT are not an isolated case in the Bundeswehr. Regular information from the responsible IT coordination centres could ensure greater certainty in this regard.

Staff and administrative processes

The digitalisation of staff and administrative processes is making a key contribution to the Bundeswehr's mission fulfilment and must be driven ahead. However, it should always be ensured that this does not create any additional bureaucracy that would increase rather than reduce the workload for work processes.

Since June 2023, a new decree has governed **file management and records management** for handling old files/emails in the Bundeswehr and the new digital file/email repository. This is associated with changes to the familiar working environment in the Bundeswehr's agencies. It is not uncommon for affected service personnel to feel overwhelmed or to criticise an increase in bureaucracy. In a petition to the Parliamentary Commissioner, a lieutenant colonel complained as follows:

- *The decree, if properly applied, constitutes a wilful and intentional hardship for those in service. All electronic correspondence would have to be transferred to a hybrid file system, registering both paper and electronic files, backup copies would have to be created and old material deleted. The unit is left alone to do all this. The Ministry of Defence pointed out that the Bundeswehr is also subject to an obligation to keep proper records and that the decree merely reflects the legal provisions in force to date. However, the Ministry admits that it is misleading in certain respects. The petition was therefore taken as an opportunity to communicate the decree and, in particular, its legal basis, once again in an explanatory way.*

However, none of this changes the obvious dissatisfaction at many agencies with the associated workload. A key part of the solution is the introduction of the document management system (DokMBw), which will simplify processes and file management. The rollout of this system began in 2018 at an initial 70 agencies with around 35,000 users and will be rolled out to the entire Bundeswehr from spring 2025. The agencies that still have to work without a document management system are actually facing a massive increase in working hours during this transition period. This applies in particular to the need to keep paper files consistently. The Ministry is trying to respond to this with a low-threshold digital solution that will make drag-and-drop easy from 2023, allowing digitally stored files and emails to be moved quickly and easily to the new document management system. The cultural change towards lean administrative and management processes should be completed by then at the latest.

The **Digital Signature** project is still ongoing. After the Bundeswehr approved the extension of the project in mid-2023, a test run with 200 service personnel showed that introducing the system for the entire Bundeswehr would only be possible with huge effort. The Ministry is therefore planning to trial a different technical solution. However, no contract has been signed in the year under review, meaning that further delays are to be expected.

A supply staff officer reported to the Parliamentary Commissioner that digital signatures do not always speed up everyday work:

- *Property damage reports have to be signed digitally by all the parties involved in the report in accordance with the regulations. These are the platoon leader, company commander and supply staff officer. The reporters themselves typically only have the option of digital signatures via the computer of the platoon leader, for example. The time required for this is about six times longer than for an analogue signature. To meet the deadlines for property damage reports, it was decided to allow reporting service personnel without computer access to print out and sign in analogue format. To comply with the required digital creation of the property damage report, the signed analogue pages are scanned in.*

During a visit to 472 Logistic Battalion in Kümmersbruck, service personnel also complained about the bureaucratic effort involved in creating the **digital situation report** on the operational readiness of personnel:

- *The digital situation report has to be stored in SASPF. This should show each unit in traffic light format (red/yellow/green), displaying the operational readiness of the individual service personnel on a timeline of two years (eight quarters). It means a huge bureaucratic effort to create this situation report.*

The basis for this tool, which was brought into use in the year under review, is the technical concept for the digitalisation of situation reports, which was issued in 2021, based on the digitalisation of situation reports project from 2017. The Ministry of Defence confirms that there was in fact an additional workload at the start of use, but that this would be gradually reduced with continuous use. The Ministry reports that increasing automation of data volumes is expected, which will simplify the manual collection and query processes. The Ministry found that benefits of this situation report are undisputed because it is an early warning system for assessing readiness for deployment across organisational areas.

Registration for reservist service is also in urgent need of modernisation:

- *A reservist deployed on homeland defence criticised the fact that written consent and an attachment were required for every exercise. He receives this form by e-mail, has to print it out, sign it and send it back. All the personal data has to be entered again every time. Saving the completed form as a template is not possible because of the frequent changes to the form layout. For the security clearance check, he downloaded the*

electronic security declaration programme (ELSE) from the website of the Federal Office of Military Counter-Intelligence (BAMAD) and entered all the details online. However, there was no way to send it digitally; instead, he had to print out the entire file and send it by post. The petitioner calculated that for 31 homeland defence companies with 100 men and women each, and eight sheets of paper each, a total of 24,800 sheets of paper would have to be printed out. He assumes that they would then be scanned and destroyed on site.

Fortunately, however, there are positive developments, such as the **“My Reserve” smartphone app**, which is still under development. The aim of the app is to make the callup process paperless using a digital device. This gives reservists the option of doing all steps digitally, from searching for available service opportunities (comparable to a job exchange), submitting an expression of interest and uploading documents, to being called up for reservist service. This provision is intended to increase the attractiveness of reservist service by reducing the effort involved in the processing procedure for all those involved. However, the Bundeswehr estimates that the final app will not be available before 2026. The plan is then to link this app to the existing “USG-Online” application for provision of benefits payments and dependents maintenance. This will increase synergies, as “USG-Online” now has a usage rate of more than 30 per cent – and the trend is rising. The “My Reserve” app is a key element in the digitalisation of the callup process. However, it would be desirable to speed up the rollout in order to make things easier for reserve duty personnel as quickly as possible.

20. Environment and climate

With the Climate Protection Act (KSG), which was amended in 2021, the federal government has set itself the goal of significantly reducing the federal CO₂ emissions and achieving **climate neutrality** by 2045. The Federal Ministry of Defence primarily wants to expand the generation of renewable energies at its own properties. The Ministry is increasingly using heat pumps and district heating to do this. More commercially available vehicles with electric drives are also to be used and synthetic fuels are to be used as alternative wherever possible.

- *A good example of the transformation is the Pfullendorf site. The Bundeswehr is operating its first deep geothermal plant at the site. One of the two boreholes, which are more than 1,500 metres deep, pumps hot, thermal groundwater from underground to the surface. A heat exchanger then extracts the heat from the water, which is used to heat the buildings. The cooled water returns to the depths via the other borehole and can be reheated by the natural geothermal energy. This process covers almost all the heating required for the Staufer barracks and saves more than 1,500 tonnes of CO₂ each year. The majority of the property's electricity is also supplied by photovoltaic systems. The proportion of electricity that the Bundeswehr cannot generate in this way is bought as “green” electricity. This makes the Staufer barracks the Bundeswehr's first CO₂-neutral property and it will also soon be 85 per cent self-sufficient in terms of energy required.*

In the context of achieving climate neutrality, however, it is not just switching over to energy-generating plants that is making an important contribution. The **existing building stock** also needs to be extensively renovated to meet the requirements for energy efficiency, climate protection and sustainable construction. Specifically, the Ministry of Defence, with its large infrastructure portfolio, has an exceptional responsibility in this case. Given the diversity of the existing building stock and the applicable requirements for use, the Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services (BAIUDBw) has assigned the specific property development planning in each case to the regional centres of expertise. Given the considerable backlog of renovation work for Bundeswehr infrastructure projects, however, it is anticipated that the Federal Government's energy efficiency specifications (EEFB) will lead to a massive additional need for renovation. The Parliamentary Commissioner heard about the specific implications for the Free State of Bavaria during a field visit at the Bundeswehr Centre of Expertise for Construction Management in Munich:

- *The Centre manages a total of around 2,900 buildings at 217 properties. To comply with the energy efficiency specifications (EEFB), every single one of these properties would have to be renovated or rebuilt to a lesser or greater extent by 2045. The investment required for this is estimated to be € 14.5 billion. Along with € 4.6 billion for construction measures already planned up to 2030 and around € 0.5 billion for new demand as a result of the refocusing on national and collective defence, the Bundeswehr Centre of Expertise for Construction Management put the upcoming investment required in its area of responsibility at around € 20 billion in total. Given the current capacity of the Land building directorate responsible for Bavaria of*

€ 250 million per year, all these measures would take 80 years to complete, i.e. until 2103. With current resources, the goal of implementing the EEFB measures by 2045 is therefore not possible.

Given the dimensions, it seems doubtful that the measures from the task force set up by the Bavarian state government can be implemented on time under the given circumstances. Nevertheless, all parties involved should work towards achieving the climate protection targets quickly. It is also in the interests of the troops and can help to reduce high energy consumption and the associated operating costs.

The Bundeswehr is striving to make greater use of **electromobility** as a way to reduce CO₂ emissions. According to its sustainability and climate protection strategy published in November 2023, the Ministry of Defence is pursuing the goal of providing nationwide, high-performance infrastructure for charging electric vehicles in the Bundeswehr by 2045. However, as for civilian charging structure, there is still a lot of catching up to do on military properties. In the year under review, there were only just over 300 charging points with a minimum charging capacity of at least 11 kWh and 750 temporary charging points, i.e. individually fused earthed sockets or high-voltage sockets with a mobile charging set, throughout the Bundeswehr. To improve the situation, the Federal Ministry of Defence has launched an ambitious charging infrastructure expansion programme. The plan is to install a further 18,000 **charging points** for electric vehicles by 2030. By 2045, this figure is to rise to more than 30,000. It is understandable that prioritisation is unavoidable with an expansion programme of this magnitude. However, the order of the properties affected should be closely based on the needs of the service and the construction costs.

According to the Ministry, the charging points are primarily used to power electric vehicles for work. They are also available to the troops and civilian employees of the Bundeswehr, where there is free capacity and for payment of the electricity costs. Billing by a private provider using a card solution is planned for this as part of the expansion programme. In future, the statutory requirements state that every fifth of the more than 160,000 vehicle parking bays of the Bundeswehr must be equipped with charging points, including for private vehicles for which payment is required. This approach is to be welcomed, as service personnel during field visits repeatedly express the desire for more options to charge private vehicles at barracks.

It would also be helpful to simplify existing procedures for the private use of charging points:

- *For example, a course participant at the Naval School of Technology in Parow complained that he had tried unsuccessfully from September 2022 to April 2023 to find out on site whether he could charge his electric car at an unused charging station in front of the staff building. He finally submitted a written application in April 2023, but received no response. Although the barracks commander and also the property manager at the responsible Bundeswehr Service Centre had approved the application, there was a significant delay in processing because of vacancies for key personnel. It was not until November 2023 that the petitioner finally received the RFID chip card to activate the charging station.*

It is pleasing that the Ministry has recognised the need for action here and has asked the Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services (BAIUDBw) to reconsider the very lengthy and complex application process.

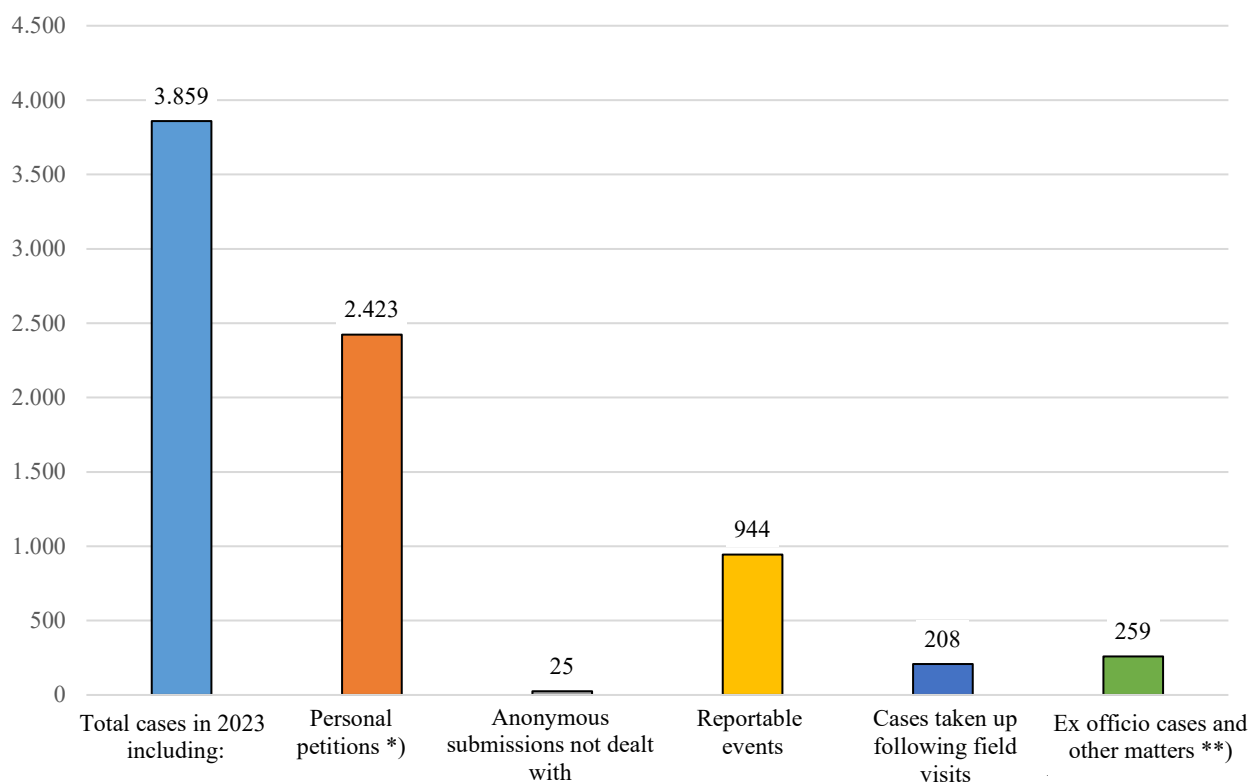
Dr Eva Högl

Parliamentary Commissioner for the Armed Forces

21. Cases and petitions: Statistical overviews

A total of 3,859 cases were recorded in the period under review. Cases are all matters processed to which a file reference number has been attached. Apart from petitions submitted by service personnel, their family members and other individuals, they also encompass “reportable events” in the Bundeswehr which are reviewed by the Parliamentary Commissioner, cases that are taken up following a field visit and cases the Parliamentary Commissioner deals with ex officio. This latter category includes cases opened on account of information the Parliamentary Commissioner for the Armed Forces obtains from, for example, press reports or discussions. In addition to this, letters sent by civilian employees submitted to the Petitions Committee of the German Bundestag and general enquiries from private individuals are recorded as ‘other matters’.

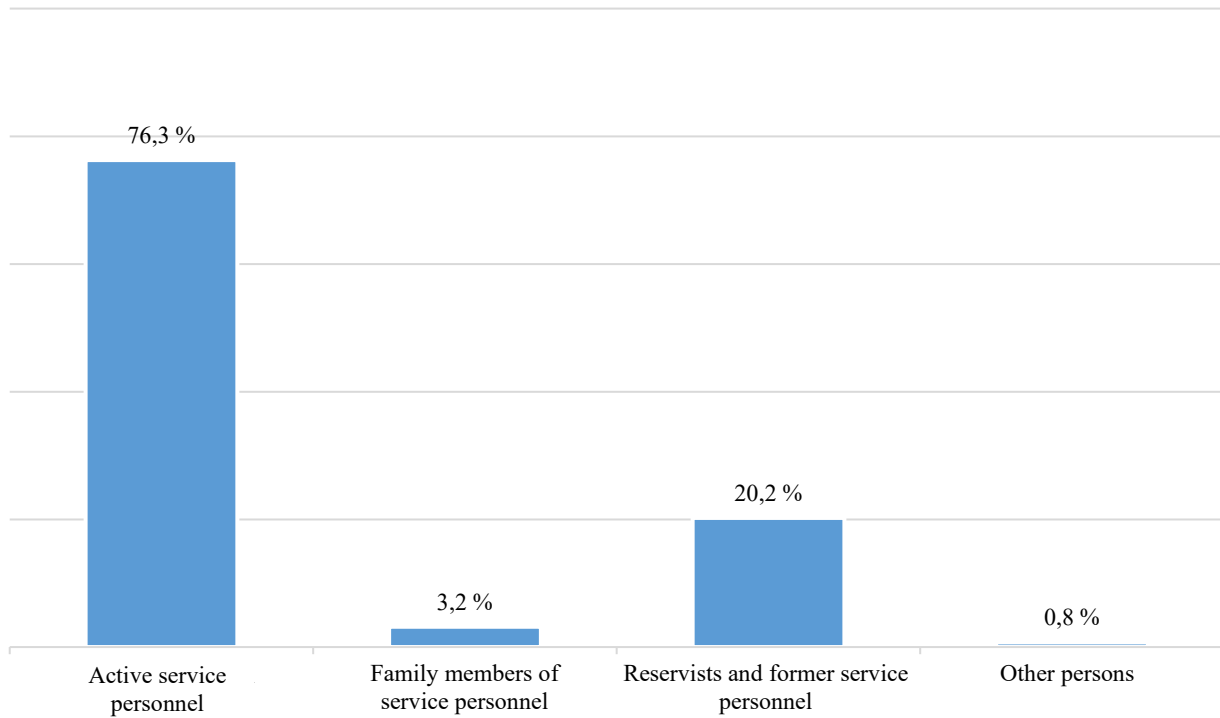
Breakdown – absolute figures



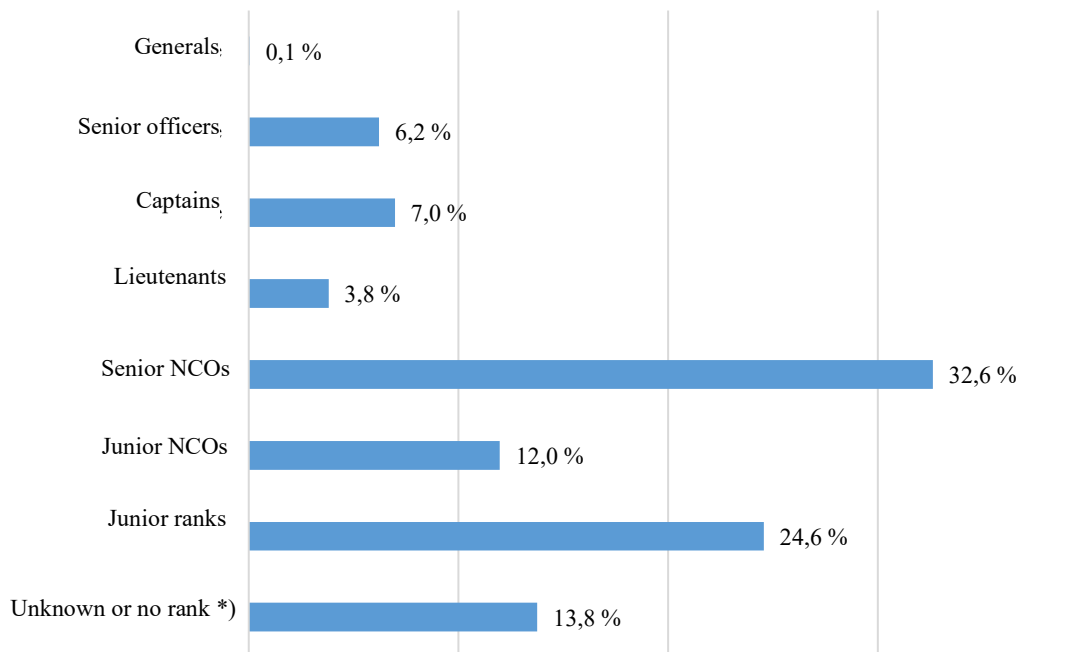
*) Petitions from service personnel and their family members

***) Information from press reports and discussions, letters from civilian employees, general enquiries from private persons

**Breakdown of the 2,423 personal petitions
by petitioners in per cent**



Breakdown by rank categories in per cent



*) including by family members

Breakdown of the 3,859 cases by request (6,563)

(Up to three requests are brought together in one case, which is why the number of requests is higher than the number of cases).

Category	Number
Personnel matters relating to active service personnel	2,284
<u>Including:</u>	
Assignment planning, appraisal, promotion	736
Establishment and termination of service statuses	487
Processing of personnel matters and personnel management	442
Military pay and subsidiary areas of pay law	427
Matters relating to reservists	128
Personnel structure	25
Disciplinary law, law violations	865
<u>Including:</u>	
Offences against sexual self-determination	435
Violation of the free democratic basic order	197
Leadership, comradeship	818
Pensions and benefits, social affairs	648
Missions abroad, equipment for deployments	324
Health, Medical Service, free medical care	315
Compatibility of family and duty	248
<u>Of which:</u>	
Matters relating to commuters	107
Training, equipment for training	191
Infrastructure, accommodation	143
Catering, clothing, welfare	142
Diversity	82
<u>Including:</u>	
Women in the Armed Forces (equality issues)	48
Sexual diversity	16
Service personnel with migration backgrounds	10
Suicides, attempted suicides	80
Safety issues, accidents	68
Behaviour and conduct of service personnel on and off duty	61
Working hours	38
Other matters^{*)}	256

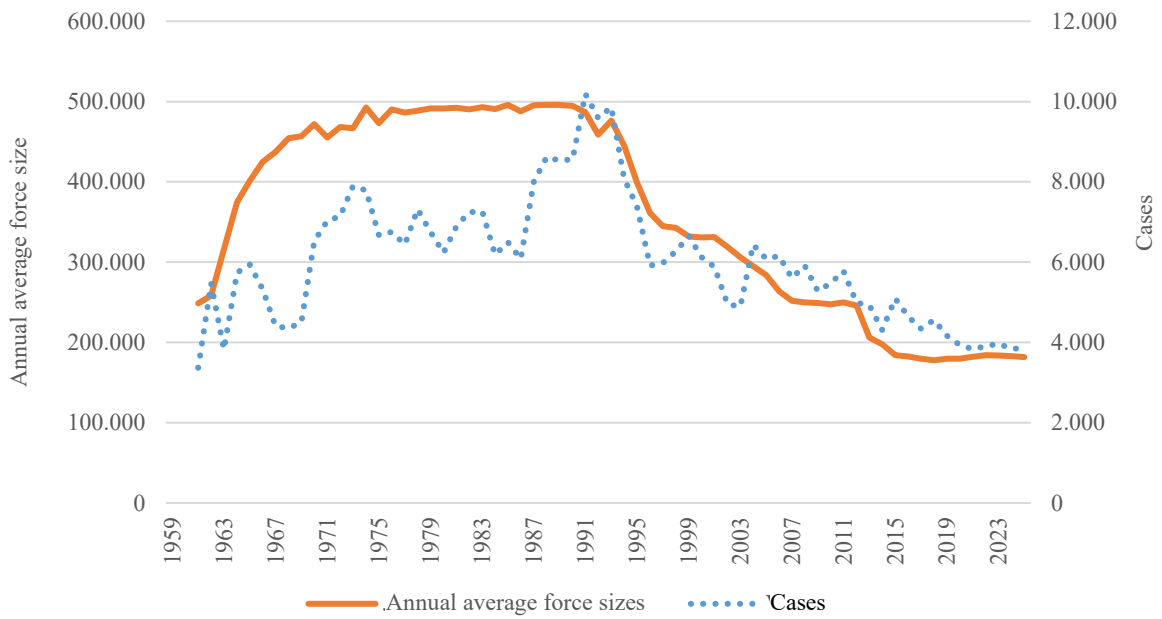
^{*)} Such as matters not falling within remit, referral to Petitions Committee, requests for access to records, responses to annual report

Development of the number of cases between 1959 and 2023

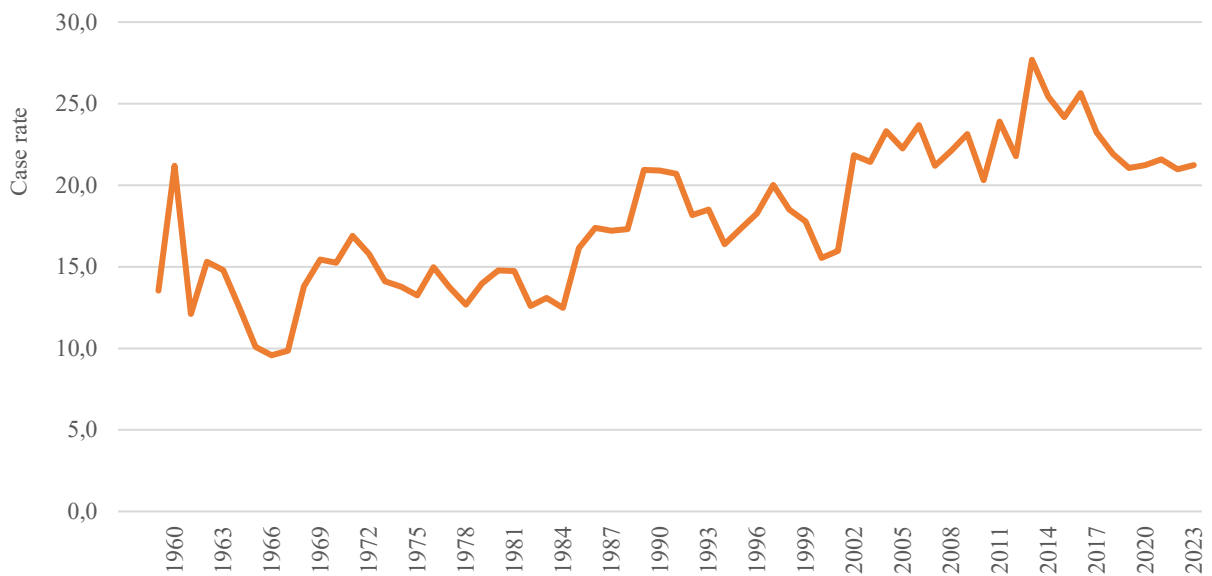
Year under review	Total number of cases recorded	Average Bundeswehr force strength (active service personnel)	Case rate per thousand active service personnel
1959	3,368	248,800	13.5
1960	5,471	258,080	21.2
1961	3,829	316,090	12.1
1962	5,736	374,766	15.3
1963	5,938	401,337	14.8
1964	5,322	424,869	12.5
1965	4,408	437,236	10.1
1966	4,353	454,569	9.6
1967	4,503	456,764	9.9
1968	6,517	472,070	13.8
1969	7,033	455,114	15.5
1970	7,142	468,484	15.2
1971	7,891	466,889	16.9
1972	7,789	492,828	15.8
1973	6,673	472,943	14.1
1974	6,748	490,053	13.8
1975	6,439	486,206	13.2
1976	7,319	488,616	15.0
1977	6,753	491,424	13.7
1978	6,234	491,481	12.7
1979	6,884	492,344	14.0
1980	7,244	490,243	14.8
1981	7,265	493,089	14.7
1982	6,184	490,729	12.6
1983	6,493	495,875	13.1
1984	6,086	487,669	12.5
1985	8,002	495,361	16.2
1986	8,619	495,639	17.4
1987	8,531	495,649	17.2
1988	8,563	494,592	17.3
1989	10,190	486,825	20.9
1990	9,590	458,752	20.9
1991	9,864	476,288	20.7
1992	8,084	445,019	18.2
1993	7,391	399,216	18.5

Year under review	Total number of cases recorded	Average Bundeswehr force strength (active service personnel)	Case rate per thousand active service personnel
1994	5,916	361,177	16.4
1995	5,979	344,690	17.3
1996	6,264	342,870	18.3
1997	6,647	332,013	20.0
1998	6,122	330,914	18.5
1999	5,885	331,148	17.8
2000	4,952	318,713	15.5
2001	4,891	306,087	16.0
2002	6,436	294,800	21.8
2003	6,082	283,723	21.4
2004	6,154	263,990	23.3
2005	5,601	251,722	22.3
2006	5,918	249,964	23.7
2007	5,276	248,995	21.2
2008	5,474	247,619	22.1
2009	5,779	249,900	23.1
2010	4,993	245,823	20.3
2011	4,926	206,091	23.9
2012	4,309	197,880	21.8
2013	5,095	184,012	27.7
2014	4,645	182,703	25.4
2015	4,344	179,633	24.2
2016	4,560	177,800	25.6
2017	4,173	178,881	23.3
2018	3,939	179,791	21.9
2019	3,835	182,219	21.0
2020	3,907	183,969	21.2
2021	3,967	183,725	21.6
2022	3,839	183,049	21.0
2023	3,859	181,807	21.2
Total	392,223		

Comparison of the development of cases relative to annual average force size since 1959



Case rate per thousand active service personnel since 1959

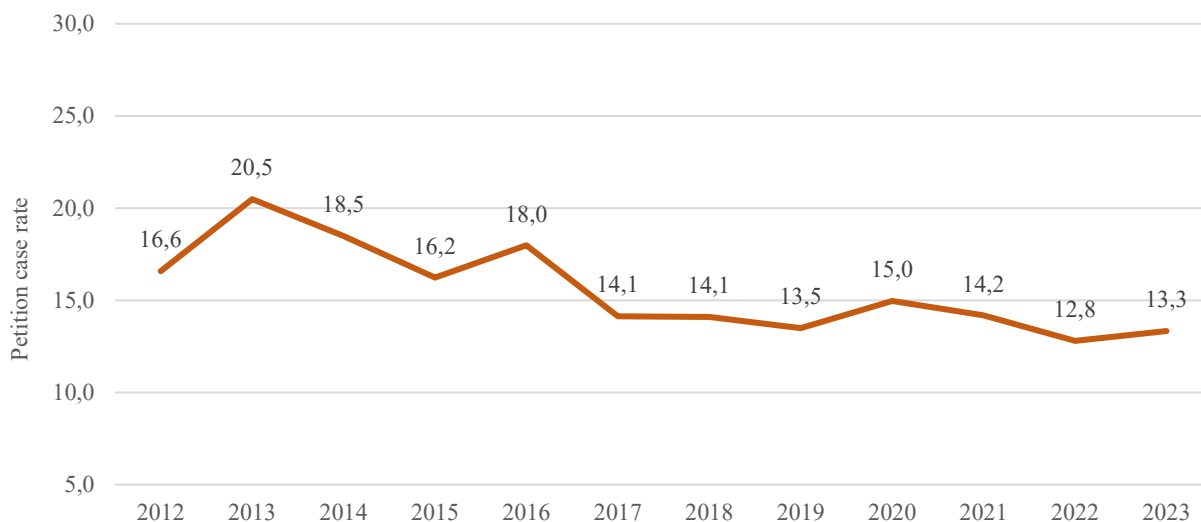


**Development in personal petitions
relative to annual average force size since 2012**

(It has only been possible to record statistics on personal petitions since a new data recording system was introduced at the Office of the Parliamentary Commissioner for the Armed Forces in 2012).

Year under review	Average Bundeswehr force strength (active service personnel)	Total number of personal petitions	Rate of personal petitions per thousand active service personnel
2012	197,880	3,281	16.6
2013	184,012	3,770	20.5
2014	182,703	3,379	18.5
2015	179,633	2,917	16.2
2016	177,800	3,197	18.0
2017	178,881	2,528	14.1
2018	179,791	2,534	14.1
2019	182,219	2,459	13.5
2020	183,969	2,753	15.0
2021	183,725	2,606	14.2
2022	183,049	2,343	12.8
2023	181,807	2,423	13.3

Petition case rate per thousand active service personnel since 2012



22. Visits, meetings, discussions of the Parliamentary Commissioner for the Armed Forces**Field Visits**

17 January	Berlin	Federal Ministry of Defence Guard Battalion
23 January	Neuburg an der Donau	74 Tactical Air Force Wing
24 January	Ingolstadt	Engineer School
30 January- 2 February	Gao / Mali	German MINUSMA Mission Contingent
16 February	Munich	Bundeswehr Centre of Expertise for Construction Management Munich (BAIUDBw)
23 February	Frankenberg	37 Armoured Infantry Brigade
06 March	Delmenhorst	163 Logistic Battalion
7 March	Leer	Rapid Response Medical Service
8 March	Rheine	4 Medical Regiment
9 March	Bremen	Bremen Regional Territorial Command
19-21 March	Rukla (Lithuania)	German ENHANCED FORWARD PRESENCE Mission Contingent
22 March	Füssen	230 Mountain Reconnaissance Battalion
23 March	Munich	3 Military Police Regiment
28 March	Berlin-Gatow	Bundeswehr School of General Vocational Education
18 April	Sanitz	21 Surface-to-Air Missile Group
25 April	Neustadt am Rübenberge	33 Armoured Infantry Battalion
2 May	Regen	12 Armoured Brigade 112 Armoured Infantry Battalion
3 May	Bogen	4 Armoured Engineer Battalion
4 May	Kümmersbruck	472 Logistic Battalion
5 May	Roding	Company 8, 3 Military Police Regiment
8 May	Lehnin	Military training area (122 Armoured Infantry Battalion)
15 May	Ulmen	Bundeswehr School for Dog Handling
16-17 May	Munich	Bundeswehr Medical Academy Bundeswehr University
30-31 May	Munster	9 Armour Demonstration Brigade 93 Tank Demonstration Battalion 325 Artillery Training Support Battalion Tank Museum

1 June	Rotenburg (an der Wümme)	91 Light Infantry Battalion
5-9 June	Ponta Delgada / Portugal	Sail Training Ship Gorch Fock
12 June	Wunstorf	Air Defender 2023 Air Force exercise
13 June	Bückeberg	Day of the Bundeswehr, International Helicopter Training Centre
26 June	Strasbourg / France	EUROCORPS
27 June	Müllheim	Franco-German Brigade
28 June	Illkirch-Graffenstaden / France	291 Light Infantry Battalion
29 June	Niederstetten	30 Transport Helicopter Regiment
3 July	Wunstorf	62 Air Transport Wing
4 July	Koblenz	Leadership Development and Civic Education Centre
17-19 July	London, Innsworth / United Kingdom	25th German bivouac at HQ ARRC
25 July	Erndtebrück	2 Tactical Air Command and Control Group of the Air Force
26 July	Schwarzenborn	1 Light Infantry Battalion
27 July	Frankenberg (Eder)	932 Electronic Warfare Battalion
31 July	Höxter	7 NCB Protection Battalion
1 August	Unna	7 Combat Service Support Battalion
2 August	Warendorf	Bundeswehr Sports School
3 August	Münster	Bundeswehr disciplinary and complaints court, North
4 August	Straußberg	Youth Media Programme of the Bundeswehr
15 August	Rostock	Navy Headquarters
16 August	Eutin	Bundeswehr Careers Centre
17 August	Plön	Petty Officer School
22 August	Stadum	911 Electronic Warfare Battalion
23 August	Flensburg	Strategic Reconnaissance School
23 August	Kronshagen	Central Institute of the Bundeswehr Medical Service Kiel
24 August	Heide	Air Force NCO School
29 August	Nordholz	Naval Air Command
9-16 September	Düsseldorf	Invictus Games 2023
11 September	Hilden	School of Military Music

		2 Military Police Regiment
12 September	Düsseldorf	Bundeswehr Careers Centre
14 September	Düsseldorf	Bundeswehr Centre of Expertise for Construction Management
19 September	Dresden	Bundeswehr Museum of Military History Army Officer School – Tactics Centre
27 September - 8 October	USA	German Armed Forces Command in Reston (Virginia) NATO Joint Force Command and Allied Command Transformation in Norfolk (Virginia) NATO Headquarters of Supreme Allied Commander Transformation in Norfolk US Naval Academy in Annapolis (Maryland) Sheppard Air Force Base at Wichita Falls (Texas) Fort Sill at Oklahoma City (Oklahoma)
24 October	Mittenwald	Mountain and Winter Combat School
13 November	Bremerhaven	Naval Operations School
13 November	Leer	Company 5, Rapid Response Medical Service Command
14 November	Hanover	Military police
20 November	Diepholz	Weapon System Support Centre 2
21 November	Bückeburg	International Helicopter Command Helicopter Training Centre
22 November	Nienburg	Multinational CIMIC Command 912 Electronic Warfare Battalion
23 November	Minden	German-British Amphibious Engineer Battalion 130
4 December	Gardelegen	Combat Training Centre 91 Light Infantry Battalion
5 December	Diez	Regional Medical Service Support Command
6 December	Daun	93 Electronic Warfare Battalion
7 December	Germersheim	Air Force Training Battalion
8 December	Rennerod	2 Medical Regiment
12 December	Berlin	Federal Ministry of Defence Guard Battalion
18 December	Rukla (Lithuania)	German ENHANCED FORWARD PRESENCE Mission Contingent
20 December	Evreux (France)	German-French Hercules Air Transport Squadron

Meetings and discussions of the Parliamentary Commissioner for the Armed Forces and her staff

In the year under review, the Parliamentary Commissioner spoke with representatives of many associations, societies, foundations, offices and committees of importance to the Bundeswehr, including the German Bundeswehr Association and the Reservist Association, the General Spokespersons' Committee and the Spokespersons' Committees of various military organisational areas, as well as with those responsible at the Federal Ministry of Defence and the heads of the highest federal authorities and military organisational areas, with members of the Bundestag and state parliaments, diplomats and military chaplains. She also held discussions with representatives of academia, trade unions, the media, industry and civil society, as well as with international dialogue partners.

She spoke at pledge ceremonies, such as at the Petty Officer School in Plön and the Air Force Training Battalion in Germersheim, and attended roll calls, such as the return roll call in Wunstorf at the end of the MINUSMA mission and the Sudan evacuation operation. She attended national and international conferences and meetings, including: Munich Security Conference, 15th International Conference of Ombuds Institutions for the Armed Forces, General Conferences of Civilian and Military Equal Opportunities Officers, General Conference of the Bundeswehr Social Services, Diversity Conference, Bundeswehr Youth Media Programme. She gave presentations and speeches at some of these events. In addition, the Parliamentary Commissioner was invited by many associations, foundations, political leaders and Bundeswehr units to give presentations and take part in discussions.

She visited exhibitions and museums, such as the Military History Museum in Dresden, the Tank Museum in Munster, the Maritime Museum in Hamburg and an exhibition organised by the Association for the Preservation of the Military History Collection at the Scharnhorst barracks in Bremen. In Koblenz, the Parliamentary Commissioner presented the theme for the 17th art competition at the opening of the travelling exhibition for the 16th Bundeswehr art competition, for which she was a member of the jury. As a member of the Advisory Council, she took part in a meeting of the Advisory Council for the Protestant military chaplaincy. She was the patron for the summer bivouac organised by the "Angriff auf die Seele e.V." association.

The Parliamentary Commissioner was a guest at the Federal President's New Year's Reception and Citizens Festival. She took part in a ceremony to mark 30 years of family care organisations and a ceremony to mark the naming of the property of the Central Institute of the Medical Service. She also took part in a range of commemorative events and laid wreaths on a number of occasions, such as on the Day of National Mourning in Berlin, at the German Army Memorial at Ehrenbreitstein Fortress, at the Ellerbruch grove of honour and at Arlington Military Cemetery in Arlington, USA.

During the Invictus Games, the Parliamentary Commissioner was on site in Düsseldorf, spoke to participants and visitors, watched many of the competitions, took part in medal ceremonies and gave a laudatory speech at the launch of the book "Über_Leben: Versehrte im Heer" on injury in the army.

The Parliamentary Commissioner was also present at various transfer-of-command, handover and farewell ceremonies.

At the "Insights and Outlooks" Open Day of the German Bundestag held on 3 September 2023, the Parliamentary Commissioner was available for questions on her role and duties, with support from employees, and took part in a number of panel discussions.

On 18 October 2023, the Parliamentary Commissioner welcomed guests from the world of politics and the Bundeswehr at her Annual Reception at the German Bundestag.

In the year under review, the staff of the Parliamentary Commissioner attended appointments for meetings and discussions with units, headquarters, agencies and authorities of the services and major organisational elements.

Visitor groups

At the Office of the Parliamentary Commissioner, the Parliamentary Commissioner or her staff hosted 48 visitor groups. Nine of these were international groups with service personnel from the Leadership Development and Civic Education Centre's partnership seminars. 39 visitor groups came from the services and organisational areas of the Bundeswehr.

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

Excerpt from the Basic Law for the Federal Republic of Germany
of 23 May 1949 (Federal Law Gazette I, page 1), most recently amended by Article 1
of the Act of 19 December 2022 (Federal Law Gazette I, page 2478)

Article 17

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

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

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

Article 45b

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

Act on the Parliamentary Commissioner for the Armed Forces
(Act pursuant to Article 45b of the Basic Law – WBeauftrG) in the version of the Notification
of 16 June 1982 (Federal Law Gazette I, page 677), most recently amended by Article 17 of the Act
of 22 December 2023 (Federal Law Gazette 2023 I, page 414)

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

Section 2 Reporting Duties

(1) The Commissioner shall submit to the Bundestag a written overall report for the calendar year (annual report).

(2) He or she may, at any time, submit individual reports to the Bundestag or the Defence Committee.

(3) When the Commissioner acts upon instructions, he or she shall, upon request, submit an individual report on the results of his or her investigation.

Section 3 Official powers

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

(1) He or she may demand information and access to records from the Federal Minister of Defence and all the Minister's subordinate agencies and personnel. These rights can only be denied to him or her when this is required for compelling reasons of secrecy. The decision to deny these rights shall be taken by the 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 petition as well as witnesses and experts. 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)).

(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 notification. 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 military service courts 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 disclosure if the sender so wishes and there are no legal obligations to prevent fulfilment of the request.

Section 10 Obligation of secrecy

- (1) The Commissioner is obliged, even once his or her term of office has ended, to maintain secrecy regarding matters that have come to his or her official knowledge. This does not apply to official communications or to matters that are known to the general public or that do not require secrecy (in view of the level of importance accorded to them).
- (2) The Commissioner shall not, even once his or her term of office has ended, give any evidence on such matters before a court or out of court, or make statements without permission. This permission shall be given by the President of the Bundestag in agreement with the Defence Committee.
- (3) Permission to give evidence as a witness shall not be denied unless it would be to the detriment of the public good of the Federation or of one of the German Länder, or it would severely jeopardise or considerably impede the performance of public duties.
- (4) This shall not affect the statutory obligation to report criminal offences and to advocate the preservation of the free democratic basic order where it is jeopardised.

Section 11

(Repealed)

Section 12 Obligation of Federal and Land authorities to inform the Commissioner

The judicial and administrative authorities of the Federation and the Länder shall be obliged to inform the Commissioner about the institution of proceedings, the filing 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 Parliamentary Commissioner for the Armed Forces

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. (amended by the Act of 30 March 1990 (Federal Law Gazette I, p. 599))
- (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 before the Bundestag as laid down in Article 56 of the Basic Law.
- (5) For the duration of his or her term of office, the Commissioner shall be exempt from military service.

Section 15 Legal status of the Commissioner; beginning and end of term of office

- (1) Pursuant to the provisions of this Act, the Commissioner holds an office under public law. The President of the Bundestag shall appoint the person elected.
- (2) The Commissioner's term of office shall begin when his or her letter of appointment is handed over or, should the oath be taken at an earlier date (Section 14(4)), at the time when the oath is taken.
- (3) The Commissioner's term of office shall end, apart from the termination of his or her tenure pursuant to Section 14(2) or through death upon his or her dismissal, 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 staff 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, pages 1, 795, 842), most recently amended by Section 27 of the Act of 26 June 1981 (Federal Law Gazette I, Page 553). The Commissioner shall be the superior of the staff assigned to him or her.
- (3) The necessary staff and equipment made available to the Commissioner for the performance of his or her functions shall be detailed in a separate section of the Bundestag budget.

Section 17 Representation of the Commissioner

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

Section 18 Official emoluments; other payments

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

(1a) In order to mitigate the consequences of increased consumer prices, the following special payments shall be granted to the Commissioner in corresponding application of Section 14(4) to (8) of the Federal Civil Servants' Remuneration Act (BBesG):

1. a one-off special payment of € 1,240 for the month of June 2023; and
2. for the months of July 2023 to February 2024, a monthly special payment of € 220 in each case.

(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 (BRKG) 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 Relocation Costs Act (BUKG) in the version of 13 November 1973 (Federal Law Gazette I, p. 1628), most recently amended by Article VII of the Act of 20 December 1974 (Federal Law Gazette I, p. 3716), regarding relocations necessary as a result of appointment or termination of office, shall apply mutatis mutandis.

Section 19

(Repealed)

Section 20

(Entry into Force)

Excerpt from the Rules of Procedure of the German Bundestag
in the version of the Notification of 2 July 1980 (Federal Law Gazette I, p. 1237),
last amended by the Notification of 23 December 2022 (Federal Law Gazette I, p. 2598)

Section 113 Election of the Parliamentary Commissioner for the Armed Forces

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

Rule 114 Reports of the Parliamentary Commissioner for the Armed Forces

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

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

Rule 115 Debates on reports of the Parliamentary Commissioner for the Armed Forces

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

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

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

1. The Petitions Committee shall inform the Commissioner of a petition if it concerns a member of Bundeswehr service personnel. The Parliamentary Commissioner for the Armed Forces shall inform the Petitions Committee whether he or she has opened a case file in the same matter and whether he or she will be taking action.
2. The Parliamentary Commissioner for the Armed Forces shall notify the Petitions Committee of a case if the Petitions Committee has recognisably received a petition in the same matter.
3. If the Petitions Committee and the Parliamentary Commissioner for the Armed Forces both deal with the same matter, the case shall generally first be processed by the Parliamentary Commissioner for the Armed Forces.

If the Petitions Committee takes action, it shall notify the Parliamentary Commissioner for the Armed Forces of such.

The Parliamentary Commissioner for the Armed Forces and the Petitions Committee shall regularly notify each other in writing of the progress of processing and its outcome.

Excerpt from Type A General Regulation 2600/2
Matters concerning the Parliamentary Commissioner for the Armed Forces

Table of contents

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- 4 Notification of service personnel, rights and obligations
- 5 Data protection
- 6 Cooperation in a spirit of trust

1 Constitutional status of the Parliamentary Commissioner for the Armed Forces

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

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

2.1 Tasks

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

2.2 Powers

202. In performing the tasks assigned to him/her, the Parliamentary Commissioner for the Armed Forces shall have the following powers in particular:
- a) She or he may demand information and access to records from the Federal Minister of Defence and all the Minister's subordinate agencies and personnel. These rights may only be denied for compelling reasons of secrecy. The decision to deny these rights shall be taken by the Federal Minister of Defence or her or his permanent official deputy; he or she shall explain it before the Defence Committee.

- b) If instructed by the German Bundestag or the Defence Committee and in response to a petition that is based on a complaint from the petitioner, she or he may hear the petitioner, as well as witnesses and experts.
 - c) She or he shall have the right to visit units, headquarters, agencies and authorities of the Federal Armed Forces and their installations at any time, even without prior notice. The right to make such visits shall be vested exclusively in the person of the Parliamentary Commissioner for the Armed Forces. The exercise of this right may only be denied for compelling reasons of secrecy. To this end, the decision of the Federal Minister of Defence is to be obtained.
 - d) She or he may also attend closed court hearings in criminal or disciplinary proceedings that are concerned with her or his area of jurisdiction. During such proceedings, she or he shall have the same right of access to records as the parties to the proceedings and the representative of the instituting authority. He or she shall also be entitled to the powers under sentence 1 in application and appeal proceedings under the Military Disciplinary Code and Military Complaints Regulations before the military service courts as well as in proceedings before the courts of administrative jurisdiction that are related to his or her area of responsibility; in these proceedings, he or she shall have the right to access records to the same extent as a party to the proceedings.
 - e) She or he may give the authorities concerned an opportunity to settle the matter.
 - f) She or he may refer a case to the authority responsible for the institution of criminal or disciplinary proceedings.
203. With the exception of the right to make unannounced visits pursuant to paragraph 202(c), the powers of the Parliamentary Commissioner for the Armed Forces may be exercised by her or his staff. Fact-finding visits conducted by her or his staff shall be announced in advance.

3 Procedural arrangements

3.1 General remarks

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

All the agencies tasked with dealing with these matters must treat them as secret and confidential. This shall also apply if a matter concerning the Parliamentary Commissioner is forwarded through official channels or to multiple agencies.

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

3.2 Processing

302. If the Parliamentary Commissioner for the Armed Forces has written personally to members of the Bundeswehr, the individual to whom the letter has been addressed shall reply. If the Commissioner has written to an agency of the Bundeswehr, the head of the agency shall reply. As a matter of principle, final comments shall be signed by the agency management.
303. If the Parliamentary Commissioner for the Armed Forces has written to agencies of the Bundeswehr, the agency dealing with the matter and able to provide information must issue a confirmation of receipt.
304. Investigations that are required shall be conducted by the disciplinary superior competent to do so in each case. Affected or accused persons who are named in the petition are not to be tasked with any such investigation. If action is found to be needed after completing the processing, any deficiencies identified shall be remedied. The same shall apply if an agency of the Federal Armed Forces is tasked by the Federal Ministry of Defence (FMoD) with answering a request from the Parliamentary Commissioner for the Armed Forces.

305. The processing of matters concerning the Parliamentary Commissioner for the Armed Forces within the Federal Ministry of Defence shall be guided by the relevant provisions of the Supplementary Rules of Procedure of the Federal Ministry of Defence (GO-BMVg).
306. Should superiors of a petitioner be asked by the Parliamentary Commissioner for the Armed Forces to comment, they shall arrange for the facts of the matter to be reviewed and shall convey the results of the investigation, together with their own comments, to the Parliamentary Commissioner for the Armed Forces.
307. The documents compiled in the scope of the review are to be conveyed to the Parliamentary Commissioner for the Armed Forces. These shall generally include in particular
- records of any questioning that has taken place, records regarding hearings,
 - official statements and/or comments,
 - decisions on the referral of a matter to the criminal prosecution authority,
 - orders to initiate proceedings,
 - disciplinary orders,
 - orders to refrain from proceedings,
 - military human resources measures and decisions (e.g., dismissals, extension of the period of service)
308. Should agencies subordinate to the Federal Ministry of Defence be immediately concerned with cases raised by the Parliamentary Commissioner, that is without the involvement of the Ministry, Type A General Publication 500/1, ‘Cooperation of the Federal Ministry of Defence with its Subordinate Agencies’, shall apply. With regard to cases of significance for the management of the Federal Ministry of Defence, the relevant specialist authority within the FMoD is to be notified for information only. In cases of outstanding fundamental and/or strategic significance, the authority within the Ministry responsible for this specialist area is to be notified through official channels prior to the dispatch of the comments. Branch FüSK III 1 is to be notified in all cases for information only.
309. Comments from agencies of the Bundeswehr that have been submitted following requests from the Parliamentary Commissioner for the Armed Forces made in response to reports pursuant to Type A General Publication 2600/10 VS-NfD ‘Estimate of Bundeswehr Morale and Incident Reporting’, shall be forwarded immediately to Branch FüSK III 1, with the main case files that have been compiled, following their dispatch.
- This applies to:
- petitions or reports concerning ‘suspicions of criminal acts under the Military Penal Code’ (pursuant to paragraphs 322 to 325 of Type A General Publication 2600/10);
 - petitions or reports concerning ‘suspicions of criminal offences against sexual self-determination and other forms of sexual harassment by or against members of the Bundeswehr’ (paragraph 341, Type A General Publication 2600/10)
 - petitions or reports concerning ‘suspicions of espionage, extremism or violation of the free democratic basic order, committed by or against members of the Bundeswehr’ (paragraphs 361 to 363 of Type A General Publication 2600/10).
310. In addition to this, upon request, all comments submitted by agencies of the Bundeswehr to the Parliamentary Commissioner are to be forwarded through official channels to the Federal Ministry of Defence, with the main case files that have been compiled, following their dispatch, if:
- the matter is to be assigned political or public/media significance; or
 - judicial disciplinary proceedings or criminal proceedings have been instituted concerning the case in question, or their institution is to be expected.
311. In so far as service personnel release the physicians who have treated them or medical assessors from their duty to maintain medical confidentiality in connection with their petitions to the Parliamentary Commissioner for the Armed Forces, this shall, in case of doubt, relate exclusively to comments made directly to the Parliamentary Commissioner.

Copies of these comments and annexes attached to them that are to be forwarded to other agencies within the jurisdiction of the Federal Ministry of Defence through official channels must not contain any facts or assessments that are subject to medical confidentiality.

312. Comments addressed to the Parliamentary Commissioner for the Armed Forces shall, where applicable, be drafted in such a way that statements subject to medical confidentiality are summarised in a separate annex and shall be conveyed only to the Commissioner directly together with the original copy of the letter.
313. With regard to petitions, their contents and the comments on them, all concerned shall also have a duty to observe confidentiality in their dealings with one another pursuant to the provisions of the relevant legislation and/or collective agreements (e.g. Section 14 of the Legal Status of Military Personnel Act (SG), Section 67 of the Federal Civil Service Act (BBG), Section 3(1) of the Collective Agreement for the Public Service (TVöD)).
314. As a matter of principle, a petition matter shall be concluded by a letter from the Parliamentary Commissioner for the Armed Forces. Should the Parliamentary Commissioner give notification of the conclusion of proceedings, the agency that has received the notification is to make the outcome of the review by the Parliamentary Commissioner for the Armed Forces known to all the agencies dealing with the petition.
315. Petitions that the Parliamentary Commissioner for the Armed Forces forwards to agencies of the Federal Armed Forces for their comments may only be dealt with as complaints under the Military Complaints Regulations (WBO) when construing them in this fashion is consistent with the express will of the petitioner. If necessary, the petitioner must be asked accordingly.

3.3 Hearings

316. Should the Parliamentary Commissioner for the Armed Forces exercise her or his rights to information and access to records (para. 202 (a)), this is to be supported in every respect. In so far as this is required, exemption from duty or special leave shall be granted for a hearing pursuant to Section 9 of the Leave Regulations for Military Personnel (SUV) in conjunction with Section 5(2) SUV. The possibility of temporary duty travel may be examined with due consideration for the current directives situation.
317. If service personnel are to be heard on matters subject to official confidentiality, permission to give evidence is to be obtained from the competent disciplinary superior. Permission to give evidence shall be deemed to have been given if the evidence does not contain any classified information or only classified information whose security classification is no higher than ‘restricted’ (VS-NUR FÜR DEN DIENSTGEBRAUCH). Should the persons providing evidence be employees, the regulations set out in civil service and collective agreement law governing secrecy on official matters shall apply mutatis mutandis. The persons heard shall state when giving evidence to the Parliamentary Commissioner for the Armed Forces that their statements contain classified information.
318. The persons heard shall be reimbursed in accordance with the Judicial Remuneration and Compensation Act of 5 May 2004 (Federal Law Gazette I, pp. 718, 776), most recently amended by Article 6 of the Act of 21 December 2020 (Federal Law Gazette I, p. 3229). This shall be done upon application by the Office of the Parliamentary Commissioner for the Armed Forces.

3.4 Processing of requests when a complaint has been made concurrently

319. Should a complaint have been submitted under the Military Complaints Regulations (WBO), including a disciplinary complaint under Section 42 of the Military Disciplinary Code (WDO), and should a petition on the same matter have been submitted, the Parliamentary Commissioner for the Armed Forces shall be informed about the current status and progress of the complaint case. A copy of the complaint decision shall be forwarded to her or him unbidden. She or he shall be informed separately of any recourse to legal remedies or of the non-appealability of the ruling delivered on the complaint.
320. Should a matter raised by a petition have import wider than a complaint submitted under the Military Complaints Regulations, this part of the petition shall be dealt with in the same way as other petitions.
321. The legal remedies available under the Military Complaints Regulations and Military Discipline Code shall not be replaced by a petition to the Parliamentary Commissioner for the Armed Forces. Even if a petition to the Parliamentary Commissioner for the Armed Forces is to be regarded as a complaint or

application under the Military Complaints Regulations or Military Discipline Code, the time limits set in the Military Complaints Regulations and Military Discipline Code shall only be observed if the petition has been received by the authority competent to accept the complaint or application within this time limit.

3.5 Processing within the jurisdiction of the agency concerned

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

- a) Should the case be directed against a servicewoman or man, it shall be forwarded to the immediate disciplinary superior who is competent to deal with it.
- b) Other cases shall be forwarded to the agency that has to judge on the subject matter of the case.

323. The agency referred to in paragraph 322(b) must deliver a reply to the petitioner through official channels, that may also be communicated orally by the competent disciplinary superiors.

3.6 Visits conducted by the Parliamentary Commissioner for the Armed Forces

324. Visits conducted by the Parliamentary Commissioner for the Armed Forces on special grounds (e.g. in connection with reportable events, or should several identical or similar petitions have been submitted from the same agency) shall be reported by the heads of the agency concerned to the Federal Ministry of Defence by fax/email using the following template:

Federal Ministry of Defence

FüSK III 1

Stauffenbergstraße 18

10785 Berlin

(Email: BMVg FüSK III 1/BMVg/BUND/DE); for information only through official channels:

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

(Army Headquarters (KdoH), Air Force Headquarters (KdoLw), Navy Headquarters (MarKdo), Joint Support Service Command (KdoSKB), Bundeswehr Medical Service Command (KdoSanDstBw), Cyber and Information Domain Service Headquarters (KdoCIR), Bundeswehr Operations Command (EinsFüKdoBw), Bundeswehr Planning Office (PlgABw), German Military Aviation Authority (LufABw), Leadership Development and Civic Education Centre (ZInFü), Bundeswehr Command and Staff College (FüAkBw), Federal Office of Military Counter-Intelligence (BAMAD) Federal Office of Bundeswehr Personnel Management (BAPersBw), Federal Office of Bundeswehr Equipment, Information Technology and In-Service Support (BAAINBw), Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services (BAIUDBw), Federal Office of Languages (BSprA), Bundeswehr Education Management Centre (BiZBw), Bundeswehr University Hamburg/Munich (UniBw HH/M), Office of the Protestant Church for the Bundeswehr (EKA), Office of the Catholic Bishop for the Armed Forces (KMBA), Disciplinary Attorney General for the Bundeswehr (BWDA), Bundeswehr Centre of Military History and Social Sciences (ZMSBw))

Subject:

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

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

4 Notification of service personnel, rights and obligations

401. All service personnel shall be notified of the functions and powers of the Parliamentary Commissioner for the Armed Forces by their direct disciplinary superiors at the beginning of their basic training and, once again, following transfer to their parent unit.

402. Every member of service personnel has the right to submit petitions to the Parliamentary Commissioner for the Armed Forces directly without having to go through official channels.

403. The Commissioner's address is:
Bundestag Parliamentary Commissioner for the Armed Forces
Platz der Republik 1
11011 Berlin
(Email: wehrbeauftragte@bundestag.de or wehrbeauftragter@bundestag.de)
Pursuant to paragraph 145 of Type A2 General Publication 2630/0-0-2, 'Life in the Military Community', this address shall be displayed on the unit/agency's information board or information portal.
403. Petitions/letters from members of the Bundeswehr to the Parliamentary Commissioner for the Armed Forces shall be conveyed by the internal postal service. They may be posted in the unit/agency.
404. Service personnel may only contact the Parliamentary Commissioner for the Armed Forces individually.
405. Anonymous petitions shall not be dealt with.
406. If, before submitting their petitions, service personnel contact their disciplinary superiors, they shall receive advice and assistance. It shall be a disciplinary offence and simultaneously a criminal offence under Section 35 of the Military Penal Code (WStG) if superiors use orders, threats, promises or gifts, or any other means that run counter to service regulations to persuade subordinates not to submit petitions to the Parliamentary Commissioner for the Armed Forces, or suppress such petitions. Any attempt to do so shall also be prosecutable and may be punished as a disciplinary offence.
407. She or he shall be informed separately of any recourse to legal remedies or of the non-appealability of the ruling delivered on a petition. Compliance with the prohibition of discrimination pursuant to the second sentence of Section 7 sentence 2 of the Act on the Parliamentary Commissioner for the Armed Forces is to be ensured. Should the petition contain breaches of official duties or criminal acts, for example insulting or libellous remarks, this may be punished through disciplinary channels or prosecuted under criminal law as a disciplinary offence (cf. para 3323 of Type A General Publication 2160/6, 'Military Discipline Code and Military Complaints Regulations').
408. Service personnel may not enclose documents with security classification 'confidential' ('VS-VERTRAULICH') or higher with their petitions to the Parliamentary Commissioner for the Armed Forces. This prohibition also extends to communicating information that, to their knowledge, is subject to security classifications higher than 'restricted' ('VS-NUR FÜR DEN DIENSTGEBRAUCH'). Should the communication of these circumstances seem necessary from the point of view of the petitioner, a reference to this may be included in the petition, or the petitioner shall make contact directly with the Office of the Parliamentary Commissioner for the Armed Forces in order to present her or his concerns while abiding by the provisions on confidentiality. Classified information may only be processed and sent electronically using Information Technology authorised for classified information (VS-IT). It is therefore not permitted to disclose classified information with classification level 'restricted' (VS-NUR FÜR DEN DIENSTGEBRAUCH) by email via the open Internet. Classified information with classification level 'restricted' (VS-NUR FÜR DEN DIENSTGEBRAUCH) may be sent by private delivery services as ordinary letter or parcel. The envelope or parcel shall not be labelled as classified material.
409. In the performance of the tasks entrusted to him or her, the Parliamentary Commissioner for the Armed Forces shall have the power to demand information and access records from the Federal Minister of Defence and all subordinate agencies and persons. These rights may only be denied for compelling reasons of secrecy only. The decision to deny said rights shall be made by the Federal Minister of Defence in person or by her or his permanent official deputy. As a matter of principle, classified information forwarded to the Parliamentary Commissioner for the Armed Forces whose security classification is 'confidential' (VS-VERTRAULICH) or higher shall be sent via the Federal Ministry of Defence to the classified information registry of the recipient.

5 Data protection

501. The European General Data Protection Regulation (GDPR) and the Federal Data Protection Act (BDSG) must be complied with when processing matters concerning the Parliamentary Commissioner for the Armed Forces (questioning, requesting comments, compilation of reports/templates, transmitting replies etc.). In this regard, the explanatory provisions of Type A General Publication 2122/4 "Data Protection – Rules for implementing the European General Data Protection Regulation and the Federal Data

Protection Act” shall apply, in particular in relation to the information obligations to be met. Furthermore, the protection mechanisms set forth – up to protection level 3 – must be complied with.

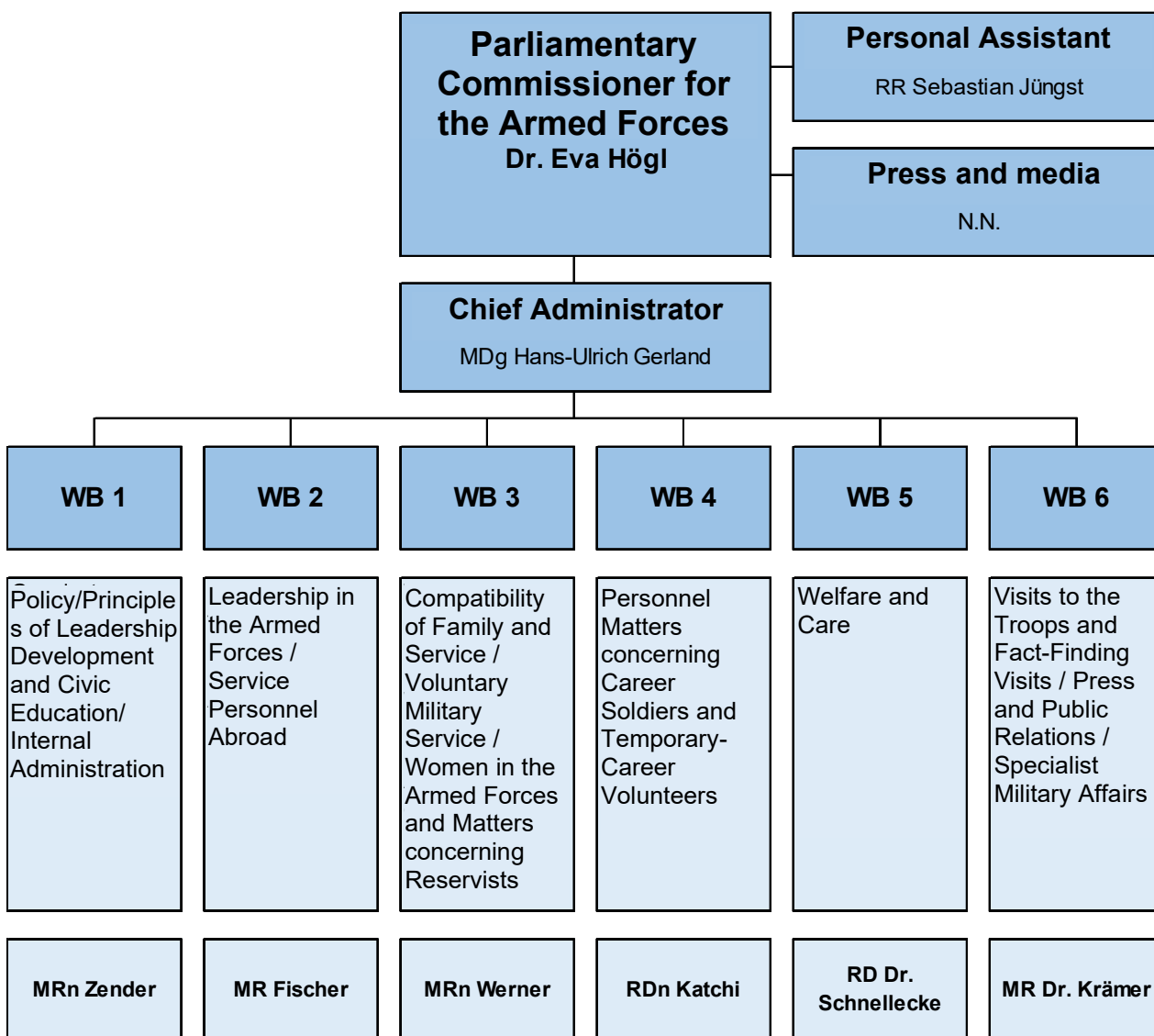
502. As a matter of principle, the information obligations pursuant to Article 13 ff. GDPR shall be complied with as follows: The petitioner has already been informed about the act of processing by the Parliamentary Commissioner for the Armed Forces. An information obligation does not apply here. The third parties named during processing of the petition must generally be informed during the proceedings (e.g. in the context of answering questions) (cf. Type A General Publication 2122/4, paras. 5001 ff., Chapter 5 “Sample Information Obligations”):

6 Cooperation in a spirit of trust

601. It shall be expected of all superiors that they cooperate in a spirit of trust with the Parliamentary Commissioner for the Armed Forces and therefore give her or him the opportunity to gather information quickly and thoroughly.

This will make it possible to significantly promote service personnel’s understanding of our country’s constitutional system and legal order, as well as their confidence both in democracy and in the Bundeswehr.

24. Organisational chart of the Office of the Parliamentary Commissioner



Postal address:
Platz der Republik 1
11011 Berlin

Address for visitors:
Neustädtische Kirchstraße 15
10117 Berlin

Tel.: +49 30 227-38100
wehrbeauftragte@bundestag.de
www.bundestag.de/parlament/wehrbeauftragte

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