

Information

from the Parliamentary Commissioner for the Armed Forces

Annual Report 2020 (62nd Report)

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Foreword

2020 was defined by the Covid-19 pandemic. The pandemic changed our lives: abruptly, without exception and fundamentally. Like our entire society, the pandemic also occupied and cast its shadow on the Bundeswehr: shortened training, cancelled courses, cancelled exercises, postponed selection conferences, multiple periods of quarantine prior to and during deployments, working from home, video conferences, hygiene concepts, masks, distancing and administrative assistance were all among the upshots of this. This is why many parts of this year's annual report deal with the pandemic and its impacts on the Bundeswehr and each and every soldier.

Almost 500 submissions relating to the Covid-19 pandemic revealed how great the strain has been on servicewomen and men, how worried they have been about their health and service and how much they cared about beating this crisis.

The pandemic unfortunately prevented many meetings from taking place. Very much to my regret. It is a particular shame that I was unable to travel to the theatres of operation. Video conferences and conference calls enabled exchange but are no substitute for meeting in person and gaining an impression in situ out in the field.

So I am grateful that since I took office on 25 May 2020, more than 30 field visits in Germany have been possible in spite of the pandemic. This allowed me to gain an impression of many sites and different formations, to talk to servicewomen and men about the situation, their concerns and difficulties and take on board their wishes and suggestions.

During my field visits to the troops, I found that everywhere where responsible decisions and actions had been taken locally on site, at the formation or at the unit, the difficult situation had been handled well and viable solutions found. Creativity, flexibility, extensive information and good communication were key – also to ensuring a high level of acceptance of the requisite measures.

We should maintain, harness and expand the momentum that the pandemic has brought to digitalisation. It is encouraging that mobile technology has been increasingly used and that the transition to this worked well in many parts of the Bundeswehr. This is an important contribution to operational readiness.

Even though administrative assistance is assistance during a crisis rather than the core mission of our Bundeswehr, it does show once again what the troops are capable of and how important their contribution is in a pandemic like this. Much gratitude is owed to the many servicewomen and men who have been providing valuable administrative assistance since the outbreak of the Covid-19 pandemic for the great support they have afforded in containing the virus. They helped the public health authorities with testing and tracing, logistics and care of the elderly and at vaccination centres – this is exemplary and a great help in each and every case. As things stood on 8 February 2021, in addition to the almost complete involvement of the medical personnel of the Medical Service around 11,900 servicewomen and men were involved in action against the virus, 25,000 were on standby and over 3,400 requests for administrative assistance had been fulfilled. This outstanding commitment should be awarded a service medal. This would be a much-deserved tribute!

I would also like to thank the many servicewomen and men who, at home and on the many missions abroad and quasi-operational commitments, despite and during the pandemic, accomplished their mission and did their job in what were very difficult conditions in some cases. We can be very proud of our servicewomen and men. They put themselves – and ultimately potentially their lives – on the line for freedom, democracy, a united Europe and peace in the world. They deserve thanks, recognition, appreciation and respect.

The annual report describes the Bundeswehr's well-known and long-standing problems that unfortunately continue to persist: too little materiel, too few personnel, too much bureaucracy. Service personnel need the best possible equipment during training, exercises and deployments. It is unacceptable that this is not guaranteed at all times and in all places. It defies all comprehension that it is not possible to speed up the procurement of even small items of equipment such as cold weather suits, ear protection, helmets or rucksacks. Lacking or non-operational vehicles, helicopters and ships, missing tools, huge delays in repairs – this is unfortunately part and parcel of everyday life in the field and a frequent reason for the legitimate dissatisfaction of service personnel. The structures and processes urgently need to be changed. We need greater flexibility, a greater sense of responsibility and clearer decision-making structures.

183,777 soldiers were serving in the Bundeswehr in 2020, including 23,066 women. The vast majority step up responsibly every day – for our country, our democracy and our security. Right-wing extremism has no place in the Bundeswehr and flies in the face of honour and comradeship. Every single case of extremism is one too many. What is needed is investigation, sanctions and prevention – and this must be systematic, complete and swift. This is a permanent task – in society as a whole and, in turn, in the Bundeswehr, too.

At the solemn pledge ceremony marking the 65th anniversary of the founding of the Bundeswehr on 12 November 2020, the Federal President emphasised that there must be no distance between the Bundeswehr, society and policymakers. This means we are all called upon. And it also means and requires that the shortcomings that have existed for years must finally be tangibly remedied for the troops. Servicewomen and men are entitled to expect this from parliament and government.

This report also contains numerous examples of good practice, positive developments and what we can be proud of, what has been achieved, what is being done day in and day out and what is on the right track. For this is what sets our Bundeswehr apart: it enables a great deal – including under difficult conditions.

I would like to warmly thank all those who have contributed to this annual report. In particular, I would like to thank my colleagues at the Office of the Parliamentary Commissioner for the Armed Forces for their excellent work and outstanding commitment, not only in the preparation of this report, but also and above all in their daily work in the interest of our servicewomen and men. In the year under review, 3,907 cases were processed at the Office of the Parliamentary Commissioner for the Armed Forces, including 2,753 personal submissions.

The report also contains the findings of my predecessor, Dr Hans Peter Bartels, who was in office until 20 May 2020. I thank him for his dedicated exercise of this office over the past five years.

I would like to thank all the servicewomen and men for the good discussions, open and trusting exchanges, valuable advice and submissions, which are helpful and often contribute to improvements.

For their excellent cooperation, I owe a debt of gratitude to the spokespersons, staff councils, gender equality and severely disabled persons' commissioners, the Bundeswehr Association and the Reservists' Association, associations and foundations, the military chaplains, the Federal Minister of Defence and her ministry, the military leadership and the Members of the German Bundestag and here especially the members of the Budget and Defence Committees.

65 years of the Bundeswehr – that is a success story. And we need the Bundeswehr: well equipped, motivated and operational.

The year under review in brief

In the year marking 65 years of its existence, including 30 as the army of unity, the Bundeswehr has seen a year like no other. The subject dwarfing everything else – like for society as a whole – was the Covid-19 pandemic. Training, exercises, missions abroad and personnel recruitment alike all had to adapt to the difficult conditions and cope with restrictions. The health of the soldiers had to be protected whilst simultaneously maintaining operational readiness. Add to this the extensive administrative assistance measures, which some 11,400 service personnel had been committed to at the end of the year under review to assist in fighting the virus. A total of 20,000 troops were on standby, and at the same time almost all the medical personnel from the Medical Service were involved. The assistance ranged from medical evacuation of those infected and the provision of infrastructure to the Helping Hands project, assuming some of the Covid-19 testing and tracing, to assisting with vaccinations. The principle of administrative assistance pursuant to Article 35 of the Basic Law and its implementation have proven their worth during the pandemic.

The servicewomen and men were and are concerned about the protection of their health, the strain resulting from the quarantine measures ordered, the demands on their families and, last but not least, the impacts on their service prospects. This is demonstrated by the 487 submissions relating to the pandemic – out of a total of 2,753 personal submissions in the year under review. The Bundeswehr's extensive and systematic hygiene concept in particular, especially for missions abroad, demanded a lot from service personnel. In the great majority of cases, it was possible to keep the virus away from the contingents – in a few cases there were infections and in turn temporary impairments to the missions. The question of compulsory vaccination for all servicewomen and men also arises in this context. The Bundeswehr should examine an obligation of this kind carefully and first rely on voluntary vaccination. Service personnel going on missions abroad or working in sensitive areas in the context of administrative assistance or the Medical Service must be vaccinated.

At all the sites at which local superiors acted responsibly and made decisions commensurate with the situation, sensible solutions were found to overcome the challenges. Overall, more consultation and adaptability would have been helpful in implementing the Covid-19 measures here and there – even if it was possible for some teething problems to be improved over time.

The decision by the Federal Office of Bundeswehr Personnel Management not to hold the selection conference for senior NCOs to transfer to the service status of career soldier with 7,000 applications and some 1,500 openings caused disquiet and in some cases major dissatisfaction – not just among those affected, but throughout the Bundeswehr as a whole. A little more imagination, creativity and leveraging of all possible options, such as more streamlined attendance formats or the use of online formats, would have been expedient given the understandable desire of those concerned to have planning certainty.

Positive effects from the experience with the pandemic looking forward are the significantly accelerated short-notice provision of IT hardware that can be used when working from home and the realisation that more posts are suitable for teleworking, working from home and part-time work than previously assumed. Progress in making the recruitment processes digital has also been encouraging. The second lockdown in the autumn also showed, though, that further stepped-up efforts are needed to reconcile protecting personnel's health and maintaining operational readiness.

The very vast majority of servicewomen and men represent and defend the shared values and principles of our Basic Law and act accordingly both at home and on missions abroad. Nevertheless, another focus of the year under review was the question of the extent of right-wing extremist tendencies in the Bundeswehr as the number of reports of "suspected cases of extremism" increased again compared to the previous year (197 reports), with 229 reports (detailed breakdown in the report).

For the year 2020, the Military Counterintelligence Service reported 477 new suspected cases in the category of right-wing extremism and 31 and 48 new suspected cases in the categories of Reichsbürger (Reich citizens)/supporters of self-governance and Islamic extremism respectively. This intelligence service plays an important role in countering extremism and should be further strengthened in terms of personnel.

Once again, the Special Forces Command was the focus of investigations. In 2017, the focus was on the leaving party of a company commander of 2 Commando Company, at which, in addition to throwing pigs' heads and listening to right-wing rock, several people are alleged to have made the Hitler salute. In May 2020, the police discovered a veritable cache of ammunition and weapons as well as National Socialist propaganda postcards and an SS songbook at the private property of a member of the Special Forces Command. The working group subsequently established by the Minister of Defence under the direction of the Bundeswehr's Chief of Defence found that the Special Forces Command had taken on a life of its own in some areas due to a warped sense of elitism on the part of individual commanders. A misguided leadership culture, extremist tendencies and careless handling of materiel and ammunition had developed it concluded. The formation could not be maintained in its existing structure. The working group did not find any indications of the existence of a "shadow army", but did identify "interlinkages", "relationships" or "networks" between suspects of a varying nature, linked by a common mindset.

The working group presented a report comprising 60 individual measures in the summer of 2020. Some of the measures had already been implemented by the end of the reporting year, almost all had been initiated. Disbanding 2 Commando Company was the right action to take, even if it was particularly harsh for the Special Forces Command. Sustained investigation of all individual cases – without any general suspicion – and the in-depth search for the causes of the development must continue. Bolstering civic education for all service personnel, not as a sidenote but devoting a proper amount of time to it, should be at the top of the agenda. The action taken in the area of the Special Forces Command with regard to education and civic education is promising. Better and more intensive individual and team coaching and a compulsory basic SOFCOM course at the Leadership Development and Civic Education Centre have already begun. Greater openness and transparency, as already seen in the second half of the year under review, are just as important as the sincere concern and shock that came through in the talks with the special forces and the clear motivation to get to the bottom of and reckon with the incidents of the past and implement the reforms. The Minister will present her final report on this in the summer of 2021. Right-wing extremism – investigating, sanctioning and preventing it – remains an important issue at the Bundeswehr and requires the commitment of everyone in the Bundeswehr, in policymaking and in society alike.

Anyone who behaves in an extremist way or even simply accepts extremism has no place in the Bundeswehr. This must be clear to every single soldier. The Bundeswehr wants to remove extremist service personnel as swiftly as possible. However, the legal hurdles for removing soldiers from service are high and procedures are often lengthy. In the year under review, the Federal Government therefore initiated a new provision in the Legal Status of Military Personnel Act. In the future, it will be possible to dismiss temporary-career volunteers up to the end of their eighth year of service instead of the fourth. The extension is to apply to cases of serious disciplinary offences, such as anti-constitutional, racist or anti-Semitic acts. The planned change in the law is to be welcomed and is an important step on the road to a Bundeswehr in which all servicewomen and men stand with both feet firmly on the ground of the free democratic basic order.

The excessively long duration of judicial disciplinary proceedings and the potential career disadvantages and psychological strain they entail for the service personnel concerned continue to merit criticism. The disciplinary attorney's offices' and the disciplinary and complaints courts' excessive workload mean they are often unable to reliably announce when progress in the respective case can be expected. The increases in personnel and other remedial measures taken so far are evidently not yet sufficient; there is still an urgent need for action.

The appointment of new servicewomen and men dropped considerably in the year under review – no doubt also due to the pandemic. The Bundeswehr was able to recruit 16,430 women and men, which is almost 19 per cent less than in the previous year. At the end of 2020, the Bundeswehr's military personnel headcount was 183,777 active service personnel. Out of these, 53,316 were career soldiers, 122,210 were temporary-career volunteers (175,526 in total) and 8,251 were military service volunteers. This means the Ministry's own minimum target for 2020 of 176,772 (2019: 174,800) career soldiers/temporary-career volunteers was narrowly missed. But this result was only possible by retaining already active service personnel for longer, which in turn means that the Bundeswehr is growing older and older. The average age of career soldiers and temporary-career volunteers has risen by three years to 33.4 years of age compared to 2012, when it was 30.3 years of age shortly after the suspension of compulsory military service. A trend that is not very helpful in terms of the operational readiness of the armed forces and one that should not be perpetuated in order to achieve the target of 203,000 service personnel in 2025.

The overall percentage of women in the Bundeswehr in the year under review was 12.55 per cent. This means that even in the twentieth year following the landmark ruling of the European Court of Justice resulting in the admission of women to all areas of the Bundeswehr, it has not come close to achieving the targets it set itself. In spite of the target of 15 per cent set for all careers – not including the Medical Service – the proportion of women was just 8.88 per cent. In the Medical Service, the situation is better at 45.16 per cent compared to a target of 50 per cent.

There was also little success in filling vacant posts in the reporting year. At the end of 2020, around 20,200 military personnel positions above the junior ranks were vacant. That equates to about 18 per cent. Even if servicewomen and men who are currently still in training or studying are earmarked for these posts in the medium term, the armed forces currently run the risk of personnel operational readiness and mission accomplishment suffering if there is a shortfall of almost one in five personnel.

The Ministry of Defence submits reports to parliament twice a year on the status of operational readiness and ongoing defence procurement, most recently in December of the year under review. As part of its responsibility for the parliamentary army, the German Bundestag needs to know whether the force is capable of ensuring national and collective defence as well as current and potential new missions abroad and quasi-operational commitments, and of preparing for this in basic operations through training as well as exercises. The reports show that the situation is still unsatisfactory. The operational readiness of the relevant major equipment remains at a fairly low level of 74 per cent. Procuring new materiel and upgrading and keeping existing materiel in service is difficult and time-consuming. Long planning procedures are all too often followed by lengthy contract award procedures and the selected materiel is often not available. Delivery delays occur at the private contractors and maintenance and repair services come to a standstill. The Bundeswehr's own capacities are but rudimentary, spare parts and special tools are often in short supply. The LEOPARD 2 and PUMA tanks, the TIGER, NH90 and CH53 helicopters and the TORNADO are still causing problems. In the case of the Navy, the current operational load is generally leading to disproportionate wear and tear, which is why it is especially dependent on new units being delivered on time.

To improve the situation, the Ministry of Defence launched the Operational Readiness Initiative from within its own ranks in the year under review, with the aim of achieving measurable, rapid improvements in materiel readiness. The aim is to make better use of budgetary resources and to make decisions that have a direct bearing on readiness earlier and more reliably. The first positive signs and impacts of the initiated measures can be seen, for example, with the EUROFIGHTER and A400M. Even though progress has been made with the PUMA infantry combat vehicle, it is not expected to be ready for deployment until 2025.

The difficult question of arming drones has been the subject of an objective, differentiated, transparent and detailed debate for almost ten years. So far, there has been no majority in the German Bundestag in favour of arming drones. The Bundeswehr must therefore continue to do without this important capability, which is necessary above all to protect servicewomen and men. Yet the mandate would actually be an opportunity for the German Bundestag to clearly regulate the deployment of armed drones on the basis of international law, with due consideration of ethical and human rights principles, and to define the framework conditions. Germany could thus set standards for others.

In the area of equipment and kit, it is important to further improve and streamline procurement procedures. A negative example is the armament project for a future heavy transport helicopter to replace the ageing CH53 fleet with its various different models. For cost reasons, the Ministry of Defence cancelled the contract award procedure in September 2020. The situation is similar for the procurement of a new assault rifle. The contract award process for this has effectively been halted, which is why it will be a long time before the troops can hold a new rifle in their hands. Both cases give reason to fundamentally reflect on the application of public procurement law and contract award procedures. This is a task for the administration and lawmakers alike. Many items of equipment, kit and clothing often take several years to procure. Clearer decision-making structures and greater flexibility are needed here, and the Bundeswehr should, whenever possible, make greater use of commercially available items. One successful innovation is the flexible budget (or hand money as it is known) for commanders. This allows them to purchase items needed for training, for instance, quickly and easily.

Progress in modernising Bundeswehr properties is far too slow. Improvements in some areas are contrasted by what is often still an outdated and dilapidated infrastructure of accommodation, sanitary facilities and utility buildings. The fact that construction projects sometimes take decades from planning to implementation –

examples are provided in the report – is unacceptable. It is also unsatisfactory when even makeshift solutions take years or are not built at all because they would further delay the construction of the main project. In most cases, finances are not the stumbling block. Personnel shortages at the federal state building authorities and public procurement law requirements lead to major delays. If the Bundeswehr wants to compete as an attractive employer, an infrastructure that meets modern standards is indispensable. The future viability of the Bundeswehr is at stake, which is why this issue urgently needs to be fundamentally reconsidered and resolved.

It is positive that the defence budget is rising further. In 2020, it amounted to around €45.6 billion. This is slightly more than the €43.2 billion in the budget for the 2019 financial year. In the 2021 financial year, the Bundeswehr will receive just under €47 billion and an additional €3.2 billion from the economic stimulus programme. It is also promising that progress has been made in the draft regulation on the European Defence Fund during Germany's EU Council Presidency. For the Bundeswehr to remain well equipped and ready for collective and national defence as well as missions abroad in the years to come, the upward trend in the budget that began in 2014 should continue. Above all, the funds need to actually reach the troops.

The US administration's plans to withdraw its troops from Afghanistan at short notice at the end of the year under review caused some disquiet with regard to the RESOLUTE SUPPORT mandate. Even though these plans were not implemented as announced, the end of the Bundeswehr's 19-year mission is now foreseeable. Given that over 158,000 German servicewomen and men have served in Afghanistan to date to secure the peace there, stock should be taken at the end of the mission. This requires evaluating the many years of deployment in Afghanistan and an open discussion about the goals achieved.

In Mali, the mandate area for EUTM Mali was expanded to include the other G5 Sahel states. For a time, the Bundeswehr was barely able to carry out its mandate there, as it had to suspend the training of the armed forces of Mali and other nations for several months due to the Covid-19 pandemic and the military coup in August 2020.

In November of the year under review, the German Bundestag commemorated the members of the Bundeswehr – servicewomen and men as well as civilian employees – who lost their lives on missions abroad by inaugurating a digital memorial book in front of the meeting room of the Defence Committee. In addition to the Forest of Remembrance near Potsdam and the memorial at the Ministry of Defence, there is now also a dignified place of remembrance in the parliamentary space. Another positive aspect is that the Bundeswehr has made further progress in treating deployment-related mental illnesses. There is now a basis for reimbursing relatives of trauma victims for certain costs they incur if they become involved in their recovery process. The Bundeswehr must not let up in these efforts, as the number of new sufferers remains high.

Another strain for many servicewomen and men serving in Germany is still the commute between their place of service and home, although some improvements came into force for soldiers' families in the year under review. The balancing act of juggling service and family will nevertheless continue to be part of everyday life for troops in the foreseeable future, which is why further relief measures, such as the increased expansion of alternative working models during the pandemic, should be considered – also with a view to being able to compete in the search for good personnel.

The atmosphere in day-to-day operations has a major bearing on the motivation of servicewomen and men and the attractiveness of service for potential new recruits. Service should be characterised by mutual respect and a spirit of comradeship.

Violations of sexual self-determination are unacceptable and must be systematically punished. Reportable events in this regard were down in the year under review at 224 (2019: 345), as were submissions at 25 (2019: 32). This could be a result of the pandemic. Servicewomen and men were working from home more and parties where excessive alcohol consumption played a role – not infrequently the cause of sexual assaults – were not able to take place generally due to the pandemic.

The diversity of tasks and posts in the Bundeswehr should also be mirrored by personnel diversity. The year under review marked 20 years since systematic discrimination against homosexual soldiers was ended. The Minister of Defence took this anniversary as an opportunity to apologise for the decades of discrimination and at the same time announced that those affected would be rehabilitated and compensated. This is a commendable decision. Positive feedback on the guide "Transidentity in the Bundeswehr" and the establishment of the Central Point of Contact for Diversity Policy on 1 April 2020 also show that the Bundeswehr is developing into a modern employer in this area in a way that is to be welcomed.

The adoption of the Act on Jewish Military Chaplaincy following the conclusion of the underlying national treaty with the Central Council of Jews at the end of 2019 should be highlighted. With the first military rabbis expected in 2021, Jewish service personnel will have chaplains of their own faith available to them in addition to Evangelical Lutheran and Catholic service personnel. The task now is to provide military chaplaincy for Muslim service personnel as well.

The Bundeswehr can essentially look back on a successful 65th year of existence. It is regrettable that the public pledge in front of the Reichstag building planned to mark the anniversary could not take place, although the scaled back ceremonial act in the garden of Schloss Bellevue was a befitting ceremony.

In spite of all the restrictions due to Covid-19, the servicewomen and men performed their duties in ensuring national and collective defence and missions abroad as best they could. They also coped well with the pandemic-related challenges. Their great commitment in the context of administrative assistance led to a positive perception of the Bundeswehr in society. The visibility of these citizens in uniform has also been increased thanks to the possibility of free rail travel. Here – like in many other situations in everyday life – one sees time and again that it is second nature for soldiers to show civil courage in emergencies, to support those affected and to help the injured or even save lives with first aid. For all this, servicewomen and men deserve our thanks, as they do for their unwavering willingness to put their lives on the line for our freedom and security, for peace, democracy and the rule of law.

1. Covid-19 pandemic

The Covid 19 pandemic was a huge challenge for the Bundeswehr – as it was for society as a whole – in the year under review. The armed forces were not completely unprepared, however, as the 2016 White Paper had already spelt out the risks and tasks associated with the growing danger of pandemics in a globalised world. The Bundeswehr had to limit and adapt normal operations, so exercises, training and missions abroad, in the wake of the pandemic. It also and importantly had to protect its own service personnel's health whilst maintaining operational readiness. Beyond this, with its support activities to fight the virus, the Bundeswehr was once again able to show how motivated and committed soldiers are in serving society.

In total, the Office received 487 submissions – out of a total of 2,753 personal submissions – on Covid-19 from servicewomen and men or their family members, bringing into sharp relief how central the issue was in this reporting year.

Administrative assistance

The Covid-19 pandemic prompted one of the most extensive cases of administrative assistance the Bundeswehr has ever provided. The legal basis for this is Article 35 (1) of the Basic Law which provides for all federal and state authorities assisting each other legally and administratively. This provision is a good and sufficient basis and is in keeping with the consensus in society. However, it may only ever be used in a subsidiary way; the main task of the Bundeswehr being national and collective defence. The Federal Constitutional Court has clearly stipulated that the human and material resources of the armed forces may only be used in the scope of administrative assistance if this remains below the threshold of a deployment. The threshold is exceeded if the aim is to exploit the threat and intimidation potential of military action. This constitutional framework must be complied with when providing administrative assistance.

Experienced officers from the government region and government district liaison groups advised authorities and district commissioners throughout the federal territory on how and for what they could submit a request for administrative assistance. These were then forwarded to the Bundeswehr's Territorial Tasks Command for decision via the 15, and since October 2020, 16 Regional Territorial Commands. Here, information from the Robert Koch Institute was also analysed to identify new hotspots early on and prepare for requests for assistance. To cope with the many requests, the Bundeswehr set up its own corona assistance contingent for the first time in its history, consisting of a reserve force of 20,000 helping hands under the command of the Joint Support and Enabling Service. The Medical Service, almost all of whose medical personnel were involved, helped with modular rescue stations, provided intensive care personnel and paramedics, supported individual clinics with infrastructure and equipment and also produced disinfectants. Four regional command elements, which the Bundeswehr set up in April 2020, coordinated the operations. At the end of the year under review, around 11,400 servicewomen and men, including personnel working in shifts and in the command organisation, were allocated to ensuring Bundeswehr assistance in connection with Covid-19.

This situation once again impressively showed how indispensable the **reserve** is to the functioning of the Bundeswehr. Following the Minister of Defence's call for support in coping with the Covid-19 pandemic in March 2020, 11,811 reservists volunteered to help ease the workload in the provision of Covid-19 assistance in the year under review. About 1,251 of these were called up for reserve duty. Initially, high priority was accorded to all medical professions and to urgently needed logistics specialists. The Division for Territorial Tasks Berlin (since October 2020, Regional Territorial Command Berlin) showcased especially well during the pandemic what the reserve is capable of achieving in the area of the Territorial Reserve. Up to 80 reservists were deployed in the capital and were largely responsible for the successful work at the Situation Centre Berlin, which was manned 24 hours a day in shifts.

By the end of the reporting year, the Bundeswehr had received more than 2,820 requests for administrative assistance in connection with Covid-19. The servicewomen and men were able to fulfil more than 2,220 requests.

Even before the official start of the administrative assistance, the Air Force had already flown 126 Germans, Chinese and Americans out of Covid-19-stricken Wuhan in January 2020 at the request of the Federal Foreign Office. The Bundeswehr also provided quarantine accommodation very swiftly. At the beginning of the crisis, the main focus of its assistance was material support and the procurement, transport and storage of protective

medical clothing and disinfectants, with the Air Force transporting 30,000 protective masks to Germany, for instance. In March 2020, the Federal Office of Bundeswehr Equipment, Information Technology and In-Service Support (FOBwEITISS) helped the Federal Ministry of Health conclude more than 60 contracts with a volume of over €340 million for the supply of medical material in the space of three weeks. At the same time, emergency aid was required, such as flying in critically ill Covid-19 patients from Italy and France for medical care in Germany. As the year progressed, the focus of assistance shifted to support in the form of personnel. With the Helping Hands project, the Bundeswehr assumed tasks in care for the elderly and in care homes for the elderly, in shopping for at-risk groups, in providing basics to exhausted lorry drivers at the borders and in bolstering logistical supply chains. The military music branch also participated: all over Germany, Bundeswehr musicians gave small concerts at care facilities with the slogan “music to combat loneliness”.

The second half of the year saw an increase in requests for assistance to relieve the strain on healthcare staff in nursing and geriatric care and in test support, for instance at mobile smear-testing stations. Another focus was assistance in tracing chains of infection. Here, the Bundeswehr assisted at 311 of the approximately 400 public health authorities throughout Germany with around 5,540 service personnel. At the end of the year under review, the Bundeswehr provided several vaccine storage facilities. It also helped to set up the infrastructure for the vaccination centres and has offered civilian authorities its services for the operation of stationary vaccination centres and mobile vaccination teams.

The public health authorities were very grateful for the Bundeswehr’s support. The letter of thanks from a doctor from the Berlin pandemic staff to the Parliamentary Commissioner in October 2020 illustrated impressively just how welcome the assistance was: “Servicewomen and men have displayed unparalleled commitment in supporting us. They have done an incredible job in direct counselling and advice, in case management and in following up on people who have tested positive.” The Parliamentary Commissioner also gained a first-hand impression of the actual work done by the servicewomen and men in the scope of administrative assistance through her visits to the Territorial Tasks Command and the Covid-19 treatment centre on the Berlin exhibition grounds.

Given the great commitment shown by many servicewomen and men, it is unacceptable when the nursing staff at Bundeswehr hospitals, who are so important in the pandemic, have to wait months for the **payment of allowances** for overtime worked:

- *This was what happened to service personnel from the Bundeswehr hospital in Berlin. The reason cited by the Bundeswehr Medical Service Command was that there had been technical problems with the implementation of the computer programme used for calculating and paying allowances.*

This must not be at the expense of the soldiers. If it is not possible to run the programmes properly, the Bundeswehr must use other ways to pay such allowances promptly.

In the context of administrative assistance, the working hours regulations pursuant to Section 30 c (4), Number 2 of the Legal Status of Military Personnel Act may be suspended for the service personnel deployed. Immediate time off in lieu may be granted for this purpose. If this is not possible, the soldiers in question may be paid what is known as an **exceptional circumstances allowance** of €91 for each day for which no time off in lieu is provided.

Uneven application of this rule in the same circumstances, like in the case outlined below, is unfortunate:

- *A career soldier serving in the Idar-Oberstein medical squadron reported that he was able to take time off in lieu of roughly 2.5 days for the overtime he had worked. The comrades deployed in the 931 Electronic Warfare Battalion, on the other hand, had received compensation under the exceptional circumstances clause and as a result were granted seven and eight days respectively, which they could take as free time or financial compensation. The review found that the latter procedure was commensurate with the relevant directive from the national territorial commander. The petitioner and the other servicewomen and men in his unit received the compensation they were entitled to retroactively.*

The Parliamentary Commissioner has since received several submissions on this subject. It should be a matter of course for the Bundeswehr to apply the criteria for eligibility and payment of the exceptional circumstances allowance uniformly throughout the Bundeswehr and in turn in the same way for all branches of service.

Uncertainties also existed among the troops on the question of whether and to what extent servicewomen and men are allowed to state their **rank** in the context of administrative assistance. After all, in this context they are

not working in an executive capacity. In response to requests by petitioners in this vein, the Parliamentary Commissioner advocated and worked towards securing the possibility to state one's rank. Identifying oneself as a soldier to citizens by stating one's rank also serves transparency and raises the visibility of the force. The Ministry of Defence subsequently changed the service directive.

Servicewomen and men come from the midst of our society; they are citizens in uniform. It is shameful that in spite of the great work they have done in the Covid-19 crisis, they have faced **attacks** in isolated cases:

- *In October 2020, people in Leipzig city centre showed the middle finger to twelve soldiers on their way to their deployment location and spat in their direction.*
- *In November 2020, two people threw two bricks at a soldier from a bridge on his way from the Bochum public health authority to his accommodation. Luckily, he suffered only a minor haematoma.*

It is to be hoped that the indispensable support provided by the troops has fundamentally raised not just their visibility in society, but also the appreciation and recognition for their valuable service.

Unfortunately, at the end of the reporting year the Covid-19 pandemic was as yet unbeaten. The extensive administrative assistance provided by the Bundeswehr will continue to be necessary. The Bundeswehr will continue to be needed in the area of care for the elderly, at public health authorities in tracing chains of infection, running testing stations and supporting local authorities. The deployment of the Bundeswehr in the context of the Federal Government's vaccination campaign will increasingly join this list. A variety of tasks is conceivable: Bundeswehr physicians for the vaccinations as well as helpers providing organisational support to ensure that the large-scale vaccinations take place in an orderly fashion. It is good that the population can rely on the help of Bundeswehr soldiers in these difficult times.

Once the pandemic is over, it would be positive if the many soldiers – whether in active service or reservists – who supported, helped and assumed special responsibility during the pandemic could be paid tribute to with a non-material symbol of appreciation and recognition beyond a financial one, for example in the form of a **service medal**.

The instrument of administrative assistance from the Bundeswehr pursuant to Article 35 of the Basic Law has proven its worth. There is no need to change the legal basis. However, in the wake of the pandemic it will no doubt be necessary to discuss whether civil protection and disaster relief function adequately in the federal system. A thorough analysis and detailed debate are urgently needed here.

Impacts on basic operations

The pandemic affected the soldiers primarily in basic operations and triggered concerns and fears as to how to deal with the virus. The initially unchanged continuation of basic training and courses as well as the maintenance of daily duty in the units led to great uncertainty, especially at the beginning of the pandemic. The **participation bodies** made a major contribution to conflict resolution and supported coordination and communication between superiors and the soldiers under their command.

In the initial phase, the majority of the 487 submissions on Covid-19 focused on the lack of information and communication between superiors and service personnel. In some cases, the measures at the units differed due to a lack of uniform guidelines from the higher leadership. The soldiers complained that the protective measures were insufficient. In training and also during military exercises, the safety distance of 1.5 metres was not observed, it was criticised, and there was a lack of protective material, especially masks and disinfectants. The continuation of service itself, including accommodation in communal housing was also criticised, as were what were seen as overly drastic or incomprehensible measures, such as orders to take leave, reduce overtime accrued or the deliberate transfer of 'negative hours'. In addition to this, service personnel found the 14-day quarantine measures before pre-deployment exercises and before transfer to missions abroad a particular strain. As the pandemic progressed, there was an increased focus on the different approaches to protective measures for soldiers on duty in cases where one or multiple persons in a unit had contracted Covid-19 and the ensuing quarantine and testing arrangements. With the resurgence of the pandemic and increasing cases of infections towards the fourth quarter of the reporting year, problems arose again regarding physical presence, conducting exercises and transferring to training areas.

Early on, the Bundeswehr Medical Service Command swiftly developed a comprehensive and very consistent **hygiene concept** with policy recommendations to adequately protect soldiers' health and prevent the spread of the virus to the greatest extent possible. It was good that the concept was very strict from the outset and was updated repeatedly during the course of the pandemic to reflect the development of the situation. Many servicewomen and men also responded positively to this. It was not always easy to implement it in service or in training, however. In particular, complying with distancing rules and the loosening of rules in accommodation at the barracks or at training areas proved difficult:

- *One soldier reported that during a troop exercise there was only one wash and shower room available for 400 soldiers.*
- *Several soldiers complained that wearing protective masks in the tank was extremely obstructive. Lenses would fog up from their hot breath and the mask could no longer be worn after a short time due to dust and sweat. In consultation with superiors, the mask requirement had then been suspended.*
- *Two soldiers described how on an officers' course there had often been close physical contact whilst under high physical stress during action duty. The participants only wore loop or triangular scarves over their faces for protection. Hygiene was only possible with water from a water heater and liquid soap, they reported. At the accommodation building, where the lecture halls were located, there were no measures to keep the participants distanced. There was also a shortage of toilets and showers.*
- *Time and again, the lack of disinfectants, gloves and mouth and nose coverings during duty and training operations gave rise to complaints. There was also occasional criticism of inadequate protective measures following confirmed Covid-19 cases.*
- *Several soldiers reported that all the available servicewomen and men had to work in shifts at their unit. The handover times and overlaps this entailed led them to conclude that shift work was hardly suited to protecting against Covid-19 and not very family-friendly to boot.*

The shift system practised, which was discontinued in July 2020, did not warrant criticism, though. For the most part, those responsible had taken sufficient precautions to ensure that the servicewomen and men on the shifts did not mix during the handover of duties. The strain on families was minimised as much as possible by dividing service into two set shifts alternating every two weeks.

Overall, in the cases shown or similar cases, insofar as their review had already been completed in the reporting year, it was found that the responsible superiors and military commanders in service, training and exercise operations had done everything in their power to protect the health of the soldiers to the greatest extent possible under the given circumstances and to minimise the risk of infection. And wherever commanders and other leaders at the location and in the formation took responsible decisions and actions, the situation, which was so difficult for service personnel and their families, was managed well and acceptable solutions were found. Creativity, flexibility and above all good **communication** are key, including in terms of securing a high level of acceptance for the requisite measures. No doubt this will not have always worked equally well everywhere. It must be borne in mind, though, that this was an unprecedented situation and that the changed work processes first had to become established. The dynamic development at the beginning of the pandemic also entailed changing command situations, which can explain certain delays in the implementation of certain measures. The shortages of masks or mouth and nose coverings and disinfectants at the beginning of the pandemic reflected the situation in Germany at that time. The high demand across the board made these items difficult to obtain at times, especially in large quantities.

On this front, the Bundeswehr has a certain edge, though, because the Medical Service runs **pharmacies** which, in addition to ensuring the supply of medicines, dressings and medical consumables, can also produce certain products themselves. During a field visit to the Medical Service Command, servicemen and women highlighted a problem:

- *In the past, Germany's supreme audit institution, the Bundesrechnungshof, had criticised the ability to produce items inhouse as superfluous, leading to many pharmacies closing their doors, they reported. The Ministry of Defence refutes this, saying that the audit by the Bundesrechnungshof was of the large-scale production of pharmaceutical products not or not reliably available on the market by the two Bundeswehr hospital pharmacies in Ulm and Koblenz. In 2013, the German Bundestag Auditing Committee limited the manufacture of these products, for example injection/infusion solutions, auto-injectors for pain relief and*

for the initial treatment of warfare agent poisoning, to the Ulm site. However, Bundeswehr pharmacies had not been closed in the wake of this. The four Bundeswehr hospital pharmacies and three medical supply and maintenance centres run as pharmacies were still authorised to produce pharmaceutical products on medical prescription. In actual fact, however, the shortages that occurred in the initial phase of the Covid-19 pandemic, for instance in personal protective equipment, corticoids and anaesthetics, confirmed the Bundeswehr's dependence on a globalised and increasingly monopolised market, it was said. Although inhouse production could only be a small part of the solution, it was nevertheless important to maintaining the armed forces' operational readiness.

It is very much to be welcomed that the Ministry is aiming to maintain and, in the longer term, expand the Bundeswehr's capabilities for the manufacture of pharmaceutical products. The Ministry of Defence has informed the Parliamentary Commissioner that the Medical Service Command is to submit an outline of the project by mid-2021.

Isolated submissions criticised **orders by superiors** to continue service operations that the petitioners failed to see the logic of. In line with the guiding principle of mission-type command and control, it was the responsibility of the superiors on the ground to determine how service, training and exercise operations were to be organised in detail. The Ministry of Defence had defined a central framework for the areas of basic operations, training and exercises. This stipulated that, wherever possible, on-site presence and commuting were to be reduced by means of suitable measures. The Ministry had also issued guidelines for training and exercises. According to these guidelines, pre-deployment training and specialty, non and career training were to be possible under adapted conditions – in particular avoiding close contact. It was the responsibility of the relevant superiors to plan and implement the necessary measures for their respective remits within the given framework and to communicate them transparently to the service personnel under their command. One commander aptly described his responsibility in the crisis: acting as a role model, instilling trust and confidence and at the same time finding creative and individual solutions in order to fulfil his duty of care.

There was some dissatisfaction about the **varying nature of measures** within units, but also between units:

- *For instance, while some service personnel were able to work from home, others still had to perform their service on site.*

Given the varying circumstances at the many different units, it is understandable that the rules sometimes differed. In one and the same unit, the situation is somewhat different; here, superiors needed to be very tactful in their communication. Seeing as servicewomen and men raised the issue of differences, it evidently was not possible to communicate the respective measures in a way that made them understandable in all cases.

To ensure that **information** relating to the pandemic does indeed reach servicewomen and men, the Ministry of Defence instructed the major organisational elements to review the information and communication chains down to unit level and – where necessary – to optimise them. In addition to directives, orders, guides, staff information, notices, circulars and other established communication channels, the Ministry stated that online channels on the Internet and Intranet, but also social media platforms such as Twitter and Facebook had been used to disseminate non-classified information. Furthermore, the soldiers had also had the opportunity to telephone contact points with questions and requests for help. The regular newsletters of the Bundeswehr Centre of Military History and Social Sciences and the Leadership Development and Civic Education Centre were also very helpful.

The Covid-19 pandemic also impacted **basic training**. This brings young people from all over Germany together and – at least at the weekends – scatters them back over large parts of the federal territory again. This by all means poses a risk in terms of spreading the virus. Continuing basic training is essential to maintaining the Bundeswehr's personnel readiness. Even if there was no doubt room for improvement here and there, it seems that the Bundeswehr managed this challenging task well overall in the year under review. The Ministry had already ordered extensive measures to reduce the risk of infection during basic training on 19 March 2020, first postponing all new entries into service originally scheduled for the second quarter of 2020 and using distance learning to prepare for the training until actual entry into service.

Entry into service started again for the first time on 2 June 2020, commencing with a medical examination of the recruits. On-site training then also took place at weekends to reduce commuting. During training, the troops apply the safety rules also known from the civilian community - i.e. distancing, observing hygiene and wearing community face masks. In addition to this, they conducted the training in small groups, with the aim of limiting

the possible spread of the virus to a small number of people. During a field visit to 912 Electronic Warfare Battalion in Nienburg an der Weser, the Parliamentary Commissioner was able to see for herself with what great commitment and creativity the troops were mastering this extraordinary challenge. To be able to conduct basic training at all under these conditions, the Bundeswehr streamlined it to six weeks – even at the cost of training shortfalls. The gaps in training were documented and are to be covered later. This is a reasonable solution in light of the situation. However, it is important that the documented training gaps are remedied as promptly and in as structured a manner as possible. After all, insufficient practice and training pose a threat to the operational readiness of the Bundeswehr.

It is clear that the restrictions and measures, such as increased training at weekends in particular, asked much of the recruits who had to stay in barracks. In addition to this, the protective measures taken meant they were only able to use available swimming pools, fitness rooms and saunas to a very limited extent. In most cases, the Bundeswehr reacted well here by creating a variety of support services for those affected in cooperation with the Bundeswehr service centre in charge in each case. These ranged from adjusted opening hours for food MWR services, barbecue and cinema evenings, sporting activities in line with Covid-19 requirements and the provision of washing machines to the possibility of borrowing bicycles, books, CDs and DVDs. According to the Ministry of Defence, the tighter training schedule, the more intensive training, including at weekends, and the resulting greater amount of time spent together have led to a strong sense of cohesion and solidarity inside the units.

The other **planned training and exercises** in the year under review were also marked by the impacts of the Covid-19 pandemic. The unclear situation at the beginning of the pandemic led the Bundeswehr to systematically reduce these to a minimum at first and to later cancel numerous exercises. The highest-profile example was cancelling participation in the DEFENDER-Europe 20 exercise planned with US forces. Following these initial responses, the idea was to establish general conditions that would enable sustainable training and exercise operations under pandemic conditions. Here, too, the hygiene concept developed by the Medical Service was deployed. For special training contents such as close combat training or urban and house-to-house combat, where it was not possible to ensure continuous compliance with the rules, isolation measures before the training helped lower the risk of infection. On the basis of this hygiene concept, the Bundeswehr initially began conducting larger planned exercises again in the autumn of 2020. Where training and exercises could and can only take place in line with Covid-19 requirements, it is crucial for their success and the acceptance of the negative impacts they entail that the infection control measures taken make sense to the servicewomen and men.

The question of **compulsory vaccination** for all servicewomen and men also arises in this context. The Bundeswehr should examine an obligation of this kind carefully and first rely on voluntary vaccination. Service personnel going on missions abroad or working in sensitive areas in the context of administrative assistance or the Medical Service must be vaccinated.

Impacts on missions abroad and quasi-operational commitments

The pandemic had a very major impact on preparation for deployment and the large number of German contingents to be provided by the Bundeswehr. Training missions had to be greatly scaled back or even stopped, and there were troop drawdowns in Mali and Iraq. This notwithstanding, the Bundeswehr was ready to resume its deployment and training missions in full at all times, though.

The strict hygiene concept developed by the Medical Service also included measures to protect deployed service personnel and applied both during deployment and in preparation for deployment. It set forth a **14-day quarantine** prior to pre-deployment exercises. However, due to the short time available, the quarantine could not be implemented before exercises at the Army's Combat Manoeuvre Training Centre or at the Oberlausitz training field in April 2020:

- *In addition to isolation itself, which was perceived as a burden and a drastic restriction, the service personnel in question criticised only learning about it shortly before their stay. Additionally, those who were soon to be transferred to deployment had to undergo a further 14-day quarantine before leaving. The review of the matter found that the Ministry of Defence had issued instructions at very short notice to carry out the quarantine at a later date and that it had not been possible to inform those participating in the*

exercise before their arrival at the training area. The Ministry expressly regretted this and voiced its understanding for the dissatisfaction this caused among the service personnel.

On the positive side, in the cases cited above, those who could not be expected to go into official isolation for operational or private reasons were able to do so at home. The remaining participants in the exercise were at least able to have personal items such as laundry brought to the barracks by friends or relatives. Single soldiers received additional clothing if needed and all had the opportunity to drop off laundry for cleaning. In addition, fellow soldiers from the support organisation were available to help.

After there had already been relaxations in civilian life in the summer of the reporting year in view of falling numbers of cases, the Bundeswehr upheld the isolation measures in preparation for deployment:

- *Soldiers questioned the sense of these strict measures. The Ministry of Defence explained that the general upholding and specific design of isolation measures would be subject to regular reviews to reflect the current state of knowledge and, where possible, adjusted accordingly. It had been possible, for instance, to dispense with the ban on leaving the barracks grounds in the scope of theatre-specific training at the training and simulation centre of 3 Medical Regiment.*

This approach, which was adapted to the situation, does not warrant criticism and was vindicated by how the pandemic developed as the year progressed. Servicewomen and men who were deployed promptly were particularly impacted by the quarantine measures in **preparation for deployment**. To mitigate greater hardships in individual cases, those affected were given leave as far as possible or were able to perform their duties from home. Nevertheless, like all other deployment soldiers, they had to spend another 14 days in isolated individual accommodation before being transferred to deployment. They then had to spend 14 days in quarantine after arriving in the country of deployment. After returning to Germany, they isolated at home for another 14 days. Overall, many servicewomen and men felt very severely restricted by the accumulation of quarantine and, in some cases, the way it was announced:

- *They complained that it had been difficult to say goodbye to their family properly because the orders to isolate in hotel accommodation had come at very short notice. They found it stressful that they were only allowed to leave their hotel room for 30 minutes a day and that they could hardly do any sports or exercise. Furthermore, the insufficient availability of respiratory masks in Germany at the beginning of the pandemic meant they had to wear the NBC protective masks provided by the Bundeswehr outside the hotel room. Lack of information about compensatory time due for isolating in hotel accommodation prior to deployment had also contributed to the exasperation, they reported. The Ministry of Defence justified the strict isolation in official accommodation with what it had experienced during an unannounced inspection to check the implementation of the hygiene concept at a hotel in Bonn. Here, a large number of servicewomen and men had been sitting closely together in groups without observing the minimum distance or wearing mouth and nose coverings and had been using areas of the hotel at the same time as civilian guests. For almost all of the personnel staying there, the isolation had therefore had to be extended, which had led to them being transferred to deployment up to eleven days later. For the remainder, the Ministry acknowledged the facts and pointed out that in the meantime sufficient personnel were available to supervise the soldiers designated for deployment and that sufficient respiratory masks were available. The treatment of working hours under labour law for the period in hotel isolation, which the agencies had handled differently, had also been resolved.*

The personal strain on each individual and their families as well as the resulting differing perceptions are understandable. The requirement of only leaving the hotel room once a day for 30 minutes proved to be too much to reasonably expect of the service personnel, who often had to undergo another 14-day quarantine at the field camp once they had arrived in the theatre of operations. Nevertheless, the strict hygiene and protection measures were necessary. The Bundeswehr's primary objective was to prevent the virus from reaching the theatres of operations – and from the information available, it succeeded in this in the year under review. The Bundeswehr was not able to completely avoid infection with the virus though due to the joint use of field camps with forces from other nations, some of which followed less stringent hygiene and protection measures, due to contact with local forces working at the field camps or in the course of fulfilling missions. In early December 2020, the German EUTM Mali contingent reported several soldiers who had tested positive for Covid-19. This meant a large number of the service personnel deployed in Koulikoro had to go into quarantine, and that the capacities of the isolation and quarantine facilities were exhausted. For this reason, the contingent there was not operational for a short time and could not carry out its mission. Soldiers also tested positive for Covid-19 during

RESOLUTE SUPPORT in Afghanistan and had to be flown back to Germany as a result. In total, around 130 soldiers on deployment had tested positive for the Covid-19 virus by the end of the reporting year.

In the event of soldiers becoming infected during deployment – through contact with soldiers from other contingents and countries or with the local population – the Bundeswehr was also well organised. It immediately isolated those affected and brought them back to Germany as quickly as possible. The Air Force was on permanent standby for this **medical evacuation**.

A posting of soldiers from 233 Mountain Infantry Battalion to Ulan Bator to train Mongolian soldiers performing camp security for the German RESOLUTE SUPPORT contingent in Afghanistan did not go professionally:

- *After their arrival, they had to complete a 21-day quarantine in a hotel in the Mongolian capital – in contrast to the isolated accommodation of German soldiers prior to transfer to deployment, however, some of them had to stay in multi-occupancy rooms without any possibility whatsoever of leaving them. To make matters worse, the subsistence allowance paid as part of the foreign travel allowance fell short of the costs for hotel meals and the soldiers received neither a foreign assignment allowance nor an exceptional circumstances allowance. Finally, the transfer back to Germany planned for 6 November 2020 was delayed because the initially deployed aircraft of the Special Air Mission Wing had a positive Covid-19 case among the flight crew and a new flight could not be provided until two weeks later.*

The case raises several questions. Certainly, deployments like this need to be planned more sustainably and with greater foresight. In particular, compensation for especially difficult conditions needs fine-tuning.

The examples cited also make it clear how important it is to have professional services in place for servicewomen and men, especially in a quarantine situation like the one described. Special attention also needs to be paid to this in the future.

For the remainder, the Bundeswehr had limited the personnel in the German contingents to what was absolutely necessary. Sports facilities on site were closed to prevent the virus spreading. A covered outdoor sports park, outdoor sports courses and the issuance of sports equipment to the contingent units, such as for RESOLUTE SUPPORT, nevertheless made a minimum amount of physical training and exercise possible. To avoid a complete closure of the MWR (morale, welfare and recreation) facilities, some field camps offered drinks and food to take away. For servicewomen and men on deployments these are severe restrictions, as the submission from a soldier from Gao vividly describes:

- *“As a soldier on deployment, I face a number of strains and stresses. These include, for instance, the high ambient temperature, being away from my family, a lack of privacy, constant noise from air conditioning systems and no place to retreat and relax. There is also the constant threat of enemy fire [...] We are aware of these limitations prior to deployment and can endure them for a limited time. But now that COVID-19 has made it into the field camp, the strain has increased considerably. Measures have been taken by contingent command to prevent the spread of COVID-19. These include, for example, wearing a mask at all times outdoors and in situations where the minimum distance cannot be kept, extremely limited opportunities for physical exercise as the sports tents are closed, and the closure of MWR facilities.”*

Occasionally, the Bundeswehr’s **information management** faced criticism, especially in connection with the deployment planning for contingents, the holding of training courses and the repatriation of personnel from at-risk groups. For the most part, however, the findings of the review of these submissions testified to communication behaviour by the responsible Bundeswehr agencies that met the requirements of this special situation.

This was not the case, however, for the U 33 submarine’s supply of up-to-date news by telegraph message:

- *In the period from 3 February to 25 May 2020, the seaborne crew of this submarine was only provided with up-to-date information on nine days. This was unacceptable, especially in light of the Covid-19 epidemic, which escalated into a pandemic during this period, the lockdown and above all the lack of MWR telecommunications on board.*

It is not of much help when the Ministry of Defence justifies the shortcoming by citing post vacancies and the reduction in service operations as a result of the Covid-19 crisis.

Members of the KFOR mission criticised information gaps in connection with compensation measures for quarantine:

- *There had been no binding statements on any entitlements arising from the order to quarantine at home after deployment in some cases. Apparently, this did not come under the scope of exceptional circumstances under the Military Personnel Working Hours Ordinance, which was why neither time off in lieu nor financial compensation were being provided. In cases where quarantining at home was not feasible due to the family situation, isolation in hotel accommodation had again been provided. Here, too, it was unclear whether this time would be compensated with time off in lieu. The Ministry of Defence informed the Parliamentary Commissioner that quarantine after returning from deployment – in contrast to the isolation in hotel accommodation before the transfer to deployment – was categorised as part of basic operations, so no time off in lieu or financial compensation was planned for this time.*

This conclusion is not convincing, as post-deployment quarantine, like pre-deployment quarantine, is based on the posting to the area of deployment and is thus duty-related. There are no obvious reasons not to see it this way. So the Ministry should rectify this situation and harmonise the regulations for post-deployment quarantine.

The approximately 3,500 Bundeswehr soldiers regularly assigned to **posts abroad** and their families also suffered from the impacts of the Covid-19 pandemic:

- *These meant that trips abroad to inspect housing, holidays back home or visits from close family members for soldiers stationed abroad were only able to take place to a limited extent or sometimes not at all. Where family journeys home and visits were possible, quarantine had to take place as leave.*

Even if such journeys are generally to be categorised as personal ones, it is in the Bundeswehr's interest for Bundeswehr soldiers stationed abroad to stay in touch with their home country. This is also expressed by the fact that soldiers stationed abroad are granted additional leave. Whether this additional leave is sufficient in the case of a continuing pandemic situation should be reviewed by the Ministry.

Provisions that give servicewomen and men the feeling that they are being provided lesser protection than other public service employees in the same dangerous situations warrant criticism:

- *The Federal Foreign Office declaring crisis level 2A on 28 March 2020 caused consternation among soldiers stationed abroad. It allowed Bundeswehr soldiers deployed at defence attaché offices and assigned to the Federal Foreign Office to be repatriated to Germany, whilst servicewomen and men stationed at the same location were either not given this option, or only later.*

Impact on personnel management

The **cancellation of the selection conference** for transfer to the service status of career soldier for senior NCO careers in the wake of the pandemic prompted more than 40 affected petitioners to express their fear of this putting them at a disadvantage in their professional development:

- *The servicewomen and men argued inter alia that those leaving that year were being deprived of their last chance to become career soldiers. The cancellation of the conference for senior NCOs was all the more inexplicable, they felt, as the conferences for officers had taken place. The Ministry of Defence said in response to this that due to the pandemic, the personnel office had been scaled back to core capabilities since 18 March 2020, with a significantly reduced level of staff present in person at the office. At that time, the selection conference for admission to the officer specialist service career had already been more than half completed, with only 2,884 applications for 467 openings. A modified written procedure had then been used to conclude the remainder of the conference with a delay of about two months. Had they not done so, the damage to the training of officer candidates, which begins every year, and in terms of meeting the demand for officers in the specialist service, would have been great.*

The experience chalked up in the course of this procedure in terms of the time and effort required and the need for coordination led the personnel office to conclude that the procedure for the selection of career soldiers for the senior NCO career paths, which still had to be prepared for the most part and was far more extensive, would not be feasible. To aid comparison: for the administrative service officer careers, the conference held in November 2020 had to decide within 13 working days on around 1,170 applications with approximately 580 openings. The selection conference for the senior NCO careers was scheduled for a period of 15 weeks between

4 May 2020 and 6 October 2020. Decisions would have had to be taken on more than 7,000 applications or proposals for 214 military careers with approximately 1,500 openings. Not least because of these very large scopes entailed – especially timewise – rescheduling the conference to take place later in the year 2020 was out of the question.

The appraisals due to be prepared for 30 September 2020 for noncommissioned officers from the rank of staff sergeant major upwards also had to be taken into consideration. The timely review and evaluation of these appraisals, totalling approximately 35,000, was the responsibility of the same staff members who would also have been responsible for conducting the selection conference. These staff were also responsible for retirement consultations, encompassing some 5,000 cases annually, as well as the preparation of the conference for the selection of specialist service officers, which begins in January 2021. The Ministry felt an alternative method for the procedure, such as video conferencing, was not an option due to data protection regulations and requirements relating to the handling of personnel data. The decision-making process also had to factor in the fact that the time and effort invested in the selection conference, involving almost all personnel managers as well as the appraising superiors and representatives of the major organisational elements, served to ensure a holistic view of each applicant as well as the transparency and objectivity of the selection procedure.

The Ministry approved the personnel office's request to cancel the conference on 15 July 2020, after involving the General Spokespersons' Committee. It then informed the troops via various channels. It issued an identical notification to all applicants or proposed candidates. According to the Ministry, all but a few of those affected will be able to undergo a new selection process in 2021 with an increased number of openings for transfer to the higher service status. Personnel management has held personnel development interviews with the almost 300 servicewomen and men whose service was due to end and has opened up opportunities for re-enlistment to those servicewomen and men who were interested.

The Ministry does not accept there being any material **career disadvantages** for the service personnel concerned, stating that a possible later transfer to the status of career soldier would not lead to any differences in pay or pensions. The Ministry does concede, however, that there is a risk for this year's applicants, which cannot be completely ruled out, of being excluded from selection as career soldiers in 2021 if their health deteriorates in the intervening period. The servicewomen and men concerned are understandably disappointed that they were not already able to put themselves forward for selection as career soldiers in the year under review. The economic and social security that the change of status would have entailed also has to be considered here.

The considerations outlined above make it clear that the Bundeswehr did not take the decision to cancel the conference lightly. But a more courageous and flexible approach by the Bundeswehr for a more imaginative and creative solution would have been desirable in the interests of the many servicewomen and men affected. For instance, it could have opted for a more streamlined in-person format to conduct the selection procedures. Cancelling the selection conference has led to disquiet not just among those directly affected, but throughout the Bundeswehr as a whole. The Federal Office of Bundeswehr Personnel Management (FOBwPM) could have avoided this subsequent problem by communicating the situation to the troops in a more tailored way.

It cannot be ruled out that the selection conferences will have to take place under Covid-19 conditions again in 2021. Not only would the expected 7,000 applications then have to be processed under these difficult circumstances, but also the applications of those interested from the year under review. The Federal Office of Bundeswehr Personnel Management considers itself prepared for this situation. It is considering in-person events subject to certain conditions, deploying alternate teams and analogue or digital written circulation procedures as flexible emergency procedures to use here. Solutions should definitely include a rapid digitalisation offensive. All those involved in the preparation and implementation of conferences should be provided with hardware and software that enables digital conferences to be held in compliance with data protection regulations.

In addition to concerns about their career prospects, many service personnel feared that **gaps in training** could have negative ramifications for their service at their parent unit because career or specialty courses, civilian initial and follow-on occupational training measures or practical field training had been postponed. Some course contents had not been trained at all because of the Covid-19 lockdown. Three examples:

- *The specialist military part of the senior NCO training course at the Bundeswehr Military Police and Staff Duty School was scaled back from 79 to 64 training days, and the training to become a materiel management NCO of the armed forces at the Bundeswehr Logistics School was scaled back from 42 to 30*

training days. One senior NCO candidate course at the Army NCO School took place without examination-relevant training content.

Servicewomen and men's wish to receive solid specialist training is legitimate. However, the decision to cut course content cannot be criticised in view of the need to protect the health of Bundeswehr personnel and prevent the further spread of the pandemic. Now, the superiors at the parent units must pay close attention to the soldiers affected by gaps in training. It is to be welcomed that the Bundeswehr is showing awareness of the problem in this regard:

- *In the case of the military police, for example, the Bundeswehr's chief military police officer has instructed the relevant regimental commanders to provide supplementary training to compensate for identified gaps at the soldiers' parent units and the Army Non-Commissioned Officer School is catching up on the missed training content in the further course of career training. The Army Headquarters is going a step further and investigating whether course content that potentially has not been trained has led to gaps that could result in considerable additional problems at the units.*

The cancellation of career training courses during the first lockdown in spring in some cases led to delayed promotions:

- *A sergeant candidate described, for instance, how his career course to become an IT administrator SNCO, scheduled for April 2020, had been cancelled. Since the Bundeswehr had to temporarily suspend training at the School of Information Technology due to the Covid-19 pandemic, the petitioner was not able to catch up the course until the summer of 2020. His promotion to SNCO was delayed by about two months.*

The communication by the Bundeswehr **Career Centres** responsible for the selection of applicants was also repeatedly criticised during the Covid-19 crisis:

- *A petitioner had applied for re-employment at the Bundeswehr and received a message on 12 May 2020 about the status of his application. The invitation to the assessment at the Career Centre did not arrive until August, however. Another applicant had a similar experience, learning that his aptitude test had been suspended on 17 March 2020 and not receiving the next message with the new date for the aptitude test until 14 July 2020. Another petitioner was informed by telephone by the Career Centre shortly before the start of his selection procedure in March 2020 that his assessment was being cancelled indefinitely because of Covid-19. In May 2020, the physician service at the Career Centre sent him a medical history form asking he return it. After that, no further information reached him until he was re-invited to the assessment at the end of August 2020. The Ministry of Defence explained that the personnel recruitment organisation had also had to take protective measures in response to the dynamic development of the pandemic in the spring of 2020. These included switching career counselling from in-person appointments to telephone advice and counselling and temporarily suspending assessment activities. However, applicants and prospective applicants had been able to reach the Communications Centre as well as the Career Centres and the career advice offices throughout by telephone or e-mail.*

It is understandable and appropriate that the personnel recruitment organisation changed its procedures to protect all applicants as well as the employees at the relevant departments and as a precaution against the further spread of the virus. However, the fact that in individual cases prospective applicants sometimes had to wait months to hear from the Career Centre without any information in the intervening period does warrant criticism and counteracts the personnel recruitment organisation's endeavours to forge close ties with applicants. It was all the more pleasing, then, to learn from the Ministry in September 2020 that it had not been able to ascertain any loss of prospective applicants. Expressions of interest had already returned to their usual level of roughly 4,200 per week by mid-May. Initial advice sessions had also returned to pre-crisis levels since June 2020, so the Ministry. With the help of safety and hygiene concepts for selection procedures, what were dubbed crisis assessments had been able to take place since the end of May 2020 under protective conditions, albeit to a lesser extent than before. Unfortunately, the deterioration in the Covid-19 situation in the autumn of the year under review led to a renewed dip in personnel recruitment. As a result, assessment performance in 2020 ultimately came in at around 75 per cent of the previous year's performance. It seems that the recruitment organisation has found a path forward in the balancing act between accomplishing its mission and the requisite Covid-19 safety measures. The extent to which the cancellation of assessments in 2020 will impact the vacancy situation at the Bundeswehr in the medium term remains to be seen.

For servicewomen and men, the crisis also impacted the area of working hours and in particular compensation for **overtime**:

- *In the context of pre-deployment training courses, some soldiers were told they were not allowed to leave where they were staying and training at will. Restrictions to freedom of movement like this are provided for by law but give rise to compensation entitlements for the service performed. There was dissatisfaction because service personnel's overtime claims were not fully credited. There were also differences in how the reduction of accrued overtime ordered was handled.*

Reviews of the matter did not reveal any misconduct by disciplinary superiors or heads of service, however.

For some servicewomen and men, their involvement in administrative assistance meant they lost the **hardship allowance** for their usual work. In order to keep the disadvantages to a minimum, the Ministry instructed that the regulations for granting allowances during the management of the pandemic be interpreted “in the most generous way possible”. The legal situation also made it possible to continue to grant the allowance until the end of the month following the occurrence of the interruption.

Some **reservists** also voiced criticism in connection with administrative assistance. Reservists who had been highly motivated in responding to the Minister's call for assistance during the pandemic complained about being called up for reservist service at the same rank at which they had been discharged from the Bundeswehr, although in the intervening period they had acquired a qualification for an officer career in civilian life:

- *For example, a petitioner complained that despite his civilian professional qualification as an ENT specialist, he had not been called up in the officer career, but rather only with the rank of lance corporal – his last rank as a conscript – for reserve service at a Bundeswehr hospital. He had not left his practice to perform auxiliary work, he said.*
- *Likewise, a chemist with a doctorate and the rank of private expressed his dissatisfaction at the fact that he had not been promoted for his work during the pandemic because he had not been designated for assignment. As most of the active soldiers already held the rank of private first class, he felt it would be a sign of appreciation for him to at least receive this rank for his voluntary service on the basis of his experience.*

The reservists' dissatisfaction is understandable in both cases. Sudden promotions from the junior ranks to the career of officer, as the medical specialist envisaged, are not legally possible. Moreover, promotions in the reservist service are only possible for reservists who have been designated for assignment. Promotions serve to confer the rights and competences associated with the higher rank with a view to the future assignment. This means the promoted individual generally needs to remain at the disposal of the Bundeswehr for an appropriate period of time in this assignment. This is only the case if she or he has been designated for assignment. Even though this may seem unsatisfactory for the persons concerned, it is commensurate with the personnel development rules applying to reservists. Both petitioners would, however, have the option – provided they are suitable – of entering the career of reserve officers in the Medical Service by way of lateral entry.

- *Other petitioners complained about the cancellation or premature termination of planned or already started reserve services due to the pandemic and the ensuing disadvantages this entailed for them. Prompt or alternative assignments were usually not possible, so the Ministry. Often, call-ups also had to be cancelled out of a duty of care because the reservist belonged to the Covid-19 at-risk group. Furthermore, demand for reservists outside the Medical Service was low.*

According to the Bundeswehr, a good 3,600 reserve services were terminated prematurely by the force, which also led to financial losses for those concerned. It also had to cancel all planned courses and events for the protection of all those involved. The Ministry affirmed that it was aware of its social responsibility towards this group as well. Nevertheless, it felt maintaining the operational capability of the active troops was higher priority. Those on reserve service have neither a claim to service nor to financial compensation for not being called up for reserve service. The disappointment of the reservists affected is understandable, but unfortunately down to the special, dynamic situation during the pandemic.

In light of the extraordinary commitment shown by the reserve, it was also understandable that numerous reservists felt it made no sense that they were excluded from the payment of the corona bonus, as it has been dubbed, which was received by recipients of military pay. However, the objective pursued by the Covid-19 special payment was not transferable to the reservists' group because the special payment was made as a benefit

for existing personnel given their ongoing work under special conditions. This notwithstanding, the special services of reservists should be rewarded through possible allowances under the Benefit Payments and Dependents Maintenance Act, for example in the form of an allowance for special hardships.

As already stated in the introductory chapter on administrative assistance, it would be desirable to find a way to give special recognition to the work of reservists in the Covid-19 pandemic, for instance in the form of a service medal.

Adjustments in daily military life

Daily military life during the pandemic was much harder, especially for military families with parental responsibilities. The closure of childcare facilities and schools, some for periods of weeks, and the loss of caregivers under the contact bans hit servicewomen and men hard. To make matters worse, service personnel were only partially able to benefit from emergency childcare for professions categorised as **essential**. Only seven out of sixteen federal states recognised the profession of soldier as essential. Non-recognition posed enormous problems especially for single-parent soldiers and the partners of soldiers on deployment.

The Ministry of Defence pointed out that, under an agreement between the Chancellery, the Defence, Family and Education Ministries at the beginning of April 2020, the various regulations of the federal states and municipalities on emergency childcare were supposed to have been expanded in such a way that all members of the Bundeswehr who are required to ensure the operational readiness and ongoing missions of the Bundeswehr and who have to perform their service in person rather than from home during the Covid-19 situation can, if necessary, make use of emergency childcare. However, the federal states had not implemented this uniformly nationwide. The youth welfare offices had supported members of the Bundeswehr in individual cases, though. The Ministry of Defence said that when evaluating the measures taken during the Covid-19 pandemic it would also review to what extent a nationwide uniform regulation on essential professions could be achieved. The Ministry should step up its efforts in this vein. The current practice not only puts a large number of soldiers at a disadvantage. It damages the attractiveness of the Bundeswehr as an employer and, above all, calls into question the importance and recognition of the military profession itself.

One help with childcare was certainly that the pandemic forced the Bundeswehr, like many sectors of the economy and public service, into **working from home** or, more broadly, mobile working – with all the good and not so good experiences that go with this. The swift issue of laptops worked satisfactorily for the most part, perhaps even better than at some other large federal agencies. It was very striking how quickly the IT hardware was made available in especially important areas, for instance at the operations centre of the Bundeswehr's Territorial Tasks Command at the Julius Leber Barracks in Berlin. By mid-April 2020, 2,000 notebooks had already been delivered to the Bundeswehr's corona operations command centres, as they were dubbed. At this early point in time, four regional crisis operations commands each had 500 notebooks they could be equipped with in the event of requests for administrative assistance.

However, the hardware is only half as useful if there is no access to the **Bundeswehr Intranet** when working from home. Here the Bundeswehr reacted surprisingly swiftly and pragmatically: as a sort of emergency supply mechanism, a solution coordinated with the Federal Office for Information Security expanded access capacities to the Intranet. This not only made Intranet access with the above-mentioned 2,000 notebooks possible, it also ensured the capability of numerous service units to work from home.

The Covid-19-related restrictions also catalysed the expansion of **messenger technology** that had been planned for so long. During the pandemic, the Bundeswehr temporarily expanded the pilot operation of a commercial chat solution (stashcat) to up to 50,000 possible users. The number of registered users rose from 11,000 in April to 48,000 in October 2020, figures that attest in no uncertain terms to the clear demand for this. In addition, the Bundeswehr's own BwMessenger has now been approved for personal data in restricted area 1 as well as data categorised as "unclassified" and "public". This involved the Bundeswehr also swiftly expanding its pilot here. By the end of the year, the number of registered users for BwMessenger had risen to around 55,000. Since 16 November 2020, all service personnel have been able to download BwMessenger from app stores. The app, which can be used on both official and private devices, has now become the new standard and secure messaging service for the Bundeswehr.

Finally, the progress made in **remote teaching and learning** during the pandemic is encouraging. For example, in March of the year under review, the Bundeswehr Command and Staff College had to suspend the courses for

the general and admiral staff service due to people at the college contracting Covid-19. The classes of 2018 and 2019 then studied from home. The college commander was very positive about the experience. His assessment that “in the Bundeswehr, access to open training contents – including with private IT – must become a matter of course” is to be concurred with. However, the prerequisite for uniform remote learning across the Bundeswehr, so the college commander, is ultimately a uniform technical system at the Bundeswehr. On a small scale, knowledge transfer through WikiBw or the ILIAS learning platform is already working well. Here, the Leadership Development and Civic Education Centre compiles read-ahead packages with training content on *Innere Führung* (leadership development and civic education) for the battalions set to begin general basic training in the future and provides remote assistance for the transfer of knowledge.

A comment on all these positive developments in an Internet blog related to the Bundeswehr read as follows: “But it apparently took a crisis like the current situation to realise that the existing set-up is not sufficient to keep the armed forces capable of action and communication in this situation. (...) I only hope that this solution (...) will be kept after the crisis.” One can only agree with this statement.

It has been demonstrated that all the digital advances deployed during the pandemic to manage daily military life have made a decisive contribution to maintaining the Bundeswehr’s operational readiness in the event of crisis. These new accomplishments should become permanent fixtures and further developed with more opportunities to work from home for suitable posts and additional IT equipment for more mobile working.

2. *Innere Führung*

70 years ago, Chancellor Adenauer appointed a panel of military experts – including the later Bundeswehr generals Johann Adolf Graf von Kielmansegg and Wolf Graf von Baudissin – to develop initial ideas on rearming Germany. The result of their closed-door deliberations at a monastery in the Eifel was the Himmerod Memorandum, which laid the foundation for the concept of *Innere Führung* or leadership development and civic education. Since then, the Bundeswehr has continuously developed this ethical and moral guiding principle for its citizens in uniform, most recently through the “*Innere Führung – Today*” programme. As the 2019 annual report detailed, the aim was to improve the general conditions and prerequisites for good leadership as part of a broad-based gathering of information from members of the Bundeswehr themselves in the form of workshops with 770 military and civilian leaders. The outcome was a large number of greatly varying suggestions for improvements, some of which the Bundeswehr has already carried out or is already in the process of implementing, such as expanding commanders’ freedom of action, the publication of social media guidelines or the Training AGENDA. It has still not been decided whether and when the Ministry of Defence will prepare a comprehensive final report on this. In the spirit of transparency and the inclusion of all service personnel and civilian employees, this step would make sense. *Innere Führung* provides servicewomen and men support and orientation and gives them confidence in their actions.

Unfortunately, there have been a number of incidents in recent and also in this reporting year in which servicewomen and men grossly breached the principles of *Innere Führung* and violated the free democratic basic order. Section 8 of the Legal Status of Military Personnel Act clearly stipulates that servicewomen and men must acknowledge the free democratic basic order as defined in the Basic Law and must champion it being upheld through their entire conduct. The absolute majority of servicewomen and men in the Bundeswehr honour this essential core of the Legal Status of Military Personnel Act and stand firmly on the foundation of the Basic Law. These servicewomen and men deserve the trust and confidence of policymakers and society, including in the difficult situation seen in recent years and in the year under review. On the other hand, there is no place in the Bundeswehr for anyone who does not honour these obligations. **Extremism** of any kind has no place in the Bundeswehr. Anyone who behaves in an extremist way or even simply accepts extremism does not belong in the Bundeswehr. German history has shown that a country’s free democratic basic order can be destroyed if, for instance, racist and anti-constitutional mindsets are not met with vigorous resistance in time.

The Bundeswehr has the opportunity to identify extremism and ensure that these tendencies do not spread in the first place, above all in basic and advanced training. That is why it must put the **civic education** of service personnel at the top of its agenda. The Ministry of Defence has announced that a new service regulation will be issued at the beginning of 2021. Furthermore, the Ministry intends to step up cooperation with the Federal Agency for Civic Education, especially with a view to combatting extremism.

Another positive step is the study planned by the Bundeswehr Centre of Military History and Social Sciences, which is to examine how successful civic education is at the Bundeswehr. What is truly key, though, is the actual implementation of civic education on the ground at the companies, student companies, squadrons and other units. Without this, the fundamentally good and sufficient rules and regulations cannot have any effect in the first place. The Bundeswehr Association's call for an investigation into whether and how civic education is conducted and practised therefore merits support. It is important to make civic education the norm in everyday military life and to sustain it, as the relevant central service regulation stipulates: "Civic education is not limited to current information, civic instruction and external seminars. Discussions between superiors and their service personnel continue to be an important tool in civic education."

Servicewomen and men need to understand what it means to acknowledge the free democratic basic order and to champion it by their conduct at all times. Not just fighting, but knowing what for – that is essential. A solid civic education foundation is a guarantee that soldiers will have the necessary awareness of what is acceptable and what crosses the line. It enables them to be vigilant towards extremist positions and to confront them confidently. This also strengthens those standing up to extremism. Those expressing extremist views must immediately face opposition from fellow soldiers and superiors. The larger and more united the group of those objecting, the greater their influence and the more lasting their power of persuasion can be. In this context, Federal President Frank-Walter Steinmeier sent an important signal to the troops on the occasion of the Bundeswehr's 65th anniversary: "It is right to participate in exposing extremist activities. It is not a betrayal and it is not an affront to honour, it is the very opposite."

The Office of the Parliamentary Commissioner obtains information on extremism as a whole largely through reportable events in the Bundeswehr. Other sources are relevant submissions, discussions with members of the Bundeswehr during field visits and information visits to the Federal Office of Military Counter-Intelligence (FOMCI). In compliance with the tasks assigned to it by law, this office investigates other cases of suspected extremism in the Bundeswehr in addition to reportable events. Following a suggestion in the last annual report, it presented an annual report by the Military Counterintelligence Service for the first time in 2020 for the year 2019, which is now to be published annually and which provides an overview of the service's work. According to the report, the number of suspected cases recorded in the category of right-wing extremism increased significantly compared to 2018, amounting to 363 in 2019 (2018: 270). In the category of Reichsbürger/supporters of self-governance, there were 16 new suspected cases in 2019 (2018: 20). In the category of Islamic extremism, there were 77 new suspected cases in 2019 (2018: 50). For 2020, the Military Counterintelligence Service reported 477 new suspected cases in the category of right-wing extremism and in the categories of Reichsbürger/supporters of self-governance and Islamic extremism 31 and 48 new suspected cases respectively.

Extremism at the Special Forces Command (SOFCOM)

In the year under review, the Special Forces Command (SOFCOM) was at the centre of the debate on right-wing extremist aspirations in the Bundeswehr:

- *During a house search on 13 May 2020, police found a veritable cache of ammunition and explosives at the home of a member of SOFCOM. The senior noncommissioned officer had buried several batches of ammunition, a large quantity of plastic explosives and an AK47 assault rifle (also known as a Kalashnikov) in the garden of his home. He was also in possession of National Socialist propaganda postcards and an SS songbook. Criminal proceedings and judicial disciplinary proceedings were subsequently initiated. He was also banned from wearing uniform and provisionally removed from service. In addition, an order was issued to withhold a proportion of his pay.*
- *Shortly after the search measures on 13 May 2020, an employee of the Federal Office of Military Counter-Intelligence involved in the investigation showed a photo folder of the items found to a soldier friend in the Special Forces Command. The latter informed other SOFCOM members about the investigation findings. The Federal Office staff member was banned from wearing uniform and from performing his duties. Judicial disciplinary proceedings are pending at the competent disciplinary and complaints court.*

The discovery of explosives, ammunition and weapons marked the continuation of a series of incidents at SOFCOM linked to extremism that began in 2017. At a leaving party for the then commander of 2 Operations Company (now: 2 Commando Company) that some 60 service personnel attended, the officer was supposed to

complete an obstacle course which was themed as “Roman-Medieval games”, including *inter alia* a pig’s head throw. The “main prize” was sexual intercourse with a specially invited, willing female civilian. Much alcohol was drunk that evening and according to an eyewitness, a song by the right-wing rockband “Sturmwehr” could be heard. During the party, the outgoing commander allegedly gave the Hitler salute along with other soldiers.

Further investigations led to the person concerned being charged in April 2019 before the disciplinary and complaints court *inter alia* with making the Hitler salute. On the basis of subsequent investigations, a supplementary charge sheet was issued in October 2020. In it, he was accused *inter alia* of having already made the Hitler salute in several cases in the past and of having made allusions to the SS and the Hitler salute in text messages. Further accusations concern anti-Semitic and racist statements as well as the use of Nazi language.

In 2017 – the year of the leaving party – the allegations against First Lieutenant Franco A. also arose. The description of the case can be found in the 2017 annual report. Although Franco A. was not a member of SOFCOM, the investigations conducted by the Federal Public Prosecutor’s Office in this case uncovered indications of a chat group of “preppers”, including a former member of SOFCOM – called “Hannibal”. He was charged in November 2020. He stands accused of having privately kept Bundeswehr items without authorisation, including a box of ammunition and explosive materials.

All these events led to suspicions among policymakers and society that there could be a right-wing extremist **network** inside the Bundeswehr. SOFCOM eventually became a focal point of the Military Counterintelligence Service’s work in the category of right-wing extremism, as noted in the 2019 annual report. This development continued in the year under review. The Military Counterintelligence Service again categorised the Special Forces Command as a focal point of counter-extremism. Although the investigations did not uncover any evidence of the existence of a “shadow army”, they did reveal “interlinkages”, “relationships” or “networks” between suspects of a varying nature, linked by a common mindset.

The formation also stood out in the area of reportable events. In 2020, the Special Forces Command reported eight relevant suspected incidents (2019: seven). Some of the incidents had already occurred in previous years, but only came to light in 2020. These involved making the Hitler salute, derogatory remarks about the Holocaust and about Jews, and sending right-wing extremist content over WhatsApp. Most of these cases were still under investigation at the end of the year under review.

A leaving party, links to the prepper scene, suspicions of a right-wing extremist network at the Bundeswehr, SOFCOM as a focal point of work in the category of right-wing extremism, a comparatively high number of reportable events and the case of the ammunition and explosives stash mentioned at the beginning of this section all called for urgent action.

Established in 1996, the Army’s Special Forces Command has a special status in the Bundeswehr as an elite unit. It has exclusive special capabilities to accomplish strategic missions such as freeing German hostages in crisis or war zones and apprehending war criminals or terrorists. This is only possible, though, as long as the special forces enjoy the trust of the Bundeswehr leadership, parliament and society as a whole. The accumulation of the aforementioned extremism-related incidents over the past three years has enduringly shaken this.

It was also against this background that the SOFCOM commander, Brigadier General Kreitmayr, addressed all the members of his formation on 18 May 2020 – in writing due to the Covid-19 pandemic. In his view, the formation was “currently experiencing the most difficult phase in its history,” in which the case described at the start of this section was “a shocking climax”. He stressed that “the values of our Basic Law are what give our service meaning, impact and thus worth.” Members of his formation who sympathised with the right-wing spectrum did not deserve comradeship: “They should leave the formation and the Bundeswehr of their own accord. If you do not, you will see that we will find you and remove you.” The others, on the other hand – the constitutional patriots of the command as he called them – were the key to changing the formation. These clear, unequivocal and also self-critical words by the commander are an example of model leadership.

In response to the events, the Minister of Defence set up a **SOFCOM working group** on 29 May 2020 under the leadership of the Chief of Defence to detect efforts within SOFCOM that attack the fundamental equality of people as enshrined in the Basic Law and that reject the universal validity of human rights. The aim was to analyse structures and shortcomings within this command and to develop proposals on how to better combat right-wing extremism there and prevent it from occurring in the first place. Here, the focus was on SOFCOM as a whole and without any limits being defined in terms of the timelines. The Minister made it clear that she

wanted to send a clear signal: “That we do not tolerate right-wing extremism and any other form of extremism in the Bundeswehr. That we will sift through with an iron broom.” The Parliamentary Commissioner assisted the working group’s activities.

On 30 June 2020, the SOFCOM working group at the Ministry of Defence presented its **report** containing 60 individual measures. It came to the key conclusion that the Special Forces Command had taken on a life of its own in some areas due to an unhealthy understanding of elitism by individual leaders. A toxic leadership culture, extremist tendencies and careless handling of materiel and ammunition had developed. The formation could not be maintained in its current structure. Its isolation had to be ended and it instead needed to be integrated better into the Bundeswehr as a whole. To be able to concentrate on the implementation of the measures, the formation was to stop exercises and international cooperation for the time being. Other units were to assume the operational commitments of SOFCOM where possible. The Minister of Defence and Chief of Defence thus made the seriousness of the situation clear and at the same time gave the special forces the opportunity to rebuild trust.

The decision to disband 2 Commando Company hits the formation particularly hard. Its leaving party in 2017 is also where the working group saw the visible origin of the escalating development of extremist tendencies at SOFCOM. The working group found that all investigations into this and into the ammunition, explosives and weapons found in the garden of the senior NCO ran up against a “wall of silence”. Furthermore, there was a noticeable internal cult of personality towards individuals, which was also attributable to the long-standing relationships involved. Since individual measures no longer seemed sufficient, the company was disbanded on 30 July 2020. This hit the company members hard, especially those – and that was about half of them – who had only started their service at the company after the leaving party which had become known as the “pig’s head party”.

Another important step in the 60 measures was vetting all SOFCOM personnel for their loyalty to the constitution. This is taking place as a multi-stage procedure with the participation of the Military Counterintelligence Service and is expected to take until April 2021. In the medium term, the intention is to introduce a new level 4 security clearance check to step up vetting possibilities, at least for sensitive areas such as special forces.

The development of a new checklist at the Ministry of Defence to serve as a catalogue of measures for dealing with cases of suspected extremism for disciplinary superiors is also to be welcomed. Not only does it give superiors greater confidence in selecting the right course of action, it also ensures a uniform way of handling such cases in the Bundeswehr.

The Bundeswehr also wants to take action in terms of the education and civic education of SOFCOM. In the future, individual and team coaching conducted by external psychologists, educational specialists or sociologists, will be used to train the servicewomen and men. In addition to this, a one-week compulsory basic SOFCOM course is planned at the Leadership Development and Civic Education Centre. On 23 and 24 November 2020, the Parliamentary Commissioner and the Chief of Defence visited the second pilot for this new basic training course and observed part of the course. The modern teaching methods as well as the motivation and determination of the SOFCOM soldiers to consolidate their skills in the subjects of “leadership”, “character development”, “mental strength” and “loyalty to the constitution” are important steps towards significant future improvements.

The **study** on the causes, extent and influence of political extremism in the Bundeswehr, which has already been commissioned and will be conducted by the Bundeswehr Centre of Military History and Social Sciences with the involvement of the Advisory Council on Leadership Development and Civic Education starting in 2021, is also a good decision. It is designed to produce scientifically substantiated findings in this area. The aim is to develop measures for the prevention of extremism and for civic education, whose impact will be analysed in a separate study. A study of this kind can also contribute to confirming or eliminating the latent suspicion towards the Bundeswehr of being a space for right-wing extremism.

The report by the working group also includes many other sensible measures and reforms: integrating training into the Army, fostering targeted exchanges with the other special forces of the Bundeswehr and, at international level, strengthening staff structures in the areas of personnel, military security and logistics, limiting periods in post for command and leadership positions and shared personnel as well as regular rotation of personnel within the operational forces of SOFCOM. In this context, a point that emerged on the fringes of the investigations should also be taken into account: Although SOFCOM has good psychological support, it has

not offered any treatment possibilities in the past. It is good that the Bundeswehr has now created these. They are urgently needed for soldiers who have to manage in the most difficult borderline situations, sometimes for long periods of time.

There are also plans to open up more to the rest of the force and society. For example, SOFCOM has already created an exhibition inside the barracks entitled “SOFCOM: People, Myths and Missions”. So far, this has only been accessible to a restricted group of people. However, the Bundeswehr plans to open the exhibition to all those interested off the property at its own visitor and information centre.

A comprehensive **general inventory**, though not yet complete at the end of October 2020, had already been able to resolve a high proportion of unclear cases in the ammunition and explosives stocks at SOFCOM. However, it also revealed considerable shortcomings in the handling of ammunition: the workload of the responsible personnel consistently being too high, delegation of ammunition management tasks in contravention of the rules and what was evidently inadequate command supervision – coupled with “serious negligence and dereliction of duty” – at various levels of the formation. The increase in personnel and improvement of command supervision announced are therefore urgently needed. Why the ammunition depot of SOFCOM – the formation probably using the largest amount of ammunition in the Bundeswehr – had still been working with index cards up until then defies logic. Integrating it into the Bundeswehr’s digital booking system was long overdue.

A first interim report by the Ministry on 30 October 2020, which was discussed by the Defence Committee on 4 November 2020, noted that the implementation of the catalogue of measures was progressing swiftly and systematically. The Chief of Defence stated that the women and men of SOFCOM have accepted the challenge of resetting their formation and are facing it with commitment and energy.

The Parliamentary Commissioner visited SOFCOM shortly after taking office in June 2020. She wanted to talk to the servicewomen and men to hear what they thought about the incidents and reforms, and what ideas they had. Civilian and military members of SOFCOM stated without exception at this time during these talks that they had not noticed the radicalisation of individuals. In this context, the officers voiced criticism about having too little time for personal contact with their soldiers due to the considerable bureaucracy burdens they faced. The open letter by the commander was viewed positively by the servicewomen and men for the most part. At the same time, though, they complained about the general suspicion they sometimes felt towards them. They also felt that their achievements or abilities were not sufficiently valued and appreciated – in the Bundeswehr or in civilian life. They felt that the formation did not enjoy the backing of policymakers and the media. They were very uncertain about what information they were even allowed to provide about their isolated formation without committing a disciplinary offence. There was great concern that the Bundeswehr leadership might dissolve the formation entirely.

The Parliamentary Commissioner made it clear that they were **not under general suspicion**, and that there was good reason not to forego the capabilities of the formation in the future. What was necessary, though, she stated, was the internal reset called for and initiated by the Minister of Defence, as well as a full investigation of the events. The Parliamentary Commissioner encouraged the members of the command to actively participate in resolving the problems they had identified and to regain the trust lost.

A second field visit by the Parliamentary Commissioner in September 2020 showed that the members of SOFCOM are putting this into practice. She was given the chance to gain her own impression of the final phase of the assessment of potential procedure for commando soldiers – colloquially referred to as Hell Week. The invitation is to be seen as a clear expression of the changes at the command towards greater openness and transparency. When talking to the special forces, there was sincere consternation as well as a clear motivation to investigate and deal with the right-wing extremist incidents of the past and to implement the reforms. This is important because the reform process can only succeed if it is wanted, supported and backed by SOFCOM itself. The reforms initiated were also already visible in the selection procedures. In addition to physical and mental resilience, the focus is now even more on the character of the applicants – leadership behaviour, teamwork and loyalty to the constitution. In addition, psychological support and assessment have been further expanded.

Germany needs special forces and their important capabilities as it has done for the past 25 years – and specifically as an elite unit serving the rule of law, democracy, freedom and peace. SOFCOM needs to be able to make a fresh start into the future, with a clear political mandate and new trust from those mandating it. The goal of completing the organisational and personnel measures underway in the summer of 2021 seems realistic.

Extremism in other areas of the Bundeswehr

The focus on the Special Forces Command in the year under review must not lead to the systematic investigation of other suspected cases of extremism in the force – which there were also several of in the year under review – being neglected.

The total number of “suspected cases of extremism” reported by the Bundeswehr increased significantly again in the year under review. There were 211 **reportable events** concerning suspected cases in the categories “activities that jeopardised the democratic rule of law”, “impermissible political activities” or “incitement to enmity and hatred”. From 2017 to 2019, there were 167, 150 and 178 reports respectively, and 63, 57 and 63 relevant cases in the three years prior. Suspected cases cannot always be clearly assigned to a reporting category. In 2020, for instance, the force reported 18 suspected cases involving *inter alia* the terms “discrimination” and “bullying” (2018 and 2019: 20 and 19 reports respectively), in which an extremist background could not be ruled out.

The following examples prove that there are servicewomen and men displaying right-wing extremist ideology and behaviour:

- *In a WhatsApp group called “disabled spastics”, 16 noncommissioned officers and ten junior-ranking soldiers allegedly exchanged violence-glorifying, pornographic, anti-Semitic and right-wing extremist content in the form of texts, photos and videos. The disciplinary investigations involving the disciplinary attorney and public prosecutor’s offices as well as the Military Counterintelligence Service had not been completed by the end of December 2020. For seven of the soldiers, the Bundeswehr is pursuing proceedings for premature dismissal. In the case of three staff sergeants, the Bundeswehr is still awaiting investigations by the Military Counterintelligence Service before applying for dismissal. Three junior-ranking soldiers were prohibited from wearing uniform and from performing their duties.*
- *An intoxicated junior-ranking soldier shouted “Heil Hitler” and “Sieg Heil” several times in public at night, which was clearly audible to the residents of the surrounding houses. In addition to premature dismissal from the Bundeswehr, the soldier faced criminal charges.*
- *A junior-ranking soldier made right-wing extremist and racist comments in his WhatsApp status via video. These statements included: “They let such subhuman filth into the country”, “Representatives of the people in Berlin = enemies of the people”, “Jewing around”, “I don’t like mixed races”. The Bundeswehr dismissed the soldier prematurely from service.*
- *Another junior-ranking soldier published the perpetrator’s video of the attack in Halle in a WhatsApp group. He, too, was prematurely dismissed.*
- *Another junior-ranking soldier sent various pictures with the likeness of Adolf Hitler in a private WhatsApp group regarding a birthday. Criminal charges were pressed. The Bundeswehr also dismissed this soldier prematurely.*
- *A senior noncommissioned officer posted a picture in his WhatsApp status of Adolf Hitler in a crowd, with numerous people around him raising their hands to make the “Hitler salute”. Hitler’s face was replaced by the head of the senior NCO. A non-appealable penalty order against the soldier was followed by the initiation of judicial disciplinary proceedings.*
- *The mobile phone of a noncommissioned officer contained at least 300 stored files with racist, anti-Semitic and overall deeply misanthropic content. One example was a joke making a play on words about deportation to Auschwitz. The division commander temporarily relieved the soldier of duty, banned him from wearing uniform and ordered half of his pay to be withheld. He was then indicted by the disciplinary and complaints court.*
- *A junior-ranking soldier sent picture and text files in a WhatsApp group of around 300 people showing a total of 18 swastikas. The consequence was a non-appealable penalty order and the initiation of judicial disciplinary proceedings.*
- *During a house-to-house collection by the Volksbund Deutscher Kriegsgräberfürsorge e. V. (German War Graves Commission), the ringtone “SMS from the Eastern Front” fashioned to sound like Adolf Hitler rang*

out from the mobile phone of a sergeant. A nonjudicial disciplinary measure was imposed on the soldier and he was also prematurely dismissed from the Bundeswehr for another disciplinary offence.

- A temporary-career volunteer in the rank of lance corporal took part in several events with links to the local right-wing extremist scene. In addition to this, her Facebook profile showed features relating to right-wing extremism. She was dismissed prematurely.

In other cases, racist or xenophobic attitudes on the part of servicewomen and men came to light:

- A sergeant told comrades that Turkish women's beards start to grow at the age of 30 and that you have to lift up their burka to see if it is a man or a woman underneath. The Bundeswehr punished this with a nonjudicial disciplinary measure.
- In a discussion about the lack of voluntary election assistants, an officer suggested something to the effect that "our dark-skinned guests" should be enlisted for this purpose and, on the subject of refugee policy, he said that Germany should be "cleaned up properly for once". His superior imposed a severe disciplinary fine on him.
- A junior-ranking soldier on a foreign mission in Mali is alleged to have said the following about local forces: "If the nigger doesn't work properly, I'll lose it" and "I have to check whether the blacks have done the cleaning properly." The extensive interviews conducted did not provide a clear picture of the situation. Nevertheless, the superior cautioned the soldier in question to treat the local workers with respect and proper manners.

Finally, there were cases of servicewomen and men professing allegiance to the Identitarian movement or the Reichsbürger (Reich citizens):

- A noncommissioned officer was a member and activist of the Identitarian movement during his period of service. The Military Counterintelligence Service categorised him as a known right-wing extremist in the Bundeswehr. The soldier was dismissed prematurely.
- Investigations are still ongoing against a sergeant who is alleged to have made the following statements: "We have no peace treaty." "We are actually still the German Reich." "The American banks and Jews, including Soros, have the power." "The right comes from right and righteous." "Left comes from deceit and cheats." "Germany has no constitution." In addition to initiating judicial disciplinary proceedings, the responsible commander provisionally relieved him of duty, banned him from wearing uniform and ordered half of his pay to be withheld as his removal from service is to be expected.
- A sergeant was wearing a T-shirt at the barracks with the words "Reichsbürger" printed on it in German type. A nonjudicial disciplinary punishment was imposed on the soldier.

The Bundeswehr must not relent in its systematic work to stamp out extremism. Every single case of extremist behaviour is one too many and must be investigated swiftly and at the same time thoroughly and in accordance with the rule of law – this applies to every relationship and every chat group – it must always be clarified what connections there are, whether networks are possibly developing or already exist. Bringing the facts to light is indispensable.

Doubts about a thorough investigation of the outlined incidents of extremist behaviour in the Bundeswehr, which have increased since 2017, prompted the Bundestag's **Parliamentary Oversight Panel** to investigate the investigations conducted by the federal intelligence services, including the Military Counterintelligence Service. In November of the year under review, after two years of investigative work, it presented a classified report comprising several hundred pages as well as an abridged public assessment. In the public assessment, the panel found that – partly in spite of security clearance checks having been performed – a number of employees with right-wing extremist and violence-oriented ideology are working at the Bundeswehr and various federal and federal state security agencies (including intelligence services). These have links to each other – albeit not every individual to every other individual, but at least to the different groups – of varying intensity. The Military Counterintelligence Service had not sufficiently fulfilled its duties in combatting right-wing extremism and in counterespionage for the Bundeswehr.

If the serviceman or woman can be proven to have extremist views, he or she is generally dismissed prematurely from the Bundeswehr. In 2020, 24 such dismissals were reported. In some cases, the investigating disciplinary

superiors are unable to prove any such ideology or affinity to extremism beyond an extremist statement or action.

In 41 cases, the investigations confirmed the reported facts. In 41 cases, the disciplinary offences were not able to be unequivocally proven or no accused could be identified as perpetrators. With cases of extremist graffiti at the barracks, in particular, such as swastikas painted or scratched onto walls, doors and tables or, for instance, a swastika formed with coloured pins on a freely accessible pin board at the company building, it was not possible to identify the perpetrators. In these cases, it is often not possible to narrow them down to servicewomen and men, civilian members of the Bundeswehr or civilian visitors to the barracks.

The dissemination of extremist or racist content through words and images is also increasingly happening on social media, which plays a significant role in today's communication world. The increasingly extensive private and duty-related use makes it essential for service personnel to use this media responsibly. The **Internet** is not a lawless space and the freedom of opinion enshrined in the Basic Law does not apply to the posting of such content. This prompted the Federal Ministry of Defence to publish Social Media Guidelines in November 2019 with the aim of raising the awareness of members of the Bundeswehr in this area. The Parliamentary Commissioner nonetheless again learnt of suspected cases involving extremist statements on social media in the year under review. As a rule, this led to criminal and disciplinary investigations, which sometimes in turn led to early dismissals from service at the Bundeswehr.

In addition to reportable events, the Parliamentary Commissioner received 22 **submissions** (2019: 17) in which petitioners described extremist behaviour on the part of servicewomen and men. Aggrieved parties also reported being the target of bullying, discrimination or hostility due to their migration background. Other petitioners criticised the manner and duration of the investigations conducted against them or against other fellow soldiers on suspicion of extremist behaviour. In some cases, the threatened or already ordered premature dismissal from the Bundeswehr was also the subject of submissions.

In view of the overall increase in cases of extremist sympathies or behaviour, it is positive that since 1 July 2017, applicants for first-time service in the Bundeswehr have had to undergo a simple **security clearance check** involving the Military Counterintelligence Service. The situation is different for reserve duty training. There is no automatic simple security check for those performing reserve service. Another special feature is that the Federal Office for the Protection of the Constitution is responsible for them before and after their reserve service. To ensure consistent processing of suspected cases of extremism, the Military Counterintelligence Service and the Federal Office for the Protection of the Constitution founded the reservists working group in 2017. Since then, well over 1,000 probes have led to the removal of more than 900 reservists from the planning of reserve duty training. The activities of the working group have shown that considering suspected cases in isolation within the respective remits of the security agencies can produce an incomplete picture of the situation in individual cases. Consequently, the then Director of the Military Counterintelligence Service agreed with the Directors of the Federal Office for the Protection of the Constitution and the Federal Criminal Police Office to improve the use of existing cooperation formats and to increase personnel sharing. For effective information sharing, there is also the intention to fully integrate the Military Counterintelligence Service into the Federal Intelligence Information System (NADIS), as this has not been the case so far. However, the legal basis for this is still lacking. This notwithstanding, the envisaged general security clearance check for reservists designated for assignment as well as a nationwide simple security clearance check for all reservists wishing to engage in reservist duty training is very much to be welcomed. The Military Counterintelligence Service must then also receive additional personnel and the IT equipment for this, though.

The Directive on Tradition, which was revised in 2018, provides for the **names of barracks** to be reviewed as to how in keeping with the cultivation of this tradition they are and for barracks to be renamed if necessary. In the year under review, the Bundeswehr renamed the Lent Barracks. Helmut Lent was a highly decorated air force officer in the Wehrmacht during the Second World War. He shot down 102 fighter planes before his fatal plane accident on 7 October 1944. Two-thirds of these aircraft were four-engined bombers. Nazi propaganda hailed him as a hero. In March 1944 he was promoted to the rank of lieutenant colonel and posthumously to colonel in October 1944. In July 1964, the barracks in Rotenburg (Wümme) were given the name Lent Barracks. The naming faced repeated criticism, especially in recent years. With the involvement of the service personnel at the barracks, the property is now called the Von Düring Barracks. Johann Christian von Düring was a Hanoverian forestry official in the 19th century and a free corps leader in the service of the Electorate and Kingdom of Hanover during the liberation wars against Napoleon. He is buried on the barracks grounds. The review of the barracks names on the basis of the new Directive on Tradition was also the trigger to look for new

names for other properties. Specifically, the Marseille Barracks in Appen, the Sergeant Lilienthal Barracks in Delmenhorst, the Mudra Barracks in Cologne, the Rettberg Barracks in Eutin and the Ostmark Barracks in Weiden. The processes for finding new names had not been completed yet by the end of the year under review.

Leadership behaviour

The Bundeswehr's leadership concept is based on the principles of *Innere Führung* or leadership development and civic education. One of the highest leadership principles derived from this is mission-type command and control. Military leaders should give their subordinates freedom to act, enable participation and shared responsibility so as to positively influence the motivation, job satisfaction and commitment of the servicewomen and men.

The support services afforded by the Leadership Development and Civic Education Centre for military and civilian leaders in the exercise of their leadership responsibility are therefore to be entirely welcomed. These include, for instance, **command personnel coaching** for the command personnel from unit level upwards or what is known as top-calibre personnel coaching for levels A 16 and higher. The underlying concepts are compelling, and the measures well received. Up to now, the Leadership Development and Civic Education Centre has required that the commander participate voluntarily in coaching. There is no Bundeswehr-wide obligation for all command personnel to complete coaching. The individual's own willingness to participate in command personnel coaching is undoubtedly an important key to the success of the measure. However, it means that the Bundeswehr fails to reach some of its command personnel. It should therefore consider inviting to coaching sessions even those command personnel who are sceptical about the support programmes or even reject them. Inner willingness can also develop in the course of a coaching session that is well done.

Superiors need to be aware of how important it is to communicate with the women and men serving under them in an appreciative, clear and fundamentally motivating way and to be open to new approaches and solutions. If, on the other hand, communication is disparaging due to misguided ideas of a barking "military tone", prospective noncommissioned officers or officers can hardly develop the self-confidence necessary for successful mission-type command and control.

This insight does not seem to have caught on everywhere. Sometimes superiors still seem to think that they can spur on the servicewomen and men under their command to increase their fitness by degrading them:

- *During basic training, an instructor asked a recruit if he was not ashamed of his weight, why he looked the way he did, did nothing about it and whether he dared to go to the swimming pool at all anymore. The superior stated that he had wanted to motivate the recruit with these remarks out of a duty of care, but the instructors probably had a negative view of the recruit because of his corpulence. An officer candidate also humiliated the recruit when he appeared before the basic training platoon. He effectively said that it was no problem that the recruit was looking down at the ground as given the size his gut was, he could no longer see his "willy" anyway.*

A sergeant also evidently communicated with "his" recruits in the "old school" way:

- *Following a failed training section, the noncommissioned officer is alleged to have said: "We can also do this Nazi-style." He also allegedly called the servicewomen and men under his command "sunshine", "spacs", "children" or "idiot".*

The situation is not necessarily any better when it comes to social media. Increasingly often, superiors use **messenger services** for quick communication and create group chats, for example to take care of organisational matters. The speed of this form of communication is both an advantage and a disadvantage. Something is typed quickly in anger, and a "matching" answer is written just as quickly, allowing even small differences to escalate in a short time. It is not surprising that the use of WhatsApp was not only the subject of submissions relating to right-wing extremist tendencies in the reporting year:

- *After registering for the 2020 Nijmegen March, (before the outbreak of the Covid-19 pandemic) a petitioner, a junior-ranking soldier, found he had been made a member of a WhatsApp group with over 40 participants – without his consent. He left the group because, in his view, the content of the more than 30 messages per day for the most part was trivial. The march group leader responded with the following WhatsApp: "??? Does this mean you're out? If you had any decency, the least I would expect would be for you to de-register properly. Answer by end of duty tomorrow!" The reasons cited by the petitioner and the*

tip that it was also possible to coordinate over Lotus Notes or the duty telephone did not meet with understanding on the part of the officer. Instead, he asked the petitioner, referring to his rank, whether he knew who he was actually writing to on WhatsApp. He said that he should let those who knew what they were talking about be the judge of what was irrelevant in the group. He would not process his registration for the march any further: “I have more important things to do than to hand pick and send all the information to a 30-year-old junior-ranking soldier separately.”

The following case demonstrates that superiors also like to use the new possibilities offered by services such as WhatsApp to closely monitor the servicewomen and men under their command:

- *During the Covid-19 pandemic, the servicewomen and men in a company ordered to serve at home were told to ensure their continuous availability at home within the time band for service hours. To check presence and availability, the platoon members were told to report to a WhatsApp group set up by the platoon leader with changing emojis before going on duty. In addition, they were supposed to send him their “live location”, which continuously transmits the current position of the sender over a set period of time. Given the fact that members of the company had previously been unavailable several times during the time band for service hours, the Ministry of Defence deemed monitoring measures to be appropriate in principle. However, it rightly clarified that the use of WhatsApp for official communication in the Bundeswehr was not permissible for data protection reasons. Moreover, it did not make sense why the platoon servicewomen and men had to report to the platoon leader before going on duty and also had to transmit their “live location”. For command supervision purposes, it was sufficient to make random telephone calls during the time band for service hours.*

The adoption of this clear position by the Ministry of Defence is very much to be welcomed. In keeping with a progressive leadership culture, technological development should not be used for the “total surveillance” of subordinates.

Leading soldiers appropriately is a great responsibility. This includes ensuring that subordinates, including if they stand accused of an offence or have been the victim of such, can trust their disciplinary superiors at all times. Only if they feel that their superiors treat them as human beings and citizens in uniform will they feel comfortable in the service setting, fully contribute to military service and also be more likely to accept justified criticism. It should be a matter of course that in **disciplinary matters** all servicewomen and men concerned are treated equally in line with the applicable rules and regulations and that the investigation procedure set out by law is adhered to. The following example illustrates that superiors do not always meet this expectation:

- *An officer candidate made defamatory remarks to two recruits on different occasions. The superior refrained from disciplinary action for the second disciplinary offence on the grounds that he had already taken this into account when assessing the disciplinary fine for the first remarks. The tone of the disciplinary order for the first offence did not indicate this, however. Moreover, the investigations into the second case of remarks had not yet been completed at the time the order was imposed, which is why he should not have included this allegation.*

Comradeship is an official obligation for soldiers. They must respect the dignity, honour and rights of their fellow soldiers and support them. Superiors should lead by example here:

- *During a mountain march, a company operations officer refused to allow a soldier who urgently needed to use the toilet to do so, saying: “Not happening, hold it in!” From the petitioner’s point of view, there was no operational reason for refusing to allow him to go to the toilet at a nearby alpine inn. The reason cited by the officer of wanting to stop a soldier from using the toilet at the busy alpine inn without buying anything there in consideration of the Bundeswehr’s public image did not justify the refusal to allow him to use the toilet.*

Especially when the basic needs of subordinates are at stake, superiors should practice special discretion when exercising their authority.

Prudence and circumspection are similarly required when soldiers themselves are no longer able to control their actions and what is happening around them:

- *At a sergeant’s leaving party, fellow soldiers laid a heavily intoxicated staff sergeant on a couch in a common room. After the drunken man fell over while getting up, the sergeant – who was filming the entire proceedings – sat down on the soldier’s stomach in the presence of the deputy platoon leader, causing him*

to visibly gasp for breath. Instead of intervening, the deputy platoon leader, together with the sergeant, made fun of the helpless staff sergeant. He received a severe nonjudicial disciplinary punishment.

Exploiting the helplessness of comrades and then going so far as making fun of them runs contrary to the principles of *Innere Führung* in a particularly flagrant way, as it undermines the claim of being able to rely on each other in danger and distress.

Excessive harshness in training

Bundeswehr instructors have a difficult balancing act to master. On the one hand, training – and especially basic training – need to challenge the trainees and push them to their limits. On the other hand, it must never overstretch the soldiers to the point that they suffer harm. At the same time, new recruits often have very different levels of fitness. What makes some of them just break out into a sweat already equals dangerous overexertion for others. The Bundeswehr responded to this by introducing the programme entitled “Increasing physical fitness in basic training” and now divides the trainees into fitness levels to then be able to promote their fitness in a targeted way. The vast majority of instructors cope with the challenging but rewarding task of training with flying colours day in and day out. Nevertheless, in the year under review, some of them sometimes exceeded the boundaries of hard but still acceptable training. In some cases, they did not take the signs of overexertion seriously:

- *During an induction run of about five to six kilometres as part of basic training, a female recruit repeatedly fell and sustained bruises and abrasions to her knees and shins. Other recruits had to prop her up on both sides. According to some of the participants, the instructors did not react to her complaints that she could not run any longer and instead encouraged her to continue running. After the run, the recruit staggered and continued to need the support of her comrades as she walked. Before reaching the company building, she collapsed and – at least in one recruit’s assessment – briefly lost consciousness. On the platoon leader’s instructions, her roommates took care of her in her room, where, by her own account, she had problems breathing and blacked out. Despite measures by an instructor who had been called in to stabilise her circulation, the soldier vomited several times a short time later. An assistant instructor noticed this, but apparently did not report it further. In the course of the evening, the soldier’s condition deteriorated further – unnoticed by her superiors – according to other recruits. She had complained of numbness and had been slurring her speech. Later, the platoon leader and an instructor calmed down the recruit, who had been lying on the ground in front of the company building and screaming and had her taken to her room. Afterwards, he examined the soldier’s condition again on site and then asked the noncommissioned officer on duty to check on the recruit when making his rounds of the company. Despite the symptoms displayed, the recruit was not taken to medical personnel at any time. The recruit left the Bundeswehr within the probationary period for “personal reasons” without providing any further explanation.*

It is frightening that those in charge did not seek medical assistance despite the massive signs and the extraordinary behaviour of the recruit. This should have happened immediately after the run, or failing that, at the latest once it became apparent that the servicewoman had not recovered sufficiently during the subsequent rest period either. The statements by the instructors and some of the recruits that those in charge assumed the recruit was exaggerating or just faking the attacks of faintness because she had shown little motivation during the training as a whole are no exoneration either.

The following example also shows what modern training should not look like:

- *During a basic NCO course in January 2020, instructors conducted what they called the “shit run” at an air temperature of about 11 degrees Celsius as part of military fitness training – and supposedly also for the purposes of “team building”. Carrying a load of two to three tree trunks (length of two to three metres, diameter of 15 to 30 centimetres), the course participants had to complete a running distance of about six kilometres in their field uniform. After about 1.5 kilometres, the soldiers had to cross a drainage ditch that was filled about waist-high with water and which several course participants described as a “cesspit”. During the remainder of the run, the soldiers had to do burpees (a mixture of squats, push-ups and stretch jumps) during “active breaks”. Several trainees reported that they later had to carry two collapsed, soaked course participants on cloths used as stretchers and lay them down on the ground in the meantime while they continued to do burpees. The collapsed participants were in a deplorable condition, they reported. One is said to have vomited several times, whilst the other is said to have briefly been unconscious. On another*

occasion, one of the instructors involved is said to have spat in front of the trainees in response to their poor performance and said they were “not worth the spit on the floor”. The other trainer involved in the “pig run” is also alleged to have ordered trainees to do “punishment burpees” after a failed night firing exercise and to have supervised this with an axe in his hand. It should be noted, however, that the investigation into this matter has not yet been fully completed and that the sequence of events described above is essentially based on several statements made by the course participants who have been interviewed so far.

Instructors who exploit their **position of power** to humiliate trainees on the basis of supposedly poor performance or apparent lack of motivation are violating the principles of *Innere Führung*. The “exercises” outlined below seem to have been of this kind of punitive nature:

- *For example, an assistant instructor allegedly ordered a basic training platoon to do “wall sitting” after the end of duty in January 2020. The recruits had to lean with their backs against the wall of the accommodation building and slide down in such a way that their upper and lower legs formed a right angle. In this position, they had to pass a bucket filled with water to their neighbour. During the exercise, which lasted about ten minutes, they spilled water at least three times, whereupon the assistant instructor emptied the water bucket on the floor. The trainees then had to fill the bucket with water again and continue the exercise. Afterwards, the recruits had to sit down in a line on the wet – and according to one participant also cold – floor and pass the full water bucket over their heads. On another day, the platoon’s instructors found obviously spoiled and foul-smelling iced tea during a room inspection. They emptied it out onto the floor and ordered the recruits to do push-ups in the iced tea. Finding a rubbish bag knotted shut had led to the recruits lining up again and the instructors saying that they felt they had been made fun of. They did not carry out the threat of “educational” measures until 11 p.m. and a line up at 3.30 a.m. However, the assistant instructor had torn open the rubbish bag, spread the rubbish out on the floor and ordered the recruits to pick it up. At the end of the year under review, the investigations into this matter had not yet been completed, but charges against two instructors are to be brought before the disciplinary and complaints court soon in 2021. One of them had already received a suspended sentence by the competent local court for degrading treatment under Section 31 of the Military Penal Code.*

Lifesaving acts or acts to help others

One aspect of the principles of *Innere Führung* requires servicewomen and men to think for themselves and not blindly obey. The many reports of exemplary individual acts by troops in everyday life show how positive this requirement of independence can be in combination with military virtues such as discipline, a sense of duty and responsibility. Every day, numerous soldiers demonstrate civil courage in the best sense of the term.

In the year under review, the Parliamentary Commissioner received more than 110 reports of such lifesaving acts or acts to help others by members of the armed forces. For many, this is such a matter of course that they continue their official duties afterwards without especially mentioning what they have done. Sometimes superiors learn of this exemplary behaviour afterwards at least through praise from the police, the fire service or emergency services. One can assume, therefore, that the Parliamentary Commissioner is not even aware of many cases.

Time and again, soldiers of all ranks carry out safety, recovery and first aid measures at the scene of **traffic accidents**. In 2020 alone, there were 68 reports. Three examples:

- *As they drove by, two lance corporals realised that four witnesses standing by a crashed car were unable to help the unconscious driver. They immediately turned around and started CPR, as the unconscious man was neither breathing nor had a pulse. They instructed the bystanders to once again inform the emergency services which had already been alerted, enabling them to prepare for resuscitation on the way there and request an emergency doctor. The emergency services said that the 50-year-old man, who was finally evacuated by rescue helicopter, only survived because of the initial measures taken so quickly and effectively by the two junior-ranking soldiers.*
- *A corporal, senior grade, who was the first to arrive at the scene after an accident involving two vehicles, immediately secured the accident site, gained an overview and, with the help of the uninjured one of the two people involved in the accident, recovered the other person who was trapped in his car with a burning*

engine. The soldier then stopped a public bus and put out the fire using its fire extinguisher. As the self-appointed leader at the site, he then briefed the arriving emergency services about the situation.

- *Another corporal, senior grade, after witnessing an accident between a car and a female cyclist, ensured that other people present secured the scene of the accident and made the emergency call. He immediately administered first aid to the seriously injured cyclist. As during the body check and blood sweep he realised that the 71-year-old's spine was injured, he ensured that she was positioned correctly and prevented other helpers from changing the woman's position again. His professional first aid was able to prevent worse injuries. The soldier's unit only learned of this model behaviour two months later.*

Since 1 January 2020, there has been the possibility of **free rail travel** for servicewomen and men in uniform. This is an important gesture of appreciation, respect and thanks for the service that troops perform and at the same time raises their visibility in society. Another positive impact of the presence of servicewomen and men on trains is illustrated by the following examples:

- *On a highspeed train from Frankfurt to Cologne, an intoxicated passenger tried to attack a train attendant, whereupon help was requested over the loudspeaker. Four soldiers, who were in uniform on their way home for the weekend, responded immediately, prevented the attack and detained the attacker until he was handed over to the federal police. As the federal police officers were unable to overpower the man, the soldiers also helped bring him to the police station.*
- *In order to investigate a suicide, a train had to stop on open track for three hours in the summer heat at the end of July 2020. Twelve soldiers from different service units joined forces and supported the railway staff, the crisis intervention team of Deutsche Bahn and the disaster relief agency Technische Hilfswerk in their work, for example by forming a human chain to distribute drinks to the passengers.*
- *As an elderly passenger on a highspeed train from Stuttgart to Hamburg suffered a cardiac arrest and had to be resuscitated, the train staff made an announcement asking for doctors or paramedics. Within a very short time, ten soldiers came together, including a captain, Medical Corps from the Bundeswehr hospital in Hamburg. Together with a civilian doctor and two police officers, the soldiers performed resuscitation, cleared the compartment and kept the aisles clear, all demonstrating professional calm.*
- *When a man waiting for a train collapsed with heart failure at Hanover central station, five junior-ranking soldiers on their way to start duty immediately initiated resuscitation measures, cordoned off the area and started the rescue chain. They were able to resuscitate the man for a time, although he later died in hospital. The federal police and military police officers called to the scene attested to the exemplary and exceptionally professional behaviour of the soldiers. They had done everything possible to save the man's life.*

Not just on the way to or from duty, but also in other **everyday situations**, servicewomen and men are poised to help people in need, in many cases saving lives. In 41 cases, the Parliamentary Commissioner learnt of this:

- *During a walk with his family in Ahrenshoop, a sergeant saw people in mortal danger in the Baltic Sea. As a trained lifeguard, he immediately jumped into the water and was able to bring two ten-year-old children ashore. He was unable to help their father, who had also tried to save them, because he was caught in the strong current. The rescuers from the German Life-Saving Federation (DLRG), who arrived shortly afterwards, said themselves that they would not have gone into the water as it would have been too dangerous due to the strong current.*
- *A lieutenant completing training in England on his way to physical training noticed a father in an indoor pool trying to free his son from the water who had been sucked in by a pump. He immediately jumped in, but it was only after he activated the emergency stop for the pump that they were able to free the ten-year-old boy, who was now unconscious, not breathing and had no pulse. Until the emergency services arrived, the soldier performed resuscitation. The child emerged unscathed but would have drowned without the soldier's swift and courageous intervention.*
- *During a party at a sports field, something became lodged in a woman's throat, causing her difficulty breathing. A corporal, senior grade, who had been watching from a distance as others hit the woman on the back immediately realised the seriousness of the situation and called up what he had learned in his first-aid training. As the Heimlich manoeuvre did not work on the woman, who by then had collapsed on the floor*

with signs of asphyxiation, he removed the stuck object from her windpipe, saving the woman from possibly choking to death.

Every single soldier deserves thanks for such acts. Whilst civilians often feel overwhelmed in such situations, it shows that the troops – be they on or off duty – have the necessary knowledge and act when people are in danger.

3. The Bundeswehr's financial resourcing

It is pleasing to see the defence budget continuing to rise. In 2020, it totalled around €45.6 billion. This is slightly more than the €43.2 billion in the budget year 2019 (2014: €32.4 billion; 2015: €33 billion; 2016: €34.3 billion; 2017: €37 billion, 2018: €38.5 billion). In the 2021 budget year, the Bundeswehr will receive just under €47 billion plus an additional €3.2 billion from the economic stimulus package. But these budgetary funds also need to reach the troops and become visible. Servicewomen and men need safe helmets, proper ear protection, suitable boots, the right jackets and also operational major equipment in time. The funds from the economic stimulus package already allocated in 2020 were helpful in this context. This allowed the Bundeswehr to start projects impacting the budget, such as the procurement of various types of ammunition, improvements for the Medical Service and energy-efficiency renovations at Bundeswehr properties. In addition, the troops will receive additional trucks.

The largest portion of the money in section 14 of the budget is disbursed for **personnel**, slightly more than €13 billion or 28 per cent of the total budget. A closer look reveals that personnel spending in 2020 was €412.5 million higher than in the previous year, but this is mainly due to the Collective Agreement for the Public Service.

The €4.52 billion for **materiel maintenance** is almost identical to the expenditure in 2019. Defence research, development and testing had about €86 million more available than in 2019 (2019: €1.476 billion; 2020: €1.562 billion).

The budget situation for military procurement remains rather modest. The nearly €8 billion in 2020 was about €1.1 billion more than in the 2019 budget, but this still does not equate to the turnaround proclaimed in 2016. Furthermore, the list of unfinished €25 million items – these are Bundeswehr **procurement projects** whose total volume exceeds €25 million and which have to be approved separately by the German Bundestag Budget Committee – is still long, even though the Budget Committee approved 35 of these items in the 2020 budget year. Fortunately, unlike in previous years, all funds were disbursed in full in 2020, according to information provided by the Ministry.

If equipment does not reach the troops in the field, it is of no help to the servicewomen and men. Finally, the budget also contains several blocked commitment appropriations for projects where many questions remain unanswered, and which are therefore not yet ready for decision. There is therefore the fear that major defence projects will have to be further postponed. The A400M with DIRCM (Directed Infrared Counter Measures), NH90 (Army), F125, PUMA, EUROFIGHTER with AESA radar, P-3C ORION and K130 (2nd batch) – so seven of the nine Bundeswehr major weapon systems currently being procured – are already outside the original timeframe calculated. Only the NH90 SEA LION and C-130J are on schedule. Furthermore, all nine projects are now costing more than the price calculation, which the Ministry of Defence explains citing performance changes resulting from additionally contracted performances.

When drawing up future budgets, especially once the Covid-19 pandemic is over, it will be important to ensure that the Bundeswehr is adequately funded. This must ensure that the Bundeswehr is able to accomplish its extensive and wide-ranging tasks and missions – from basic operations, training and exercises to missions abroad and national and collective defence – with the best possible materiel resourcing.

4. Personnel

In the year under review, the Federal Minister of Defence approved the medium-term personnel planning for the period 2021 to 2027. The target for 2025 already set in the 2019 planning has been upheld, namely a total of 203,000 personnel, including around 186,000 career soldiers and temporary-career volunteers, up to 12,500 military service volunteers and 4,500 reservists.

At the end of 2020, the Bundeswehr's military personnel totalled 183,777 active service personnel. These included 53,316 career soldiers, 122,210 temporary-career volunteers (175,526 in total) and 8,251 military service volunteers. So the target the Ministry set itself for 2020 of 176,772 (2019: 174,800) career soldiers/temporary-career volunteers was just narrowly missed.

Since the historic low in June 2016 with around 166,500 career soldiers and temporary-career volunteers, the headcount has grown continuously. Even in 2020, in spite of the Covid-19-related restrictions, the Bundeswehr was able to record a slight increase in career soldiers and temporary-career volunteers of around 200 personnel, from 175,330 at the end of 2019 to 175,526 at the end of 2020.

For this positive trend to continue towards the target level, three central obstacles must be overcome: lawmakers need to make the corresponding budgetary funds available for the additional personnel during the relevant period, and the Bundeswehr needs to create a post structure tailored to its tasks and recruit or retain suitable servicewomen and men for these posts.

Spread over the years 2022 to 2027, the Bundeswehr will need around 5,800 additional **established posts** to achieve the planned headcount of 203,000. In addition, a further 3,000 posts are required as an “operating” margin, because a large body of personnel like the Bundeswehr needs flexibility in the form of posts that can be filled at short notice to establish new service statuses, for instance if there are seasonal fluctuations in the number of applicants. There is to be a step-by-step increase in established posts. To ensure these steps are actually implemented and provide a reliable basis for forward-looking personnel planning, the Ministry had intended to record it in a budget memo for the years 2022 to 2026 when planning the 2021 budget. The Ministry informed the Parliamentary Commissioner that this budget memo had not been able to be asserted during the negotiations at division level due to fundamental reservations on the part of the Federal Ministry of Finance. This is regrettable. It is all the more important therefore that in 2021, a budget memo to secure the increase in personnel is again requested and indeed implemented for the 2022 budget.

Everything should be done to avoid slowing down the complex personnel trend reversal in the current process, despite the heavy strain on public budgets as a result of the Covid-19 pandemic.

Since 2014, national and collective defence tasks have had the same status for the Bundeswehr as international crisis management deployments again. This also needs to be reflected in the post structure. Limited resources make this a challenge, because existing tasks do not simply disappear when new tasks are added.

To create the requisite **post structure**, the Ministry subjected *inter alia* 374 declarations of demand from the major organisational elements to a planning and organisational assessment. Prominent examples of approved requirements are, for instance, the increase in the German share of the NATO command structure, the performance enhancement of the Special Air Mission Wing of the Federal Ministry of Defence, the strengthening of the Federal Office of Military Counter-Intelligence, the establishment of test and experimental structures for the digitalisation of land-based operations, the recommissioning of ammunition and materiel storage depots, the establishment of a German-British engineer bridge battalion and further bolstering structures in the major organisational element of equipment, information technology and in-service support.

To manage the restructuring, the Bundeswehr also makes use of what is termed “alimention”. This organisational procedure is used when there are not enough posts available to perform all the tasks and entails the major organisational elements prioritising their tasks and establishing additional posts for higher-priority tasks, which they backfill by “counter-blocking” existing posts. This means that posts in one place have to remain unfilled because tasks elsewhere have priority. In the scope of the reversal of the personnel trend, this has affected 1,583 military posts so far. The Ministry plans for another 1,500 posts to follow by 2027. Tearing a gap in one place to fill a hole in another is risky in light of potential capability gaps. If this cannot be avoided organisationally, this needs at least to be accompanied by transparent communication to counteract the impression among the units and formations concerned that they are a second-class operation.

In terms of the medium-term development of the **vacancy situation**, the Ministry is confident overall. In the year under review, despite the Covid-19-related restrictions on military service volunteers and temporary-career volunteers, the Bundeswehr successfully attained 74 and 81 per cent of its recruitment targets in these categories respectively. The endeavours and successes in recruiting personnel in recent years make the Ministry's confidence seem realistic, at least with regard to the quantitative satisfaction of demand. In individual careers and activities, however, the situation remains challenging given the high level of competition on the labour market.

Personnel shortages

Like in the preceding years, the number of vacant posts at the Bundeswehr has stagnated at a high level. At the end of 2020, around 20,200 military personnel posts above the junior ranks were unfilled. That is around 18 per cent. This finding, which at first glance seems unsatisfactory, is less so when one takes into account the servicewomen and men currently enrolled on career and assignment courses or as students who will fill these vacant posts over the medium term. Regardless of this, however, the armed forces run the risk of personnel readiness and mission accomplishment suffering if there is a shortage of almost one in five personnel.

A large number of vacant posts also poses risks from the perspective of *Innere Führung*. Wherever there is a shortage of personnel, the remaining soldiers have to take over the work and the overall burden is shouldered by fewer people. Such a situation is acceptable in isolated cases and for manageable periods of time. Sometimes, though, the personnel shortage carries on for years and a third or even half of the required personnel are lacking. Here, the Bundeswehr is not only accepting potential damage to the accomplishment of its mission, it is also risking the health of its servicewomen and men, who try to compensate for the shortage with great personal commitment and wear themselves down in the process. Last but not least, there is also the risk of soldiers losing their personal motivation if they feel not sufficiently supported by their employer.

In many cases, this affects areas requiring highly specialised skills, for example technical or medical fields. The following figures illustrate the problem for all military areas and relate to October of the year under review:

In the **Army**, like in the previous year, only about 60 per cent of the posts for officers in the area of aircraft engineering personnel are filled. There is a shortage of 40 of the planned 103 officers. As in 2019, there is also a major shortage of junior noncommissioned officers in the CBRN corps and at the special engineers. There is a shortage of 151 out of 348 noncommissioned officers at the special engineers and 110 out of 204 noncommissioned officers in the CBRN corps, so over 40 and even over 50 per cent respectively.

The proportion of posts filled among aircraft avionics petty officers in the **Navy** has improved only slightly compared to the previous year, from 63 to 70 per cent. Only 122 service personnel are serving in 174 established posts. Among minesweeper petty officers, the proportion of posts filled stagnated compared to the previous year at 60 per cent. In the **Medical Service**, there is a shortage of **specialist physicians** in various disciplines, with twelve out of 28 neurosurgeons lacking, for instance. In rescue and emergency medicine, 121 out of 499 medical officers are lacking.

One area experiencing an enduring shortfall for years now is flying personnel in the **Air Force**, but also in Army aviation and Navy aviation. In illustration of this, two examples from the Air Force speak for themselves: out of 220 jet pilot posts, 106, so less than half, are filled. The situation is only slightly better for helicopter pilots. At 44 out of 84 posts, only 52 per cent are filled. The Bundeswehr is aware of this problem and is endeavouring to find solutions. The Air Force intends to improve the situation with a seven-point package of measures. These include *inter alia* forthcoming and dialogue-based personnel management, the definition of individual retirement dates, but also financial incentives, such as the 40 per cent increase in the functional allowance for active flying service since the entry into force of the Military Pay Structure Modernisation Act on 1 January 2020. The Air Force's efforts to build up greater flying experience are also to be welcomed. After all, people who have chosen to become pilots want to fly. At least for the EUROFIGHTER weapon system, the proportion of real flying hours has already been successfully increased. In addition to this, since March 2020, basic weapon system training for the EUROFIGHTER has been relocated abroad, primarily to Spain. The importance of these measures is not to be underestimated, because the potential for frustration among pilots is high, as the following submission shows:

- *One pilot described how his training on the EUROFIGHTER weapon system had been postponed several times due to a lack of training capacities at home and abroad. In total, he had had to wait 19 months for this section of training. Since following his pilot training he had been unable to fly on the aircraft type for which he had obtained his pilot's licence, he had been stripped of his flying pay. He had also lost his pilot's licence because he could not complete the prescribed flying hours.*

The Bundeswehr is also exploring new avenues in recruiting young pilots. In October of the year under review, for instance, the Bundeswehr successfully organised its first digital career fair, "Air Domain", focussing on careers in the flying service. More than 7,000 people, predominantly from the target group, visited the digital fair. Furthermore, the Ministry decided to move the aptitude test for the flying service from Fürstentfeldbruck and Bückeburg to Cologne, where the assessment for command personnel takes place. This increases the

assessment capacity and optimises process organisation. These examples show that the Bundeswehr is making efforts to close ranks. It must not relent in its efforts because it faces fierce competition from civilian employers, especially when it comes to recruiting highly qualified personnel.

The personnel of the local military **air traffic control** warrant special attention:

- *One air traffic control officer feared that as the baby boomer cohorts retired, the lack of suitable applicants could lead to ground staff at his location coming under excessive strain, ultimately endangering the life and limb of flying crews. He voiced concern that the training requirements for air traffic controllers would be downgraded and that the high standard of military air traffic control could suffer as a result. As an indication of this, he cited the suspension of training at his location, which is considered particularly demanding for military air traffic control. To improve the situation, he suggested being guided by the measures taken by Deutsche Flugsicherung GmbH to recruit personnel, for example by advertising appropriate working hours and break times, attractive pay and work-life balance.*

The Federal Office of Bundeswehr Personnel Management informed the Parliamentary Commissioner that approximately 93 per cent of the posts in pay grades A 9 to A 11 in the career of military officers in local military air traffic control were still filled at the end of 2019. As things stand at present, however, this proportion of posts filled will fall to around 78 per cent from 2020 when the baby boomer cohorts retire.

Especially given the competition from the private sector in the form of Deutsche Flugsicherung GmbH, the question arises as to whether the Bundeswehr can avert this trend. According to the Air Force, Deutsche Flugsicherung can draw on a high four-digit number of applicants each year. The number of applicants for the entire air mission control service at the Bundeswehr, on the other hand, averages just 140 per year.

The Bundeswehr has already taken measures to counteract the negative trend in personnel development. The personnel recruitment organisation and the Air Force Headquarters have jointly pushed forward the working group “Optimisation of Demand Satisfaction for Air Mission Control Services”. Air traffic control training as a whole is also undergoing extensive review and adaptation. At the end of 2021, there is to be new course-based training for the first time. In addition to this, there is the plan to change the central regulation on on-the-job training in air traffic control operations to focus more on the individual strengths and weaknesses of trainees. Furthermore, the intention is to intensify and optimise simulation-based training at the formations and units. The Ministry should examine whether these measures can contribute to increasing the number of applicants in the long term, especially in direct comparison with Deutsche Flugsicherung.

The major organisational element of the **Cyber and Information Domain Service** is facing two major challenges at once. First, there are a comparatively high number of posts for highly specialised personnel from the field of information technology. Second, the unit, which was only established in 2017, is still growing and so also has to fill numerous newly created posts quickly at the same time.

Compared to the previous year, the staff situation improved by almost three per cent to around 77 per cent. This result, which at first glance appears satisfactory, is less so when broken down into different personnel categories. The proportion of vacant posts is particularly high for IT staff sergeants. In the major organisational element of the Cyber and Information Domain Service, more than 1,800 posts for senior noncommissioned officers were vacant as of August 2020. The Ministry does not expect any improvement here in the near future, saying it only expects the personnel situation to ease in the medium term with the influx of personnel currently undergoing training. Looking ahead, however, the Ministry also sees a positive trend here as a result of greater personnel retention and improved personnel recruitment. This includes, for instance, multi-day field visits tailored to the target group and designed to give a real-life taste of the career for about 150 to 200 persons, such as the CyberDays or IT camps, but also having more IT personnel present, for instance, at career fairs or during career counselling.

In the case of IT experts at officer and senior officer level at the cyber operations, cyber security and software expertise centres, on the other hand, vacancies are not even expected to be reduced in the long term. This is alarming because this impacts a core capability of this major organisational element – the capability for cyber defence and impact through computer operations.

The aforementioned understaffed areas relate to specialised personnel, who usually also have an attractive civilian labour market competing for the few and brightest minds eager to recruit them. It remains to be seen whether, given the potential deterioration in economic trends, the Bundeswehr will appear more attractive as a secure employer in these assignment areas than it has in the past.

There is also a striking shortage of personnel in less specialised troop assignments. As in the previous year, there is a shortage of army officers in the assignment categories **personnel management**, *Innere Führung* and **press and public relations**. The gap of more than 25 per cent is unacceptable in relation to *Innere Führung*, whose importance the Minister of Defence has repeatedly emphasised. In her speech to the German Bundestag on the last annual report in June 2020, she declared her intention to “continue to press ahead in particular with the measures that have been put in place as reforms in the area of *Innere Führung*.” If this is to be more than just lip service, personnel management needs to prioritise this area and strengthen its perceived status, for instance by means of attractive assignment models or career paths.

As the Parliamentary Commissioner learned during her visit to the **Federal Office of Military Counter-Intelligence** (FOMCI), there is a major shortage of personnel there. Since its reorganisation, the service has gained considerably more posts. Recruiting new staff is particularly difficult here because there is no private labour market for extremism experts, and in the public sector the Federal Office of Military Counter-Intelligence is competing with the constitutional protection authorities of the federal states and the Federal Office for the Protection of the Constitution, which is also based in Cologne. Add to this the fact that FOMCI, which as a separate higher federal authority is directly subordinate to the Ministry of Defence, cannot recruit its personnel itself. It is reliant on the Federal Office of Bundeswehr Personnel Management. The Military Counterintelligence Service plays the central role in counter-extremism in the armed forces. It not only conducts security clearance checks for servicewomen and men designated to assume a security-sensitive role in the armed forces. Since July 2017, it has also been subjecting all applicants to pre-employment screening before they begin their weapons training. So the Ministry needs to make every effort and, if necessary, also explore new avenues and innovate in order to recruit the requisite personnel.

Staff shortages are also due to **family-related absences** such as pregnancy or parental leave:

- *During a field visit, servicewomen and men raised the issue that this repeatedly leads to a high number of personnel gaps, a problem that has burdened the force for years. The Ministry of Defence admits that there is no practicable organisational or structural solution to compensate for temporary staff absences for various reasons, not just family-related ones. If personnel are temporarily absent, this is usually compensated for by an appropriate redistribution of tasks. In most cases, it is not possible to provide substitute staff. First, the duration of the staff absence is difficult to predict. Second, shifting staff would lead to vacancies elsewhere. In a closed body of personnel like the Bundeswehr, this outcome is something that is knowingly accepted. The alternative would be to maintain a staffing level exceeding what is necessary to cope with the defined workload, which would also contravene budgetary requirements. It should also be borne in mind that vacancies in highly specialised branches tend to be very difficult to absorb. However, to mitigate personnel gaps, around 3,000 vacancies had been implemented in the personnel structure model, the Ministry said, allowing up to 3,000 personnel to be kept outside of the structural requirements, facilitating the temporary filling of posts. Currently, about 1,300 of these posts were being used in the context of parental leave, so the Ministry.*

The Ministry is certainly right to point out that temporary gaps in personnel are a problem that all employers, the Bundeswehr included, have to deal with. Here, responsible leadership on the part of superiors has a special role to play.

The Bundeswehr also needs to find answers to its ageing body of personnel to ensure the operational readiness of the force. At the end of 2020, the **average age** of military personnel was 32.8 years, career soldiers and temporary-career volunteers averaged 33.4 years of age, whilst military service volunteers averaged 20.5 years of age. This means that the average age of career soldiers and temporary-career volunteers rose by three years compared to 2012, when it was 30.3 years of age shortly after the suspension of compulsory military service.

Growing structures at offices, staffs and the Ministry do not contribute to making assignments in the combat force more attractive. To inspire and retain physically fit, mostly young soldiers for such assignments, the Ministry should innovate and not rule out progressive service or pension models from the outset.

Personnel recruitment

The Bundeswehr’s 2020 target was to recruit a total of 22,054 servicewomen and men, broken down into 12,204 temporary-career volunteers and 9,850 military service volunteers. The onset of the Covid-19 crisis from mid-March 2020 meant, however, that the Federal Office of Bundeswehr Personnel Management had to suspend

assessments for applicants for nine weeks. To at least partially compensate for these cancellations, the Career Centres invited applicants with suitable civilian and military degrees who indicated a very high probability of immediate recruitment in the first few weeks once assessments resumed. Prioritising those to be invited by matching their qualifications to the posts to be filled led to a higher number of invitations to suitable applicants. This increased the efficiency of the assessments from 60 per cent before the pandemic to an average of 80 per cent. Despite downscaled operations, the personnel office managed to return to around 75 per cent of its usual assessment work by the end of 2020. The pandemic exacerbated the shortage of assessment procedures that already existed in the area of reservists. The Federal Office of Bundeswehr Personnel Management moved up the applications of reservists in connection with the pandemic, especially for the Helping Hands initiative. This created capacity squeezes in other areas. It is good that the personnel office is now ramping up these capacities again, because reservists are urgently needed, for instance as IT specialists.

It was also helpful during the crisis to shift the recruitment of applicants more to online media and to hold online career fairs, for instance. Out of the 29 applicant days planned for 2020, only two were held at the beginning of the year due to the pandemic. On these days, only specifically short-listed people are invited. The new project launched in Munich in mid-November 2019 to open a **pop-up career lounge** at a central location, preferably at shopping centres, for about two months at a time, is also worthy of praise. Various theme weeks are held at these during which units from the region present their career and training opportunities during normal opening hours. Prospective applicants can obtain comprehensive information about career paths and opportunities at the Bundeswehr. The second pop-up career lounge at Designer Outlet Wolfsburg, which opened at the beginning of March 2020, had to be quickly closed again due to the pandemic. The project is supposed to continue in 2021.

With these and other increasingly event-oriented personnel recruitment measures, the Bundeswehr is adapting to the zeitgeist. And it seems to be paying off. German schoolchildren voted the Bundeswehr the second most popular employer in the Trendence School Barometer 2020. The social media presence and careers website even secured first place. Very visual and experience-oriented advertising is a good way to arouse the interest of young people. At the same time, however, the personnel recruitment organisation has a great responsibility to openly and truthfully present all facets of military service to prospective applicants, which also demands sacrifice, obedience and, in some assignments, even accepting the possibility of physical and mortal danger.

In 2019, 53,300 candidates applied for a military assignment. In 2020, the number of applications was around 48,000, around ten per cent less than in the previous year (33,400), mainly due to Covid-19, with the largest drop in applicants of 18 per cent (25,300) for noncommissioned officers and junior-ranking personnel and the smallest drop of two per cent (10,900) for officers. In 2020, 11,800 people applied for voluntary military service (600 more than in the previous year, an increase of more than five per cent).

In mid-May, the Bundeswehr resumed a reduced number of aptitude tests under strict hygiene conditions. At around 4,200 per week, the number of expressions of interest quickly returned to pre-crisis levels. The number of people calling the Bundeswehr Communications Centre and initial advice sessions at the Career Centres also jumped significantly and had already reached pre-crisis levels by June.

Out of the 53,300 applicants in 2019, around 20,170 were actually recruited (temporary-career volunteers and military service volunteers). Out of these, 4,290 either left service in the first six months (probationary period) or were dismissed by the Bundeswehr. In 2020, around 16,430 **new** servicewomen and men were **recruited**. This is almost 19 per cent less than in 2019. By 31 December 2020, 2,810 of these had left the Bundeswehr again during their probationary period or had been dismissed. The reasons for withdrawing their formal obligation or the termination of service during the probationary period are manifold. In contrast to those performing voluntary military service, temporary-career volunteers are not asked why they are leaving. It would make sense for the reasons for leaving to be recorded and analysed precisely. If the reasons for terminating service are down to the field units, they can take countermeasures where necessary and at least partially stop the drain.

Naturally, the Bundeswehr has a hard time recruiting personnel in areas where there is also a shortage of specialists in the civilian economy. These are, in particular, specialists in the flying service, in individual assignments in the field of health as well as in engineering and information technology careers. However, there are also areas where personnel recruitment has been very successful. 97 per cent of the demand for officers had already been met in the autumn of 2020, for instance. The Ministry stated that here demand had been fully met, particularly in infantry assignments but also, for example, in the military police and for medical officers. The

same applies to the number of infantry sergeants in the line service as well as IT noncommissioned officers and firefighting noncommissioned officers in the Army. Overall, interest in the Bundeswehr as an employer is high, with 90 per cent of applications received in 2020 compared to the previous year, despite the drop in applications caused by the pandemic.

In addition to new recruits, the Bundeswehr was able to recruit 9,940 servicewomen and men for **re-enlistment** in 2019. In 2020, 8,390 extended their period of service, almost 16 per cent less than in the previous year. In both years, around 60 per cent of the re-enlistments were junior-ranking soldiers. In 2019, 2,418 soldiers were appointed as career soldiers. In the wake of the suspension of the selection conferences for the senior NCO careers to become career soldiers, considerably fewer soldiers were appointed career soldiers in 2020 than in previous years, just 851.

The restructuring of the **Career Centres**, which began in 2016, was criticised by the Bundesrechnungshof, in particular because of the method and the result of the analysis of required personnel levels. A decision by the German Bundestag Auditing Committee on 28 September 2018 led to the suspension of the restructuring. Since 1 April 2019, the personnel recruitment organisation has been working with an interim structure. The Career Centres I to V which had already been restructured remained in the new structure, and the eleven others remained in the existing old structure. Assessments can be carried out at seven of these Career Centres. The interim solution also includes 61 career advice offices with four branch offices as well as 37 advice platforms pooling career counselling and vocational advancement services. This means career counselling and advice is provided at a total of 102 locations. The current interim solution for the Career Centres comprises almost 2,900 posts, more than 2,500 of which are filled.

After the suspension, the external firm commissioned with conducting an organisational study, including the analysis of required personnel levels, submitted its final report to the Federal Office of Bundeswehr Personnel Management on 30 June 2020. The implementation of the new operational and organisational structure started in the third quarter of 2020 and is expected to be completed in 2021.

A positive aspect to be noted is that the Bundeswehr has now reduced and simplified the application documents it requires. This has reduced the time and effort for all those involved and the process up until applicants are ready to be invited is now one week shorter on average. At present, the Bundeswehr is implementing a project called Online Assessment. The Federal Office of Bundeswehr Equipment, Information Technology and In-Service Support is procuring information technology support to be able to conduct and evaluate psychometric aptitude test procedures online. This includes *inter alia* online diagnostics that can be used for application management and pre-selection and can shorten the in-person assessment. The Ministry has stated that the implementation measures are not expected to be completed until 2023. The Covid-19 crisis lends greater importance to the project so its advancement should be afforded high priority. It is commendable that the pandemic has also enabled swift and atypical solutions in personnel recruitment. Until the final introduction of virtual diagnostic aptitude interviews, the Bundeswehr intends to start using an interim solution soon. It is based on an online solution from the medical sector, allowing sensitive data to be communicated securely.

The impact on applications and the applicant situation during the Covid-19 period is dealt with in the chapter on the Covid-19 pandemic.

Re-employment and lateral entry are indispensable for the Bundeswehr in recruiting personnel. 5,246 former servicewomen and men applied for **re-employment** in 2020 (2019: 6,480). Out of these, 1,804 were re-employed (2019: 2,628), 504 at a higher rank even. This is possible if a vocational qualification acquired by the applicant in the intervening period can be used militarily. In 2019 and 2020, the Bundeswehr achieved a remarkable re-employment rate of approximately 40 and 34 per cent of applications respectively. As many as 55 per cent of junior-ranking soldiers applying were re-employed (739 out of 1,339). The share of those over 40 was 259, or about 14 per cent of all those re-employed. It is also worthy of note that in the NCO specialist career, 70 per cent and in the administrative service senior NCO career and the general specialist service, 65 per cent of the recruitments were at a higher rank. In addition, seven officers (five for the career of line officers and two for the career of medical service officers) were re-employed directly as career soldiers in 2020.

Lateral entry is the recruitment of personnel with no prior service who already have a civilian vocational qualification that can be used in the Bundeswehr. Lateral entrants only need military training and in some cases can immediately fill a vacant post. This saves the Bundeswehr considerable investment costs. As an incentive and to attract skilled personnel in competition with the civilian labour market, it recruits lateral entrants at a higher rank commensurate with their qualifications. In 2020, 15,491 (2019: 16,746) women and men applied for

this. Out of the total of 9,085 applications for the career of senior NCO in the general specialist service, 570 were recruited as lateral entrants. Out of the 1,136 applications for lateral entry to the officer career path, 102 were actually recruited (nine per cent). Only 39 lateral entrants were older than 40. Out of the 1,417 applicants recruited, the vast majority (1,269) entered the career of NCO specialist and senior NCO in the general specialist service. For the career of medical officers, the Bundeswehr secured 58 lateral entries, for the career of officer in the line service 36 and for the career of officers in the Geoinformation Service eight.

The figures show that a relatively high number of applications for re-employment and above all for lateral entry are not successful. Rejected applicants are often disappointed and at a loss to understand the decision. Reasons for rejection are predominantly the lack of a concrete need for the civilian vocational qualification, insufficient professional experience, health problems or findings resulting from information from the Federal Central Criminal Register. In addition to this, though, mistakes are also made in the processing of applications:

- *A petitioner with a Master degree in geography received no response to her application as a lateral entrant for the career of officer in the Geoinformation Service for over a year, save for an acknowledgement of receipt. This was due to a clerical error and an organisational gap in the procedure.*

Even if her application was ultimately unsuccessful due to lack of demand, processing times of this length are unreasonable. They have an especially off-putting effect when frustrated applicants talk about them to their friends and acquaintances.

On the topic of lateral entry, the Bundeswehr must not ignore the servicewomen and men who have been recruited and trained the traditional way, the **existing personnel**:

- *The latter repeatedly described their sense of injustice about the recruitment of lateral entrants at a higher rank while they, as existing service personnel, had to go through long minimum periods of service in each rank. The lateral entrants lacked military training and experience in the field, they argued.*

Lateral entrants are a valuable resource for the Bundeswehr and bring with them the requisite skills for a higher qualification level. Here, superiors at all levels are called upon to explain different career models to their existing service personnel and advocate understanding.

This notwithstanding, it is regrettable that the Ministry intends to maintain the current minimum period of service model for existing soldiers. For example, for NCOs in the senior NCO career, a service period of 16 years since appointment as sergeant is required for promotion to master sergeant. There is no question that a high level of experience from previous assignments is required to develop mature authority and in turn to be able to advance to top ranks in the career. So minimum waiting periods for promotion are not objectionable in principle. Nevertheless, soldiers could still comply with the experience and authority requirements with a moderate reduction in the period in post requirements. This would allow the Bundeswehr to narrow the equity gap perceived by existing soldiers, especially in comparison to lateral entrants.

Since 2002, the Military Career Regulation has allowed reserve noncommissioned officers to begin their service directly as career soldiers under certain conditions. The Federal Office of Bundeswehr Personnel Management only started developing the requisite legal rules for this about a year ago, though, in consultation with the Ministry of Defence. In 2018 and 2019, the Bundeswehr intended for the first time to use up to ten per cent of the annual openings for transfer to the status of career soldier in areas that would otherwise be difficult to find recruits *inter alia* for this group. In actual fact, though, only one appointment happened in 2019 and no one was appointed on the basis of this legal provision in 2020. It is hard to understand why the Bundeswehr is not making greater use of this incentive. Direct appointment as a career soldier is also possible for other groups:

- *A re-employed soldier who had previously served as a permanent civil servant at the Bavarian State Criminal Police Office complained that he had initially been called up for an aptitude exercise with the provisional rank of first lieutenant. The review of the matter revealed that the soldier could have been appointed at a higher rank on the basis of his professional qualifications. The personnel office issued the appointment notice retroactively with the rank of captain and the transfer to the service status of career soldier was effected immediately after the aptitude exercise.*

17-year-olds in the Bundeswehr

When military service was compulsory, men could only be required to serve in the armed forces from the age of eighteen (Article 12 a (1) of the Basic Law). Since the Bundeswehr became a volunteer army with the suspension of compulsory military service in 2011, it has also been possible for 17-year-olds to be appointed to the Bundeswehr. Persons under the age of 18 enjoy special protection under national and international law. The appointment of minors to the Bundeswehr therefore has to continue to be the exception.

In 2020, the Bundeswehr recruited 1,148 17-year-olds as volunteer service personnel with the consent of their legal guardians, 231 of whom were women. This equates to seven per cent of all entries into service (16,430). Compared to 2019, when 1,705 17-year-olds entered service, the number has fallen slightly and equates to around 67 per cent of the previous year's figure. This low number demonstrates the exceptional nature of the recruitment of soldiers who have not yet reached the age of majority. The special duty of care required means this should remain the case. It is to be welcomed that the weapons training of minors takes place under stricter command supervision. In light of the special need for protection of underage servicewomen and men, the Bundeswehr should go one important step further and not provide minors with weapons training at all. Even if special rules for minors mean extra work in the training process, the welfare of the very youngest soldiers should come first and weapons training should wait until they have reached the age of 18.

Out of the 1,148 17-year-olds recruited, 34 per cent turned 18 within three months and more than half (58 per cent) within six months. A guide which already exists for disciplinary superiors and heads of services on dealing with minors is to be published as a central service regulation in the first quarter of 2021, to give them greater confidence in selecting the right course of action. In the reporting year, there were only very few submissions from 17-year-olds or their legal guardians:

- *In one of these cases, the lack of accommodation for a guardian accompanying the applicant and the accommodation in a four-bed room were criticised, although minors are generally to be accommodated in single-occupancy rooms during the aptitude assessment procedure, which lasts several days.*
- *The parents of a 17-year-old boy had a different experience when they accompanied him to the infantry training centre in Hammelburg to start service after he had completed his basic training. To their surprise, the officer commanding, the first sergeant and the senior personnel NCO asked to talk to them personally and explained the procedures at the unit and promised to take good care of their son. The parents felt the need to tell the Parliamentary Commissioner that they had kept their promise and that the young soldier felt well taken care of at the unit.*

Higher-education dropouts

In recent years, the Bundeswehr has realised that dropouts from Bundeswehr universities are a resource that can be leveraged in times of personnel shortages. They have successfully passed the aptitude test for officers, and so they can continue to serve the Bundeswehr as officers without a higher-education degree, which many of the dropouts are indeed interested in.

Twice a year, on the cut-off dates of 31 March and 30 September, personnel management decides on the re-enlistment of dropouts based on their aptitude, performance, abilities and staffing needs, as there need to be sufficient suitable posts available. For the selection, the grade and the appraisal from the officer course are decisive as benchmarks in addition to a positive statement by the administrative superior.

In 2020, 1,443 students (2019: 1,451) started a Bachelor degree at a Bundeswehr university, the majority in the subjects of mechanical engineering, business administration, psychology or economic and organisational sciences. 242 students (2019: 302) dropped out of the Bachelor degree, 39 of whom were re-enlisted as administrative service officers (2019: 134). The highest dropout rates were recorded in mechanical engineering (50), electrical engineering and information technology (23) and technical information and communication technology (23).

In 2019, at a figure of more than 44 per cent, the Bundeswehr more than attained the ministerial target for re-enlistment of dropouts of up to 25 per cent. In 2020, the retention target was set at up to 20 per cent, which was not met at a figure of 16.2 per cent.

It is important for dropouts' graduation notifications to reach the personnel office immediately so that it can check a possible extension of service and plan further career training without delay for those concerned. Otherwise, the upshot is considerable planning uncertainties, as the following case shows:

- *As early as in February 2019, the Federal Office of Bundeswehr Personnel Management knew that a soldier would not successfully complete his higher-education degree. However, the graduation notification necessary to further plan his career training was not available to the personnel office until early November 2019. By then, the officer courses were already full.*

In order not to make it unnecessarily unattractive for higher-education dropouts to stay at the Bundeswehr, the Bundeswehr should schedule them for the next officer course, at least provisionally, even without the final graduation notification.

To date, higher-education dropouts have been entitled to support for education and vocational training for a minimum of six months. To strengthen personnel retention in the Bundeswehr and to retain suitable soldiers even if they have not successfully completed their higher-education degree, the Ministry of Defence is planning an improvement to the Military Pensions Act for higher-education dropouts. The amendment would give this group an additional entitlement of one month with each additional year of service. The Bundeswehr thus wants to create a re-enlistment incentive and facilitate re-entry into civilian life after additional years of service. This is very much to be welcomed.

Military medical assessment

Health is a key prerequisite for entering service in the armed forces. Applicants' health is checked prior to appointment as part of the fitness examination during the medical assessment at the Career Centres. After recruitment, there is always another dental assessment, but usually no further basic examination. There are, however, exceptions to this rule if the servicewoman or man notifies the disciplinary superior of a change in her or his state of health or if the disciplinary superior has reasonable doubts about the soldier's fitness for service:

- *This was the case for a petitioner whom the doctors at the Career Centre had found to be "fit for service with considerable limitations." The Career Centre had also granted him an exemption for the career he wanted to pursue and for his work as an S6 sergeant, with the condition that he avoid knee-straining activities as far as possible. In view of this condition, the soldier's disciplinary superior had doubts during the entry interview as to whether the soldier would be able to complete the basic and career training, including the physically demanding physical training and combat service training, without harm and successfully, and arranged for a medical examination by a unit physician. The examination revealed that the soldier was not fit for the training course.*

A **new health check** in such cases is not objectionable given the employer's duty of care and the need to protect the health of the subordinate soldiers. Nevertheless, it is contradictory and frustrating for those affected if one office at the Bundeswehr initially certifies that they are fit for the intended career and activity and a short time later another office at the Bundeswehr determines that they are not fit for the courses relevant to their career. In order to prevent such situations in future, the Bundeswehr Medical Service Command has submitted proposals to the Federal Office of Bundeswehr Personnel Management which is in charge of the Career Centres: when processing applications for a deployment-related exemption it should apply a strict standard and ensure that conditions not only relate to the target post, but also take into account the stresses and strains of career training. Furthermore, it should examine together with the receiving unit whether recruitment and assignment under the medical conditions imposed is reasonable and feasible in everyday service. In the case of a health restriction that is only temporary, the responsible personnel manager should also always keep in mind whether participation in a subsequent course is possible after the health condition has improved. It would be a pity to lose otherwise motivated and high-performing servicewomen and men again.

Flexibility and cooperation between the services involved always produce good outcomes, as the following example also shows:

- *An applicant successfully completed the recruitment procedure for the administrative service senior NCO career. The result of the military medical assessment was initially "D1 – fit for service and fully fit for deployment". However, subsequently submitted medical documents led to the classification "D4 – temporarily unfit for service for six months". The appointment was cancelled, and the intended start of*

service was postponed from 1 October 2020 to 1 January 2021. However, since the petitioner had already recovered before the end of the six months, the medical assessment of the responsible Career Centre agreed to the soldier reporting to the responsible specialist physician in order to be able to keep to the start of service originally planned. The new diagnosis was “D1 – fit for service and fully fit for deployment” and he was able to start his service on 1 October 2020.

Sometimes, imprecisely worded regulations lead to disadvantages for applicants or units, as in the following case:

- *The platoon leader of an engineer diver platoon complained that the soldiers entrusted to him for training and appointed as divers had repeatedly failed to pass the mandatory fitness for service examination. In some cases, their lack of fitness for duty only became apparent after they had completed basic training. In the worst case, this meant that a post was blocked for an applicant who was fit, whilst a fellow soldier who did not meet the special health requirements had to be redeployed or even leave the Bundeswehr.*

The review of the matter revealed that in the relevant central regulation on the serviceability of divers and combat swimmers, only clearance divers were mentioned at the decisive point, but not engineer divers. So there had been no standard check of engineer divers taking place. The word “clearance divers” has now been replaced by the word “divers”, solving the problem in a simple way.

Bonuses and allowances

The enlistment bonus and the personnel retention bonus – both financial incentives to recruit skilled personnel to work in the Bundeswehr in understaffed areas or to persuade temporary-career volunteers or career soldiers to extend their period of service – have undergone changes which came into effect on 1 January 2020 as a result of the Military Pay Structure Modernisation Act. In both cases, these bonuses are now even more financially lucrative than before, and the hurdles to obtaining them have been lowered. The Bundeswehr’s recruitment agency has also been given discretionary latitude in determining how high the bonuses are, allowing it to offer different bonuses for retaining existing personnel and attracting new personnel. This allows it to use the funds more effectively for demand-oriented personnel planning.

Enlistment bonuses are provided for temporary-career volunteers in pre-defined assignment areas with a shortage of personnel when a service relationship is established or if the soldier re-enlists. The amount depends on the salary and is now up to twice the basic starting salary for each year, for particularly relevant key personnel even up to three and a half times the basic starting salary (previously a set amount of €1,000 per year). The reference period for identifying understaffed areas is now 30 months compared to twelve months under the old provision. This extension allows for more differentiated and accurate identification of understaffed areas in terms of the demand for staff in the individual careers. For instance, the longer reference period allows servicewomen and men who are still in training to be included in personnel planning. In planning terms, this leads to a reduction in vacancies and in turn also to a reduction in the number of understaffed areas eligible for the bonus from 326 in 2019 to 224 for 2020. The enlistment bonus is not paid to service personnel until they are actually assigned to the post.

Personnel retention bonuses are designed to stop career soldiers leaving or to extend their assigned time in a post in an understaffed area. They can be granted for a maximum of 48 months as a lump sum or in instalments in different percentages of the basic salary. For the **personnel recruitment bonus** the existence of an understaffed area is not a requirement; a projection of the applicant situation is sufficient. The Ministry of Defence hopes the new provision governing the bonus for career soldiers will allow the number of internal (by applying for a change of status) and external (by lateral entry) applicants to be increased, especially in the officer career. It remains to be seen whether this will indeed materialise.

From March to December 2019, the Bundeswehr paid 1,172 personnel retention bonuses in 99 out of 326 understaffed areas in all careers and service personnel areas under the old regulation. This means that the Bundeswehr was able to retain personnel for longer with the help of a financial bonus in less than a third of the defined understaffed areas. This equates to significantly fewer cases of the bonus being used than in the two previous periods (March 2017 to February 2018: 1,572; March 2018 to February 2019: 1,845).

Here are some examples to give an idea of the average amount of additional monthly payments: Officers €710, senior NCOs €525, NCO specialists €493 and junior-ranking soldiers €458. The average length of re-enlistment

for the period March to December 2019 was four years for 55 per cent of temporary-career volunteers, less than four years for 28 per cent, with the remainder extending their service for a period of between four and 21 years.

The Bundeswehr was most **successful** in retaining personnel through the payment of bonuses in the NCO and senior NCO careers, especially in the areas of information technology and automotive and tank engineering, in the NCO specialist careers in the area of materiel management and among junior-ranking soldiers in the area of infantry. In contrast, the personnel retention bonus in the flying service, in aircraft engineering and among medical specialists was only an incentive for a small number of servicemen and women to re-enlist. Competition on the civilian labour market is particularly fierce in these fields.

In total, the Bundeswehr granted 5,834 personnel retention bonuses under the old law following the introduction of financial incentives for re-enlistment on 23 October 2015. Under the new regulations applying from 2020 onwards, it has approved 51 bonuses for the recruitment of temporary-career volunteers and has already begun paying them, three of them to junior NCOs and 48 to junior-ranking servicewomen and men. In the area of personnel retention, 99 re-enlistment bonuses were able to be paid to temporary-career volunteers under the new provision, again the largest number, 61, to junior-ranking soldiers. They re-enlisted for an average of two years and eight months. In the officer careers, 21 were re-enlisted for an average of two years and two months. The Bundeswehr also succeeded in persuading two medical specialists to extend their service by another four years by paying them each a bonus of €14,000 per year. After deducting the 150 bonuses already granted, the remaining 415 bonus requests can be paid in the years 2021 to 2025 if the requirements are met (e.g. successfully completed career change, reassignment to the post eligible for the bonus). Budget funds of almost €4.7 million have been earmarked for this.

No recruitment and retention bonuses were paid to career soldiers in 2020. One reason for this is that at the end of the year under review, the decision was still pending as to who would be transferred to career soldier status from the 2020 selection procedures and out of those who would be eligible for a bonus in an understaffed assignment.

In addition to bonuses, there are **allowances** at the Bundeswehr, some of which were also increased by the Military Pay Structure Modernisation Act. Although the increases are welcome, they do not change the fact that the structure of the Bundeswehr allowance system itself is not very easy to get to grips with. The submissions that the Office of the Parliamentary Commissioner received on this subject in the year under review ranged from the cyber allowance to the functional allowance for aeronautical personnel, the hardship allowance, the allowance for sea assignments, the IT operations allowance to the firefighting allowance. What is lacking is a comprehensive overview that is comprehensible to those concerned, showing which servicewomen and men can claim which allowance in which assignment.

The new **leadership allowance**, which replaced the field service allowance at the end of 31 December 2019, provoked dissatisfaction. This new allowance serves as compensation for senior military leadership responsibility:

- *The change was viewed critically by junior-ranking personnel, who are now no longer eligible for allowances as they have no leadership responsibility of their own.*

This is understandable and the Ministry should find ways to otherwise compensate field service.

- *There was also displeasure that no leadership allowance is provided for activities within offices, staffs or commands.*

To prevent a two-class society of leadership responsibility, it would make sense to also classify leadership of sub-units as eligible.

Uniformity is also important for military personnel when it comes to the award of the **squad leader allowance**:

- *Soldiers from an information technology battalion were understandably perplexed that out of the squad leaders there from all uniformed services, only the Army squad leaders received an allowance.*

On the other hand, an unmanned aerial vehicle operation SNCO in the Army who was jointly responsible for the deployment of an unmanned drone was rightly not paid a functional allowance for flying duty. An allowance is only provided for unmanned aeronautic equipment if it is controlled and operated in accordance with instrument flight rules. An instrument flight licence and long-range flight authorisation are required. The Army's drone

systems, Luna (airborne unmanned short-range reconnaissance system) and KZO (target acquisition drone), do not have this classification.

The Ministry of Defence should comprehensively evaluate the allowance system and present it in a reliable and clear form. This would enable the understandable bewilderment that some soldiers describe when they are excluded from a certain allowance to be counteracted.

Sluggish processing in the granting of bonuses and allowances runs contrary to these benefits' aim of showing special recognition. The importance of timely processing of such cases therefore cannot be emphasised enough.

The Bundeswehr's internal labour market

The instrument of the Bundeswehr's internal labour market makes it easier for Bundeswehr employees to change from one of the three existing status groups of soldiers, civil servants and non-civil servant public service employees to another status group. Up to now, a change of status has only been legally possible by means of a new appointment, which requires prior public advertisement of the position and selection based on the principle of merit (Article 33 (2) of the Basic Law). The only advantage for servicewomen and men is that the knowledge and experience acquired during their service at the Bundeswehr can give them an edge in the selection procedure:

- *One example of the hurdles that exist is the case of a sergeant major who held a post that was suitable for either military or civilian personnel. After his retirement as a soldier, he wanted to remain in this post as a civil servant. But in order to do so, he had to undergo an external application procedure and complete all the career courses for civil servants, although he already had the necessary knowledge due to his many years of service in this post.*

In this and comparable cases, striking the right compromise is not easy. On the one hand, the Bundeswehr wants to offer future prospects to as many retiring servicewomen and men as possible. Well-trained and experienced temporary-career volunteers in particular harbour great potential for civilian employment at the Bundeswehr. On the other hand, as a public employer, the Bundeswehr is bound by the Basic Law and must ensure equal opportunities for all applicants during the merit-based selection process.

Significant improvements in the underlying conditions would require changes to the legal regulations (Act on Federal Civil Servants, Federal Ordinance on Careers and Promotion of Public Officials, harmonisation of the career ordinances for civil servants and soldiers).

In 2014, the Ministry had already approached the Federal Ministry of the Interior in an attempt to enshrine a special exemption from the obligation to advertise vacancies for the employment of servicewomen and men in the Federal Ordinance on Careers and Promotion of Public Officials. Since the Ministry of the Interior rejected this request in February 2015 on constitutional grounds, the Ministry of Defence has regrettably not made any renewed attempt in this vein, nor does it intend to do so. It cites the concept of the internal labour market 2.0. Here, the Ministry now wants to identify special individual cases where Section 4 (3) of the Federal Ordinance on Careers and Promotion of Public Officials allows a job advertisement to be dispensed with under certain conditions. The reason why a separate concept was needed for this in the first place is not immediately apparent. In any case, it is perplexing that the Bundeswehr seems only now to be beginning to exhaust its legal possibilities to the full. General exemptions from the obligation to advertise vacancies have existed in the current version of Section 4 of the Federal Ordinance on Careers and Promotion of Public Officials since 2009.

Another of the concept's fields of action is a central advisory **point of contact** for the Bundeswehr's internal labour market, which has been in place since late 2019 and has been well received. Servicewomen and men can contact this with questions or are actively approached when they are nearing the end of their period of service. The concept also includes *inter alia* increasing the number of recruits from the training centres, expanding the orientation internships offered and developing an information and communication concept.

The cooperation between the Federal Office of Bundeswehr Personnel Management and the Federal Office of Bundeswehr Equipment, Information Technology and In-Service Support deserves positive mention when it comes to the recruitment of former temporary-career volunteers with a technical or scientific degree for a civilian career. Since the equipment office has a great need for engineers, the Federal Office of Bundeswehr Personnel Management already reaches out to eligible service personnel as early as in their third-last year of service and informs them about opportunities on the internal labour market, for instance, orientation internships.

Civilian career days or direct recruitment campaigns also provide information about vacant posts. In 2019, this led to 1,200 applications, about half of which were for technical careers, and 160 letters of appointment or appointment recommendations, which ultimately resulted in 70 appointments. In 2018 and 2019, 28 temporary-career volunteers were able to enter the higher technical administrative service of the Federal Office of Equipment. That was more than a third of the 77 appointments. In 2020, ten former temporary-career volunteers were able to take up employment in the higher technical administrative service of the office.

Despite all the endeavours and positive examples, the overall figures are sobering. Out of the 10,773 servicewomen and men leaving in 2019, only 215 were able to transfer to a civilian employment contract. Out of these, 64 began the career training for civil servants. Four switched to trainee status, and 147 were hired directly as civil servants or non-civil servant public employees. Compared to 138 service personnel who were able to change status in 2018, this is a major increase but still a small number in absolute terms. In 2020, 9,491 servicewomen and men left the Bundeswehr, only 238 (2.5 per cent) of whom started a **civilian employment relationship**. Sixty-two soldiers were accepted onto career training to become civil servants and 49 onto a training contract. The Bundeswehr recruited 127 directly as civilian employees. It should be borne in mind here that the appointment quota set for civil servants and dual vocational training in 2019 and 2020 was around 3,500 (career training, dual vocational training, direct appointment). If one includes non-civil servant public employees employed under collective bargaining agreements, who are recruited as required without a quota, the Bundeswehr even began an employment relationship with around 5,700 persons in the civilian sector (civil servants including those in training, non-civil servant public employees under collective bargaining agreements and trainees) in 2019 and almost 6,500 in 2020.

To meaningfully assess the situation regarding the transfer of service personnel to civilian employment, one would also have to factor in the number of those who applied in the first place. However, the Bundeswehr last recorded this figure in 2016. By comparison: in 2016, around 13,300 servicewomen and men retired, 1,579 of whom applied for civilian employment, but only 242 (around 15 per cent) were successful. So at the time only roughly twelve per cent were interested in continuing their employment with the Bundeswehr with a different status. Since the introduction of e-recruiting unfortunately there has been no record anymore of whether the applicants are former service personnel. In the future, though, there will be the possibility of recording this in the e-recruiting system as well.

Security clearance checks

To avoid appointing people with extremist and violent backgrounds to the Bundeswehr and in turn to prevent them accessing training on war weapons, all applicants have been required to undergo **pre-employment screening for soldiers** since 1 July 2017, which is supposed to have been completed before the start of basic training if possible, or failing that, at the latest by the start of weapons training. A security clearance check is also required for servicewomen and men in posts involving security-relevant activities, with different security levels depending on the type of activity. The Federal Office of Military Counter-Intelligence is the authority involved in carrying out these checks and is under a great deal of strain in terms of staffing due to the sharp increase in the number of requests for checks since July 2017. It has a total of around 1,500 posts, only 79 per cent of which are filled. Following the restructuring of Division P in October 2019, which is in charge of security clearance checks at the office, in the year under review it had 231 posts (nine posts more than at the end of 2019), 175 of which (76 per cent) were filled (one post more than at the end of 2019).

In 2020, it received 55,116 requests for a security clearance check. This is around 9,100 fewer requests than in 2019 (in 2019: 64,233 requests). The reason for this is first of all the finding from a previous organisational study that no security clearance check is necessary for many posts or that their level no longer was commensurate with the actual activity performed. Second, the Covid-19 pandemic meant no application procedures took place for several weeks after 18 March 2020, which is why about 7,000 fewer pre-employment checks were required than in the previous year. Out of the total number of requests received, around 15,386 (2019: 22,467) were for pre-employment screening for soldiers in 2020. The Federal Office of Military Counter-Intelligence completed 40,511 security clearances checks (around 20,100 fewer than in the previous year, in 2019: 61,433), 14,453 of which were pre-employment screening for soldiers (8,165 fewer than in the previous year). The lower numbers compared to the previous year are attributable to restrictions caused by the pandemic, such as safety measures and fewer staff physically present at the office.

Like in previous years, the average **processing time** for level 1 clearance checks of existing personnel without security-relevant findings was seven weeks. For level 1 pre-employment screening for soldiers, which account for more than 90 per cent of all pre-employment screening, the processing time without security-related findings averaged just three weeks. Fortunately, it was possible to greatly shorten the set period of six weeks for the completion of this security clearance check. To achieve this goal, the Military Counterintelligence Service concentrated personnel on pre-employment screening for soldiers. The workload was also eased by the fact that the electronic commissioning of security clearance checks has risen steadily since 2017 and the authorities receiving the request increasingly used automated responses. The Covid-19-related decrease in requests has had an additional positive effect on the processing time. Hopefully, this trend will continue once the pandemic is over, too.

When security-relevant findings come to light, processing often takes considerably longer, in individual cases even several years, depending on the further investigations required, with all the adverse ramifications this entails for those concerned. The same applies to level 2 and 3 security clearance checks, as the requirements are higher here. But slip-ups can also lead to unnecessary delays, as the following case highlights:

- *A staff sergeant complained about the long processing time for his level 3 security clearance check initiated in March 2017. Without a positive result, he would not be able to complete the courses required for promotion to senior NCO. The review of the matter revealed that a level 2 security clearance check initiated for the petitioner in February 2013 had not yet been completed. This was due to the switch to digital records and various internal changes of responsibility at the Federal Office of Military Counter-Intelligence. Due to the new application for a higher-level security clearance, the security officer had asked the Federal Office to discontinue the level 2 check in September 2017 without notification of a result. However, the Federal Office mistakenly discontinued the level 3 check, thus ending the security clearance check altogether. After several enquiries by the petitioner to the responsible security officer, the latter finally asked the Military Counterintelligence Service about the matter in June 2020. It was only then that it became apparent that the case had already been closed almost three years earlier. The petitioner received the level 3 check with a provisional result in July 2020 after his level 3 security clearance check was prioritised as urgent. This meant that he was able to attend the next career-relevant course, albeit almost three months later. However, he was not promoted to senior NCO until December 2020. With the indemnification procedure initiated at the end of the reporting year, he will be treated as if he had participated in the originally planned course.*

In February 2019, an **organisational study** at the Federal Office of Military Counter-Intelligence was concluded with a catalogue of 23 measures designed to significantly shorten the average duration of security clearance checks. The main points have already been implemented. One of the most important measures is the filling of vacant posts at the units responsible for processing security clearance checks. In addition to this, Division P has added ten additional civilian posts in the higher intermediate service for a period of two years. Six civil servants began work in October 2020 and the other four posts are to be filled in April 2021. The nationwide use of ELSE (Electronic Security Declaration) software for commissioning security clearance checks is also being pushed forward.

Experience to date has proven the value of pre-employment security clearance checks. It is true that in some cases soldiers still have to break off their basic training and repeat it because the result of the security clearance check is not yet available, and firearms training can only begin once it is. However, the danger of training people with extremist and violent leanings has demonstrably decreased, as the following figures show. Based on the findings of the pre-employment screening for soldiers, the Federal Office of Military Counter-Intelligence proposed that participation in comprehensive weapons training be denied in 42 cases in 2019. In 27 cases, the Bundeswehr security officer in charge, who usually interviews the persons concerned again and makes a case-by-case decision on the basis of current findings, followed the recommendation. In 2020, the Federal Office proposed participation in comprehensive weapons training be denied in 64 cases, with the security officer following the recommendation in 38 cases so far.

During the course of the application procedure, applicants are already vetted at the Career Centre for their loyalty to the constitution *inter alia* by checking their record in the Federal Central Criminal Register, as well as using findings from the selection interview, the application documents or the psychological test. During the medical assessment, the military medical officers at the Career Centres look for conspicuous features that could indicate a **lack of loyalty to the constitution**, such as anti-constitutional tattoos. They document anything untoward and disclose it to the psychological service. In view of medical data protection, the information is only

passed on if the applicant has previously signed a release from confidentiality allowing this. If the applicant does not sign the release, the assessment procedure is terminated on the grounds of a lack of necessary cooperation. This arrangement means the Federal Office of Bundeswehr Personnel Management has found a legally viable procedure that reconciles the protection of the doctor-patient relationship and medical data protection with the requirements of countering extremism. It is pleasing that the directive issued on this back in September 2019 was also approved by the Central Staff Council at the Ministry of Defence in the year under review.

Since the fourth quarter of 2019, the Bundeswehr has also been statistically recording the number of applications rejected due to doubts about loyalty to the constitution. 32 applications were rejected in the fourth quarter of 2019 and 46 in the first half of 2020.

The security clearance checks of soldiers with family roots or ties to states where, as defined by the Federal Ministry of the Interior, special security risks are to be feared for persons involved in security-sensitive activities, such as the **Russian Federation**, often take a very long time:

- *Repeatedly, petitioners complained that they were not admitted to weapons training or could not assume the security-sensitive post they were meant to.*

Former places of residence, stays and close relatives in states with special security risks in particular, as well as travel there, can create a risk in terms of these people being the target of attempted approaches or recruitment.

It is right and in the interests of security for the Military Counterintelligence Service to carefully investigate this, even if the complexity means a lengthier process. It is understandably frustrating for those concerned if they are not trained in weapons or are unable to take up their posts. One solution could be for the counterintelligence service to deploy more personnel to screen these people in order to speed up the investigations. But given the Military Counterintelligence Service's aforementioned heavy workload, personnel should not be increased by reverting to personnel from other areas, but instead by increasing the number of new posts.

If the responsible Career Centre fails to initiate the security clearance check, this can entail disadvantages for the persons concerned – as well as for the Bundeswehr – as the following two cases show:

- *It was not until four months after a senior NCO candidate entered service that the formation's security officer finally initiated the security clearance check that the Career Centre had failed to. Until then, the soldier was not allowed to take part in weapons training in the scope of general basic training. Only the quick processing of the application was able to avert his threatened dismissal. The Ministry of Defence has taken the petition as an opportunity to optimise the procedures for pre-employment screening for soldiers at the Bundeswehr Career Centre in question to avoid comparable mistakes in the future.*
- *In a similar case involving a military service volunteer, the formation's security officer immediately initiated the security clearance check which the Career Centre had omitted. Although it was available four days later, the petitioner, who had since been removed from basic training, was not reassigned back. He did not receive an assurance that he would be included in the next basic training course as soon as possible, so he resigned, and the Bundeswehr lost a soldier.*

No security clearance checks are initiated in the case of **re-employment**, transfer to the status of temporary-career volunteer or career soldier or in the case of career changers. The Ministry of Defence considers the initial pre-employment screening sufficient to prevent people with extremist and violent leanings from being admitted to comprehensive weapons training in the Bundeswehr. A further security clearance check is only permissible and necessary for these servicewomen and men if they are specifically designated for a security-sensitive activity. This view is questionable, at least for those being re-employed, some of whom have long since left the armed forces. At the time, they were not screened before their basic training and their political views may have changed during this long period, which is why they should be included in screening.

In spite of security clearance checks, the Bundeswehr does not identify all extremists prior to appointing soldiers. Some soldiers only develop a negative attitude towards the free democratic basic order during their active service. Making it possible for these soldiers to be **dismissed** from the Bundeswehr more quickly than before was the impetus behind the Federal Government's move to introduce a new provision in the Legal Status of Military Personnel Act. Under the current legal situation, temporary-career volunteers can be dismissed pursuant to Section 55 (5) of the Legal Status of Military Personnel Act if they have culpably breached their

duties and their continued service would seriously endanger military order or the reputation of the Bundeswehr. Dismissal is ordered by the agency in charge of the personnel by way of an administrative act. Up until now, this provision has only applied during the first four years of service. After the fourth year of service, a soldier can only be dismissed if he or she has been convicted of a serious criminal offence – such as a prison sentence of at least one year – or if he or she has been removed from service by a disciplinary court ruling. Both procedures routinely entail having to keep the soldier in service for a very long time, often for years. The planned new version of Section 55 (5) of the Legal Status of Military Personnel Act would make it possible in the future to dismiss temporary-career volunteers without notice by means of an administrative act up to the end of the eighth instead of the fourth year of service, provided that the case is particularly serious. Particularly serious cases would be those that would also lead to the termination of service in judicial disciplinary proceedings because there would otherwise be a danger of serious damage to military order or the reputation of the Bundeswehr, so cases of serious breaches of duty. In addition to anti-constitutional, racist or anti-Semitic actions, this is also to include, for instance, serious mistreatment of subordinates or serious cases of sexual abuse or use of child pornography.

The intention pursued by the Federal Government in its draft law is to be welcomed – because enemies of the constitution in the Bundeswehr not only pose a serious threat to military order and the reputation of the Bundeswehr. For them to remain in the armed forces is also intolerable for the vast majority of servicewomen and men who are loyal to the constitution, and for our free democratic society as a whole.

Training

Basic training lays the foundation for the military career of each and every soldier. One of its main objectives is and remains improving the physical fitness of recruits. The positive results of the pilot project “Increasing Physical Fitness in Basic Training” already featured in the last two annual reports. The training concept developed in the scope of the project has been part of basic training throughout the Army since 2019. It provides for recruits to be categorised according to their fitness level, which enables training to be steered individually. According to the Ministry of Defence, this approach has been successful and has also contributed to a reduction in the dropout rate. Training of this kind tailored to different fitness levels crucially hinges on the instructor-to-trainees ratio and the skill of the instructors. The Bundeswehr is therefore testing the deployment of former top athletes as full-time trainers, the hope being that this will attract enough qualified instructors to help the concept succeed on a broad scale.

In addition to this, the training reforms in the scope of the Training Agenda continued to make progress. The aim of this reform project, which was ordered by the Chief of Defence in August 2018, is to modernise the training of the armed forces and make it fit for the future. In particular, the intention is to make training methodologically smart, motivating, esteem-boosting and practical. There was a turnaround in the **Army's** officer training aimed at making it closer to the field of practice in the year under review. Officer candidates are once again to be able to share the daily routine with junior-ranking soldiers and noncommissioned officers early on to develop a better feeling for the troops. This means that as of 1 July 2020 they no longer complete their basic training in their own officer candidate battalions, but together with all the other soldiers in the respective battalions of the formations. This is in response to longstanding criticism from the troops, which the Parliamentary Commissioners also regularly addressed. Since the centralisation of officer training in the officer candidate battalions more than a decade ago, there have been complaints about the long time it takes for young officers to become established with the troops. The lack of proximity to the troops led to insecurities among the young superiors, which in some cases also came through as poor leadership behaviour. In light of this, the correction that has now been made is to be welcomed.

Continuous good-quality training is essential for a successful career. This applies to the civilian and military sectors alike. The Bundeswehr is aware of the importance of this and is making tangible efforts to constantly optimise training and keep it up to date. The Training Agenda contains many important and correct approaches. However, it remains to be seen whether each idea will also prove compelling in practice. *Inter alia* the agenda sets forth the introduction of **skills-based training**. This already exists in course-based training, while it is still being tested in unit-level and team training to see whether it can be applied there. The aim of skills-based training is for trainees to actively learn skills and knowledge by independently mastering various realistic scenarios. The trainers initially stay in the background. This “training on the job” can certainly contribute to training how to deal with unpredictable situations and should also enable better use of any existing prior

knowledge professionally experienced lateral entrants have. Moreover, one can assume that self-directed learning positively impacts trainees' motivation. For the training concept to be successful, however, it seems imperative to analyse the part of training carried out independently especially closely in order to identify any mistakes and correct them. Otherwise, there is a risk that safety-relevant mistakes may creep in. But the need for meticulous evaluation is likely to mean that this form of training will take more time than traditional training. It remains to be seen whether the advantages of this training concept outweigh the increased time required. The Ministry of Defence has announced that it will closely monitor the introduction of skills-based training and evaluate it using quality management tools. The announcement that both instructors and trainees will be involved in this evaluation is very much to be welcomed. Live chats, visits to training facilities, workshops and lectures are to provide opportunities to share experiences.

Furthermore, as part of the agenda, the Bundeswehr has conducted a study of **course-based training** and developed models to improve it for courses with a success rate of less than 90 per cent. The Ministry of Defence sees possible solutions, for example, in extending the duration of training or preparing participants more intensively. It is right and proper that the Bundeswehr has made use of quality management tools for this evaluation. For sustainable success, though, the evaluation of course success rates must not remain a one-off process but rather needs to happen continuously. It is therefore a step in the right direction to systematically record and improve the courses with a rate of well below 90 per cent in the future using key performance indicators.

In part, problems in training are also the result of **personnel shortages**. The lack of flight instructors in the Air Force and the consequent need to relocate certain courses abroad were part of last year's annual report, for instance. The Ministry of Defence has informed the Parliamentary Commissioner that this problem still exists and that the Air Force will only be able to provide the requisite training capacities for the EUROFIGHTER basic weapon system training in the medium term by prioritising flight instructor training. To reduce the training backlog it will therefore still be necessary, so the Ministry, to relocate training abroad, primarily to Spain, in the coming years. This measure seems expedient at present. However, it will be crucial to ensure that the courses completed abroad fully cover the required training content.

Another problem in training in the year under review was at the **parachutists**:

- *It had been noticed that there had been a high number of parachuting accidents with minor to severe injuries in the Army. The review of the matter revealed that parachuting opportunities are currently severely limited. Army Headquarters stated that the four jumps required to secure parachuting licences had still been able to be carried out for the most part. However, to ensure parachuting skills were properly consolidated, the aim had to be 10 to 15 jumps per year. The limited parachuting opportunities were due, it said, first of all to the insufficient availability of military aircraft for jump training and second to the slow procurement of parachuting systems. No improvement of the situation was foreseeable yet; on the contrary, it was to be feared that the parachute jumps planned until the end of 2020 would not even be sufficient in all areas to guarantee all personnel could keep their licenses.*

The Bundeswehr has acknowledged that this situation, which is a danger to health and limits the assignment of the servicewomen and men, is unacceptable and set up the quarterly Vertical Insertion Board in 2019. This board is designed to identify need for action in the parachute services and initiate the necessary measures for improvement. One hopes therefore that the problems that have evidently been acknowledged in the parachute services will now be solved quickly and unbureaucratically.

Appraisals

The existing appraisals system has been in need of fundamental reform for some time now. Its main weakness is the inflation of top grades, which in recent years has made it nigh on impossible to know how meaningful the different appraisal grades awarded actually are. An example may help to illustrate this problem:

As of the evaluation date of 31 March 2020, out of 1,319 officers appraised in the officer specialist service at the A 12 and A 11/A 12 pay grade levels, a total of 1,090 achieved a top result in the range between 8.0 and 9.0, whilst only 229 officers were given appraisal marks in the corridor below this, between 6.0 and 7.99. No appraisal was in the range between 4.0 and 5.99. A situation on paper that certifies excellent performance for more than 80 per cent of those appraised is just as unsuitable as a basis for a fair selection procedure for career-advancing assignments as it is as a basis for all other personnel development decisions.

It is all the more important, then, that the planned introduction of the new military appraisal system proceeds according to schedule. The Ministry has communicated that the **new appraisal regulations** are to be applied from 31 July 2021. By then *inter alia* the amended Military Career Regulation, including the legal basis for the introduction of the new appraisal regulations, need to have entered into force. It is commendable that the Bundeswehr had already published the draft version of the new appraisal regulations on the Bundeswehr Intranet for all servicewomen and men to see by the end of the reporting year and had begun training the superiors and personnel involved in the appraisals. The Bundeswehr had also begun the technical implementation of the new appraisal regulations in the SAP personnel management system and was already testing the new system as a pilot project at the Navy at the end of the year under review.

In the year under review, numerous servicewomen and men again expressed their dissatisfaction with the results of their appraisal. Like in previous years, criticism was directed not just at the appraisal grade, which was perceived as too low or unfair, but also at the procedure for compiling the appraisal. One complaint repeatedly made was the long time it took to process appraisals, in some cases far beyond the specified deadline:

- *For example, the appraisal of a lieutenant colonel was supposed to be submitted to the Federal Office of Bundeswehr Personnel Management no later than by 30 September 2019. In fact, it was not submitted until 5 June 2020.*
- *In another case, after a petty officer first class had his draft appraisal opened on 23 September 2019, the opening of the appraisal itself was subsequently forgotten for months.*

Even if mistakes cannot be ruled out given the many thousands of appraisals to be prepared, all those involved must exercise particular care in processing them in a timely manner. Appraisals are not an end in themselves, they serve as a basis for decisions on career-advancing assignments or for the preparation of promotion lists. Anyone who has to compete with an old, possibly worse appraisal will fall behind and may risk career disadvantages.

During field visits, junior-ranking soldiers often express their wish for this career path also to be made eligible for transfer to the status of career soldier. The Bundeswehr is against this but has created additional incentives and added two new ranks to the junior-ranking career path, **corporal first class, junior grade** and **corporal first class, senior grade** in grades A6 or A6 plus a supplementary allowance. The target for the year 2031 for the new ranks for junior-ranking soldiers is up to 5,000 posts, which are to be divided proportionally among the major organisational elements. In the run-up to the establishment of an initial 1,450 posts for the pilot procedure in 2021 and 2022, tasks had to be identified meriting this clear distinction from the rank of corporal, senior grade and specifications for mandatory skills and qualifications were to be defined. In consultation with the major organisational elements, the Ministry focused primarily on troop-related tasks at the structural levels up to and including regiments or comparable.

The new ranks cannot simply be passed through from soldier to corporal first class, senior grade in what are known as pooled posts. Instead, they are only open to the best-performing junior-ranking soldiers in the rank of corporal, senior grade. The decisions on the selection of the best candidates, which have to be made in accordance with the constitutional principle of merit-based selection, are based on service **appraisals**. In the year under review, the Ministry established principles for the selection procedures, which will initially apply to the pilot procedures in 2021 and 2022. Under these there will be no standard appraisal round for all junior-ranking soldiers. Instead, to reduce the appraisal workload, only junior-ranking soldiers eligible to apply will be appraised. Applicants must *inter alia* have at least three years of service in the rank of corporal, senior grade, and at least three years of remaining service, as well as meeting the requirements for the post. Furthermore, they must already be serving in the formation which the corporal first class, junior grade's post to be filled is organisationally assigned to. This qualification is designed *inter alia* to strengthen the responsibility of formation commanders for the personnel development of their teams. The latitude for action and participation opportunities this opens up are a successful example of mission-type command and control.

The applications of the servicewomen and men or nominations by the competent superiors were to be submitted to the Federal Office of Bundeswehr Personnel Management in the pilot selection procedure by 30 November 2020. The nine-month appraisal period has been underway since 1 December 2020. Starting on 1 September 2021, the appraisals will be prepared and evaluated. After that, the first assignment decisions will be made from the middle of the fourth quarter of 2021 at the earliest. The posts will be filled by 1 April 2022 at the latest. Concerns have also been raised:

- *During field visits, the first sergeants repeatedly voiced their concern that it was possible that the junior-ranking soldiers they considered the best might not be promoted to corporal first class, junior grade.*

Another critical question is whether the introduction of the attractively remunerated ranks of corporal first class, junior grade and corporal first class, senior grade will reduce the motivation of junior-ranking soldiers to make the effort to train to become non-commissioned officers.

Finally, the aspect of equal treatment should not be neglected:

- *A company first sergeant of a logistics battalion expressed concern that his deserving junior-ranking soldiers entrusted with staff duty tasks might not be selected to become corporals first class, junior grade because posts for corporals first class, junior grade in his formation had only been designated for transport soldiers.*

The promotion opportunities in the logistics formations of the Joint Support and Enabling Service do in fact apply not just to transport soldiers but also to supply motor vehicle mechatronics and air cargo transshipment soldiers. The petitioner's concern has nevertheless proven to be a legitimate one. For the pilot phase 2021/2022, the Ministry has instructed the major military organisational elements to prioritise troop-related tasks over common staff duty tasks when identifying suitable posts. The Ministry concedes that the case presented by the petitioner applies in a comparable form to a large part of the formations in all major organisational elements during the pilot phase. The new posts for corporal first class, junior grade or corporal first class, senior grade in the years 2023 to 2031 are to be planned by the major organisational elements once the pilot phase has been evaluated, based on the experience gained. For the high achievers among the staff duty soldiers, it is very disappointing that they will not be eligible for promotion to corporal first class, junior grade/corporal first class, senior grade until 2023 at the earliest. The Parliamentary Commissioner will advocate that the posts of staff soldiers be included in the evaluation.

Promotions

Promotions have a major bearing on job satisfaction and motivation. They are a tangible expression of the esteem the Bundeswehr holds its soldiers and their service in as an employer. So the disappointment is great when waiting periods are unduly long.

Waiting periods also occur because, in its personnel structure planning, the Ministry has not planned to always promote all servicewomen and men immediately after they meet the minimum requirements for promotion. This means that in the pooled posts – where soldiers can be promoted, for instance, from sergeant in grade A 7 to master sergeant in grade A 9 without changing posts – the highest achievers are promoted first. A procedure of this kind is commensurate with the principle of merit enshrined in the Basic Law and is not to be criticised in principle.

On a positive note, it was again possible to promote a number of servicewomen and men more quickly in the year under review due to improvements in established posts in grades A 8 plus the supplementary allowance and A 12 to A 15. Irrespective of this, there was still a shortage of promotions to grades A 8 plus the supplementary allowance and A 14 for administrative service officers in August 2020, with an average **remaining waiting time** for candidates of 14 and eleven months respectively. One should bear in mind that with this average value, the less high-achieving staff sergeants and majors as well as equivalent ranks in the Navy and Medical Service currently have to wait several years for their promotion.

Overall, the Bundeswehr's personnel structure planning does not allocate any posts for earliest possible promotion to around 9,000 soldiers. As the Parliamentary Commissioner sees it, these amounts could be significantly reduced – and without sacrificing a fair staggering of the waiting period in line with performance, aptitude and ability. This would enable highly demotivating peak waiting periods of several years to be avoided. As long as considerable waiting periods for promotion are unavoidable, the suffering of the soldiers concerned could at least be alleviated if the personnel management were to communicate with them at regular intervals and make transparent how long the person concerned is likely to have to wait. Cases like the following could be prevented:

- *A staff sergeant, most of whose cohorts had since been promoted, was worried when they asked if he had done something wrong. He could not give a plausible answer to his lack of promotion.*

Promotion waiting periods for soldiers who first apply for a higher-paid position in another post and have to prevail against other applicants in a selection procedure merit particular criticism. They meet the requirements for promotion from the first moment of their new position. If they then have to carry out the higher-level task assigned to them for a longer period of time without receiving the pay intended for it, this rightly feels like an expression of disrespect to those affected:

- *For instance, on 1 October 2018, a captain in pay grade A 11 received the higher-grade post of head of section in pay grade A 12 due to his very good aptitude and performance profile. His assignment to the established post in grade A 12 did not take effect until 1 January 2020. In a similar case, the captain in question had taken it upon himself to commute to Cologne, 220 kilometres away from his family home, for the career-advancing A 12 grade post. He also waited 15 months for his assignment to pay grade A 12.*

There continues to be a lack of established posts to resolve this situation. According to the Ministry, there is an additional need for around 6,500 posts when one compares the posts allocated in section 14 of the 2020 federal budget and the funding structure of the current 2020 military personnel structure plan, as was already the case in the previous year.

However, an increase in established posts alone does not remedy the situation. Established posts for a promotion are also routinely lacking if soldiers are transferred from a regularly established post to what is termed a **non-established post** while remaining in their previous established post. This is necessary, for instance, in the case of a leave of absence due to parental leave, in the case of leaves of absence for members of representation bodies, during protection periods pursuant to the Act on the Continued Employment of Personnel Injured on Operations or if performing duties for which no posts have been created. If the post then vacated is filled by a new post holder in a career-advancing way, the new post holder cannot be promoted, because the higher-ranking established post remains tied up by the established post holder not assigned to a regular post. The assignment of personnel in non-established posts is not a marginal issue. As of December 2020, the Bundeswehr had 5,362 career soldiers and temporary-career volunteers remaining in their previous established positions not assigned to regular posts. Although there was a slight decline during the year under review (in May 2020: 6,540), in absolute terms, the number is high and should therefore be monitored.

Under the Legal Status of Military Personnel Act officer candidates are only transferred to the **service status of career soldier** after completing their career training and being promoted to lieutenant. This also applies to career changers who have already been selected in the senior NCO career to become career soldiers. A senior officer cadet criticised this practice:

- *He had successfully applied as a senior noncommissioned officer for the career of officer in the military specialist service and at the same time applied to be transferred to the service status of career soldier. Whilst he was not accepted for transfer to the status of career soldier as a candidate, although he had come first in the selection conference for career soldiers in the senior NCO career, officer candidates from his course had been appointed career soldiers at the beginning of the candidate period. The review of the matter revealed that his comrades had erroneously received the appointment certificates as career soldiers due to a processing error. Understandably, it was difficult to explain to the petitioner that his comrades with the same qualifications as him had been appointed career soldiers, but that he could not derive any entitlement to transfer from this and would therefore only become a career soldier as planned on 1 October 2022 – and subject to another health check.*

The Federal Office of Bundeswehr Personnel Management rightly takes the view that the underlying regulation contained in Section 39 of the Legal Status of Military Personnel Act does not make sense in such cases. These high-achieving soldiers should be retained by the Bundeswehr in the status of career soldier regardless of which career they belong to. Above all, this would mean they would not be lost to the Bundeswehr if they fail their officer training. For temporary-career volunteers advancing from one career group to another, the military service relationship ends upon the expiration of the enlistment period if the soldier fails to pass officer training. As career soldiers advancing from one career group to another, they would instead be returned to the career of senior NCO in the Bundeswehr.

Retirement

In 2020, a total of 1,450 career soldiers retired from service. Out of these, the Bundeswehr retired 923 on reaching the special age limit and 462 after exceeding it. 65 retired for other reasons. The personnel

requirements planning for the armed forces also envisages above all retaining qualified and experienced personnel for longer and continuously increasing the average retirement age for career soldiers. In December 2020, for instance, it was 61.6 years of age for officers in pay grade A 16. Military personnel structure planning sets forth an increase to 62.9 years of age by 2025. For senior noncommissioned officers, an increase in the average retirement age from the current 54.4 years of age to 55.9 years of age is planned.

To achieve this increase, the Bundeswehr had to depart from its long-standing practice of retiring career soldiers as soon as they reached the **special age limit** stipulated in Section 45 (2) of the Legal Status of Military Personnel Act. Section 44 (1) Sentence 1 of the Legal Status of Military Personnel Act provides a legal basis for retiring career soldiers only once they reach the later **general age limit**. At the same time, the Federal Office of Bundeswehr Personnel Management applies a case-by-case procedure with all soldiers due to retire to postpone the retirement date by mutual agreement, involving the soldiers concerned and enabling individual solutions. A personnel development interview must be held with every career soldier, including those with an A 16 pay grade, no later than five years before the earliest possible retirement date to discuss the date and, if applicable, the assignment and the place of duty from which retirement will take place. If the servicewoman or man decides to continue serving for at least two years beyond the previously set date, she or he will receive a binding notice with the new date. This procedure has been well received by those affected. In 2020 (2019: 658), 592 career soldiers were assured an individual retirement date by the Federal Office of Bundeswehr Personnel Management.

The current practice strikes a suitable compromise between military personnel requirements on the one hand and soldiers' trust in being able to take early retirement on the other, increasing planning certainty for both sides. This procedure is based on a directive that the Director of Human Resources at the Ministry of Defence has so far only extended a year at a time, most recently for career soldiers with a previously set retirement date of up to and including 2025. It would be good to have predictable provisions to govern this practice for the numerous soldiers in the years to come as well and to provide them with long-term legal and planning certainty in this key matter in planning their lives.

The soldiers concerned also have a right to expect to be personally involved in a timely manner. The letters from two master sergeants show that this has not been achieved in every individual case yet:

- *They criticised the fact that a retirement consultation had not yet taken place with them, although the five-year deadline before reaching their special age limit had already passed. The personnel management had not seen any need to conduct a personnel development interview with the two soldiers on the formal deadline. The petitioners had not been able to be provided with any major information for their retirement yet, it was said, because at that time the Ministry's executive decision on the retirement practice for soldiers retiring in 2024 had still been pending.*

This efficiency consideration is understandable from the personnel management perspective. The servicewomen and men concerned nevertheless have a legitimate desire for information. They have a right to expect that the personnel development interview provided for in Type A General Publication 1340/57 No. 207 will be held with them on schedule, even if it cannot formally include advice on retirement.

Civilian initial and follow-on occupational training

Civilian initial and follow-on occupational training measures primarily serve to develop the professional qualifications of soldiers for military use. At the same time, however, they can be used for the time after the Bundeswehr and as such are an important factor for integrating into civilian working life after the end of service. The Bundeswehr regularly reviews the catalogue of measures on offer, adapting it to requirements. In the year under review, for instance, it switched the training for occupational health nurses and nursing staff to training as a nursing specialist.

As of 15 November 2020, a total of 6,342 temporary-career volunteers were participating in an ongoing civilian vocational measure, 5,515 of whom were in initial training and 827 in follow-on training. In the area of occupational training, there were 383 group training measures in 42 different occupational profiles as well as 76 group follow-on training measures leading to 31 different qualifications. The vast majority are trained in the occupations of IT specialist for system integration, office administrator, telecommunications system electronics technician or paramedic. Only a few start training as media designers, radiology assistants or photographers, for instance. By the end of 2020, around 2,200 temporary-career volunteers had successfully completed training and

just under 500 had successfully completed follow-on training. Here one has to bear in mind that the restrictions caused by the Covid-19 pandemic meant that many measures took place as online classes or other forms of self-study, had to be interrupted altogether or postponed to a later date. This was also a major point of criticism that came through in submissions:

- *A senior NCO candidate criticised the civilian initial and follow-on occupational training measure to become an IT systems electronics technician, which was interrupted for several weeks due to the pandemic. A lack of in-person instruction meant he had not been able to complete the project work, he said, and the final examination was not taking place until the second half of 2020. This was delaying his promotion to senior NCO. The post planned for the soldier will be kept vacant until the training is completed at least, though.*

A number of other servicewomen and men have been impacted by delays like this. At the end of the year under review, eleven civilian initial and follow-on occupational training measures with 162 participants, which had been scheduled for completion in 2020, will not be able to be completed until in 2021. To date there are no findings to suggest that the current civilian initial and follow-on occupational training participants have achieved lower grades than in previous years. The average pass rate for civilian initial and follow-on occupational training was almost 90 per cent in the reporting year, like in previous years.

The Joint Support and Enabling Service Headquarters has launched an **organisational study** and analysis of required personnel levels for the civilian initial and follow-on occupational training and student administrative support centres for Bundeswehr Schools of General Vocational Education with a view to optimising procedures and underlying conditions, but this has also been delayed due to the Covid-19 situation. However, the study's initial findings and the increased proportion of active soldiers among the students completing general vocational education led to the three combined civilian initial and follow-on occupational training and student administrative support centres for Bundeswehr Schools of General Vocational Education each being given an additional personnel officer post as of 1 April 2020.

Independently of the Covid-19-related complaints about civilian initial and follow-on occupational training measures, soldiers also criticised the organisation and implementation of civilian initial and follow-on occupational training measures:

- *Four soldiers who were training to become “information and telecommunication system electronics technicians” in Neuburg an der Donau complained that they had not received sufficient preparation for the upcoming examinations. The review of the matter found that the examination preparation was not optimal but met requirements. At the beginning of the training, however, teachers had often been absent, which repeatedly prompted the Bundeswehr Vocational Advancement Service to demand the training provider meet its contractual obligations. The training provider then made up for most of the teaching hours missed.*

The case confirms that the civilian initial and follow-on occupational training support centres need to continuously monitor civilian initial and follow-on occupational training measures carried out by civilian training providers to ensure the quality of the training servicewomen and men are receiving.

In 2019, the Bundeswehr launched a pilot project with 14 participants and a success rate of 90 per cent, enabling junior-ranking soldiers without a **school-leaving certificate** whose remaining period of service was 18 months to complete their lower secondary school-leaving certificate (*Hauptschulabschluss*) in the space of six months. In the first half of 2020, it continued the project, this time with 29 participants already, 27 of whom passed. This qualification also gives the servicewomen and men the opportunity to change careers, provided they successfully complete the aptitude assessment procedure and the subsequent technical and military training in addition to the lower secondary school-leaving certificate. The increasing number of participants and the high success rate speak for a continuation of the project. This makes it all the more pleasing that it is to become part of routine operations. The Bundeswehr has initiated the amendment of the corresponding examination regulation and is currently exploring the feasibility of the measure at various Bundeswehr Schools of General Vocational Education.

Processing of personnel matters

Time and again, servicewomen and men criticise deficiencies in the processing of personnel matters, for example in assignments, training planning or changes in planning following appointment or re-employment. Three examples are provided below:

- *Following his re-employment, a chief petty officer learned that the post he had been assigned had already been filled. He therefore had to transfer from the Army to the Navy and staff duty. His training as an accountant did not go according to plan either. The first course was filled, for the second he was not assigned in time. His subsequent application for transfer with a change of assignment was also unsuccessful because there was still a need for the planned assignment as an accounting and disbursing sergeant. He was finally able to start training for this position 15 months late.*
- *At their request, the assessment centre for Bundeswehr command personnel assigned two prospective officers to a higher-education degree in history with a start date of 1 October 2020, after one had passed the aptitude test in November 2018 and the other in May 2019. It was not until September 2020, so immediately before the planned start of their degree, that both petitioners received the news that their Latin proficiency certificate was missing. The review of the matter found that both soldiers had been wrongly assumed to have this compulsory requirement for admission to the degree due to the intermediate Latin certificate indicated on their school-leaving certificate. Whilst one of them decided at short notice to change to another degree, the other petitioner will probably not be able to start his degree until October 2021. His promotion therefore will not take place until one year later either.*
- *An officer candidate whose first preference was to work in the “flying service” as a helicopter pilot received an immediate offer for his second preference of “technical service” as a result of his greatly above-average basic aptitude as an officer – whilst awaiting the result of the aptitude test for the flying service. However, the personnel management rejected his application for a change of assignment after he had successfully passed the flying aptitude test. He was not to be re-examined until the final year of his degree because there was no reference in his acceptance notice to the planned participation in the flying aptitude test. It remained unclear why he had been placed in the time-consuming and costly aptitude test procedure in the first place, despite the lack of a reference to his possible later assignment to the flying service. The soldier successfully appealed, and 18 months after his application, he was in the flying service.*

Especially given the huge problems in finding suitable personnel in the flying service, such mistakes weigh heavy.

- *In another case, a petitioner had applied to be re-employed immediately after the end of his period of service whilst still in active service. In the course of his application being processed, a whole series of errors occurred. The petitioner had to submit the same documents several times. Only after more than ten months of processing, combined with an extension of his period of service in the meantime, was he notified that re-employment immediately after the end of his period of service did not make sense for economic reasons. He was advised to apply for a career change. His application for re-employment was not denied in writing because it was not legally possible to officially apply for re-employment whilst still in active service. The review found that the petitioner was entitled to apply and should therefore have received notification of denial of his application.*

As already detailed in the 2019 annual report, it is formally possible to apply for re-employment whilst in active service. Even if actual re-employment is not possible during active service, the application and selection process can still take place before the applicant leaves. However, rapid re-employment shortly after leaving should be avoided as far as possible because of the administrative effort and high costs involved (payment of transition allowances and grants). From the Bundeswehr’s point of view, an extension of service, possibly with a change of career, is more effective instead and offers greater reliability for both sides.

More **personnel responsibility** through decentralised powers and a say in filling posts is a recurring theme during field visits:

- *Disciplinary superiors complained that there were few opportunities to use their own qualified personnel who merited promotion for vacant posts. Vacant posts had often already been re-assigned by the Federal Office of Bundeswehr Personnel Management or the Career Centres. The Ministry of Defence argues that this criticism only applies to isolated cases. The centralisation of personnel management activities at the*

personnel office to also include Air Force and Army junior-ranking soldiers, which was completed in 2016, had proven fundamentally successful in its view. Personnel had to be planned at an early stage, with foresight and in line with requirements so as to be able to quickly fill vacant posts. Furthermore, filling vacancies without delay required the successor staff to have already completed their training. This is why, so the Ministry, posts are advertised several months or even years in advance, and this can only be done centrally. Servicewomen and men wishing to extend their service in their formations needed to apply for this early on. Otherwise, their successor would already have been bindingly decided and the person in question in training. The formations should also be proactive and submit their proposals for replacements before the position was advertised.

For this to happen, though, the service personnel in question would have to be informed of the planned **advertisement**. As already suggested in last year's report, the personnel management staff should ask superiors and post holders before a post is advertised whether they are interested in continuing in the post. The Federal Office of Bundeswehr Personnel Management could also be proactive here. The Ministry had initially announced that it would examine this proposal and inform the troops of a planned advertisement six months before filling a post using a standardised function in the personnel management system. Superiors could then inform the post holders or other suitable service personnel locally about the possibility of re-enlistment. In October 2020, the Ministry reported on a workshop held in October 2019 at which it had been agreed to set up a standardised function in the personnel management system as an additional backup. This is now supposed to inform the force as far as 18 months in advance about upcoming advertisements. The Ministry did not explain why this function has still not been set up one year later. Additionally, the Bundeswehr personnel office is to collect internal transfer proposals before posts are advertised. This is to be welcomed. However, depending on the career and background, the lead time for the regeneration of posts may be several years before the current post holder's service ends. In such cases, notification 18 months before the post is due to be filled again would be too late.

Servicemen and women are entitled to a **testimonial** at the end of their period of service. In submissions they complained repeatedly that it was issued late. The testimonial is of particular importance for civilian working life that usually follows service in the Bundeswehr. Those concerned have a right to expect that the Bundeswehr will issue this document to them immediately after the end of their service and not months or even years later:

- *One soldier reported that he had tried several times to obtain a testimonial after his period of service ended on 31 December 2015. In the course of the investigation, the Bundeswehr was unfortunately no longer able to reconstruct why the agencies responsible for drawing up and issuing the testimonial had not responded to the soldier's enquiries. Shored up by his submission, the testimonial was finally drafted and issued to the petitioner.*
- *A soldier waited about a year for her testimonial after her service ended in August 2019. Following her period of service, she understandably wanted to concentrate on her training as a physiotherapist rather than "chasing down" her testimonial. Following her submission, the testimonial agreed with the petitioner was prepared and issued.*

Voluntary military service

Voluntary military service ranges from seven to 23 months and is intended to give young people the opportunity to gain an insight into the Bundeswehr without immediately committing to several years as a soldier. The aim of voluntary service for the Bundeswehr is also to recruit temporary-career volunteers from among those completing voluntary military service.

At the end of the year under review, 8,251 women and men were performing their voluntary military service in the Bundeswehr (2019: 8,337, 2018: 8,252). 7,194 of these began their service in 2020 (2019: 7,642, 2018: 7,259). During the probationary period, 1,350 of these servicewomen and men ended their military service prematurely, 1,121 left at their own request primarily for personal reasons, and 229 were dismissed by the Bundeswehr due to a lack of physical or personal aptitude. It is good that the Bundeswehr enquires about what the personal reasons are. This enables it to take action to keep the number of those leaving the Bundeswehr prematurely as low as possible. Here, service personnel cite another job or a better civilian occupational alternative, health reasons, the general conditions at the location not meeting their expectations, and the distance

of the location from their home. It is very pleasing that in the year under review the Bundeswehr transferred 2,151 military service volunteers to the service status of temporary-career volunteer.

In the Ministry of Defence's view, **personnel recruitment** was very successful until the onset of the Covid-19 crisis in March of the year under review. The safety measures issued by the Federal Government in connection with the pandemic then meant, however, that the personnel recruitment organisation was unable to conduct assessments for about nine weeks with the result that no military service volunteers were assigned during this period. It was not possible to conduct aptitude tests in crisis mode until mid-May of the year under review. Beginning with the second week of June 2020, all assessment facilities were able to conduct selection procedures again. The Covid 19-induced circumstances understandably contributed to the Bundeswehr not being able to match the results of previous years (2019: 7,642, 2018: 7,259) at a figure of 7,194 new recruits, and, in particular, being unable to reach the number of 9,850 military service volunteers set forth in the personnel planning for service personnel in 2020.

In spite of the focus on primarily recruiting temporary-career volunteers and the limited recruitment possibilities due to the Covid-19 pandemic, the Bundeswehr should maintain its efforts to recruit military service volunteers. They are not only important in terms of recruiting new personnel for the Bundeswehr, above all they act as important multipliers in society – something not in the spotlight enough anymore since the suspension of compulsory military service.

Making voluntary military service attractive should also be a priority. The young servicewomen and men need to be given proper and challenging training and be treated with care:

- *Time and time again, military service volunteers have reported that training was not carried out as planned. They also make it clear that the advisors at the Career Centres failed to point out the provisional nature of assignments and possible changes to the training courses clearly enough during the assignment interview.*

This is key in order not to create false expectations among applicants or to align already existing **expectations** with reality. The Career Centres need to be put in an even better position to assign these young, motivated and well-trained people in such a way that they want to continue their career with the Bundeswehr after their voluntary military service. So new ideas are needed. In light of all of this, the Bundeswehr should avoid raising false expectations among prospective candidates on its website.

The following example illustrates this problem:

- *A dedicated military service volunteer, who was assigned to serve for eleven months as a loader/gunner on the LEOPARD 2 battle tank, complained that he had not received any billet training after completing his basic training. When he arrived at the unit, the billet training had already been up and running for a month and it was no longer possible for him to join. For the next round, his service period had been too short and the training would no longer have been worth it. The review of the matter revealed that in this case, the minimum period of service of twelve months required in the billet training for the post at issue here had not been met for starters. The Ministry has announced measures to avoid cases like this in the future.*

Lengthy application procedures – further negatively impacted in the year under review by the effects of the Covid-19 pandemic – faced criticism again from those interested in voluntary military service. For the safety of all those involved, the Bundeswehr initially suspended the aptitude assessment procedures, and rightly so. The inadequate communication with the applicants does warrant criticism, however:

- *If an applicant enquiring by telephone when she would be contacted is told, “Well, we’ll see ... whether it’s this year or next year,” it is not acceptable. It is also unacceptable if applicants are not informed about the status of their application at regular intervals.*

Since 1 January 2020, military service volunteers have received up to 80 per cent of the pay of temporary-career volunteers of the same rank. The objective was and is to encourage them to **enlist for longer periods** of voluntary military service so that they can then be deployed in a more demanding role. This benefits them and the Bundeswehr alike. A few military service volunteers reported that they would be financially worse off as a result of the new arrangement as of 1 January 2020:

- *The higher gross pay was offset by a lower net amount, they said. The reason for this being that the financial benefits are almost all taxable under the Military Pay Act in force from 1 January 2020. This means that the amount paid out may be lower than under the old law, depending on the soldiers' tax profile.*

Even if the dissatisfaction about the fiscal consequences is understandable, the harmonisation of cash and non-cash benefits resulting from the revision of the Military Pay Act means lawmakers have satisfied the constitutionally required principle of equality towards all servicewomen and men in a military service relationship.

On 23 July 2020, the Minister of Defence presented her pilot project **Your Year for Germany** – Voluntary Military Service in Homeland Defence. The “Year for Germany” comprises seven months of military training in the force (three months of basic training in units of the Joint Support and Enabling Service and four months of specialised training to become a guard and security soldier) and assignment as a reservist lasting six years. During this six-year period, reservists perform at least five months of reserve service close to home, for example in disaster relief operations. This does not affect the model of voluntary military service; the new service merely supplements it. By the end of the year, 5,017 women and men had shown interest in this new service. The Bundeswehr has already arranged individual advice interviews with 2,787 of them.

In principle, it is to be welcomed that young people are being offered various opportunities to serve in the Bundeswehr. However, as 2021 marks the tenth anniversary of the suspension of compulsory military service, it is also time to look back and examine what effects – positive and negative – the suspension has had. There should be an objective discussion of where we stand today and whether we have succeeded in inspiring enough young people and a sufficient cross-section of our society to join the Bundeswehr with the concepts used thus far. This also ties in with the question of what level of commitment to our community society can expect from each and every individual.

Reserve

Quite apart from their work in dealing with the Covid-19 pandemic, with their voluntary commitment the reservists make an essential contribution to the functioning of the armed forces – in basic operations, on missions abroad and in disaster relief and homeland defence.

Out of the approximately ten million reservists in Germany, about one million could potentially be called up for reserve service. 32,144 reservists were called up in the year under review. During this period, 17,280 reservists supported the force in 34,094 services, ranging from one day to twelve months. Since the suspension of compulsory military service in 2011, reservists have been essential bridge-builders between the armed forces and society, helping ensure the Bundeswehr remains embedded in the heart of society. All the more regrettable then, when this commitment by citizens in uniform is marred by the Bundeswehr’s ongoing problems, especially in the areas of equipment and clothing, bureaucracy and communication. The Bundeswehr must do better here if it wants to avoid losing motivated, high-performing reservists.

The following example brings this into sharp relief:

- *A reservist – a member of a regional security and support company – complained of a lack of practice ammunition for machine guns and a shortage of signalling and smoke equipment. Sometimes what was available could not be used during exercises because the necessary personnel were unavailable. What was more, the extra drinks required for an exercise on the firing range at high temperatures had to be fetched from the mess hall. It had not been possible to provide them in advance because the mess hall would have required additional confirmation from the unit physician as grounds for payment.*

Even if the problems have been solved in the meantime, the resulting loss of motivation among those affected is unfortunate and not good publicity for the Bundeswehr.

- *It is equally frustrating and de-motivating if a reservist has been waiting for ten months to be issued a jacket liner to protect him from the cold and he cannot even be provided with matching black socks for his service uniform.*

Even if, like in this case, the jacket liner had to be custom-made, this is far too long.

Excessive **processing times** for reservists’ applications are an issue every reporting year. This year it was mainly delays in the payment of overtime and in applications at the Career Centres:

- *In one case in point, the processing and payment of overtime pay took over ten months. The reason was a processing error at the company responsible, which was down to a lack of training of the specialist staff.*

- *In another case, a Career Centre failed to request a reservist's health records in time before the start of an exercise. He was consequently unable to start his reserve service as planned. During the review of the matter, it emerged that the unit requesting the reserve exercise had first contacted the wrong Career Centre, triggering a chain of events characterised by negligence in the handling of the case by three Career Centres dealing with the matter.*

But there are also cases where petitioners receive help swiftly and unbureaucratically:

- *A motivated and experienced reservist and father suffered a serious accident during his four-month reserve service in the middle of 2019, which he is still suffering the consequences of today. He filed an application for the recognition of a service-related disability and associated pension at the end of 2019. Usually, the standard processing time for such an application is around one year.*

Fortunately, his application was approved after just six months, even in spite of often unavoidable delays related to the Covid-19 pandemic. It is good if the Bundeswehr sets priorities and fast-tracks tragic cases that threaten the very livelihood of the person in question.

Since the suspension of compulsory military service, the principle of voluntariness also applies to being called-up for reserve duty. Given the need for a good working relationship between reservists and their civilian employers, it has proven good to ask the latter for their consent to **release** them from work for reservist service. They do not always comply with this request. The expanded financial incentives for private employers in place since 1 January 2020, such as the possibility of lump-sum reimbursement of the additional costs for an equally qualified replacement, are intended to improve the situation.

The Bundeswehr was able to eliminate financial disadvantages that used to exist when calculating the reservists' maintenance allowance thanks to a change in its organisational practices. In the future, the loss of certain variable income components (mixed forms of special remuneration consisting partly of fixed business-related and partly of variable personal components) is to be reimbursed. A plausible statement of the loss of income by the employer is required.

Reservists in good health would sometimes like to be called up for service beyond the age of 65. This runs contrary to the Legal Status of Military Personnel Act, which stipulates that the maximum age for all status groups without exception is **65**. What is more, the reinforcement reserve in particular predominantly requires younger people eligible for military service. It should nevertheless be borne in mind that older reservists have a wealth of expertise and experience to offer. Other forms of participation should therefore be made possible for this group so that they can profitably pass on their valuable military expertise.

To be accepted onto the career of reserve officer as a **lateral entrant**, applicants have two different options available to them under the Military Career Regulation – depending on their higher-education degree. This applies both to those who have served in the Bundeswehr and subsequently completed a civilian higher-education degree, and to those who have not served but have a higher-education degree. In the first case, the post to be filled requires a specific higher-education degree, such as medicine for medical officers or law for a senior legal officer. In the second case, the post is not geared towards a specific higher-education degree, such as an operations officer or operations staff officer in the armed forces. Both procedures have long waiting periods between submitting the application, undergoing the assessment procedure, completing general military training and being assigned. The difference between the two cases is that in the first case the requisite training can take place whilst in the post, whereas in the second case it takes place in the form of official events outside the scope of the Job Reservation Act and without benefits pursuant to the Maintenance Act. The intended revision of the Military Career Regulation envisages appointment in the highest candidate grade (senior officer cadet/chief petty officer) in both cases provided that applicants have a higher-education degree (irrespective of whether the subject matter can be used for assignments in the career). This means that in the second case, too, the requisite training to become a reserve officer could be carried out whilst in a post in the future. On 1 July 2020, the Bundeswehr suspended these procedures for the time being in order to revise and improve the underlying conditions and processes. The procedures should be resumed promptly so as not to lose potential applicants.

A provision that obliges reservists, like those doing voluntary military service, to live in government accommodation continues to cause major discontent and the feeling of not being appreciated. It is possible to be exempt from this obligation, especially if the reservist is deployed close to home. However, they can only claim the travel expenses for the daily journey home, as active service personnel are entitled to, if they can prove that

no **government accommodation** is available. Establishing an official right to opt between accommodation and reimbursement of travel costs could put a stop to this unequal treatment.

The new federal state regiment in Bavaria established on 1 April 2019, which reservists are solely responsible for, will test a new structure over a two-year pilot phase. It will be under the command of the Joint Support and Enabling Service Headquarters, with the close involvement of the Bundeswehr Reservist Association. The pilot project is intended to show whether this new structure is capable of handling the assigned protection and security tasks and the subsidiary tasks to be fulfilled in the context of administrative assistance and disaster relief. If successful, this could lead to the creation of regiments in all federal states. One of the project's most important goals in the first year was to achieve a uniform level of training among all servicewomen and men in the regional security and support force companies. The first exercise involving the entire **Bavarian federal state regiment** took place in the autumn of 2020. For the first time, the United Nations Training Centre from Hammelburg was in charge of the training, with active troops professionally ensuring successful training of the reservists. The federal state regiment is also seen as the right step in terms of the new Reserve Strategy. It is a test and trial formation for tasks and requirements set forth in the new Reserve Strategy. It will be interesting to see the findings of the analysis once the pilot project is completed.

In the autumn of 2019, the Minister of Defence issued the **Reserve Strategy** – a vision for the reserve in 2032 – as the basis for the evolution of the reserve. In the year under review, the Ministry began to bring the strategy to life, first of all drafting an implementation plan. This plan contains a multitude of individual measures, and the Reserve Coordination Group was established at the Ministry to ensure its successful implementation on 3 June 2020. A major and seminal individual measure is reserve assignment for retiring service personnel, designed to ensure the troop and territorial reserves fully satisfy demand in the event of selective extension of active duty, a state of tension or defence. Reserve assignment for retiring service personnel is scheduled to be put in place on 1 October 2021.

Veterans

An order of the day on 23 November 2018 by the then Minister of Defence defines a veteran of the Bundeswehr as anyone who is actively serving as a soldier in the Bundeswehr or who has been honourably discharged from this service, so who has not lost their rank. They are all eligible to receive a veteran's badge. In the year under review, the Federal Office of Bundeswehr Personnel Management received 25,413 applications for a veteran's badge, 25,189 of which have already been issued. This means a total of around 62,000 veteran's badges have been distributed so far.

On 18 November 2019, the Deputy Chief of Defence and Commissioner for Reservist and Veteran Affairs brought the Guide to Bundeswehr Veteran Activities into force. The guide aims in particular to encourage greater recognition and appreciation of veterans' accomplishments, pairing societal appreciation with support and care from the Bundeswehr. At workshops in November 2019 and January 2020, the Ministry of Defence developed a series of projects with the participation of associations and organisations involved in work with veterans. These include the proposal for a special German postage stamp featuring veterans, the use of the Bundeswehr MWR offices as a point of contact for former members of the Bundeswehr and the initiation of a song project. However, existing initiatives, events and concepts, such as the annual commemorative march, the Invictus Games in 2021 and 2023 in The Hague and Düsseldorf, the Yellow Ribbon initiative, and the showcasing opportunity that Bundeswehr Day constitutes should also continue to be supported, possibly to a greater extent. To improve and raise the profile of the care for veterans and those injured during deployment, the Bundeswehr intends to establish a veterans' office that is visible to the public and a veterans' home offering temporary accommodation to veterans in need. In addition to this, there are plans to provide the Deputy Chief of Defence with a "veterans' general" to provide day-to-day support. These initiatives are to be welcomed.

5. Work-life balance

Servicewomen and men continue to feel restricted in planning their lives by what is the sometimes difficult balancing act of reconciling private and working life. Regular transfers, missions abroad and courses over longer periods of time demand a high degree of commitment and flexibility not just from the soldiers themselves. Their families also have to shoulder this burden. During the pandemic, child day-care centres and

schools were closed to a large extent for weeks at a time, and this hit soldiers' families particularly hard, because for them the time-consuming commute covering long distances between their home and place of duty that is often necessary means organising childcare is a major feat. The Bundeswehr made considerable efforts very early on to provide special support to its soldiers and their families during this difficult period. Flexible mobile working and assistance in finding alternative childcare are just two of many positive examples. It is also good that the Ministry of Defence is evaluating the various measures. This should not only look at whether crisis management was successful. The Ministry should use the experience gained during the pandemic to consider a general continuation and expansion of measures like flexible mobile working.

Problems of a commuter army

The Bundeswehr is a commuter army, and this has not changed. For many soldiers, commuting is a normal part of life, because family or other ties often mean they cannot move their home every time their place of work changes. Service personnel continue to be among the occupational groups that have to cope with the longest commutes between home and work. The AOK Health Insurance Fund's Scientific Institute already found in 2018 as part of a study on absence that the probability of mental illness increases as the distance between home and work does. This can result in feeling depressed, fears, worries and the feeling of no longer being able to cope with everyday life. Military psychologists have found that psychological problems do indeed increase among soldiers due to being separated from their friends and family. The lack of social support structures means that they no longer experience the necessary psychological and social relief to the extent required. Those affected can seek support from the psychosocial network in place. Military chaplaincy, military psychologists, unit physicians and the Bundeswehr Social Services are all experts on hand to help affected service personnel.

Given the added strain commuting entails, the additional financial expenses arising from this should at least be compensated for as swiftly as possible. Complaints about the slow processing of applications for payment of **separation allowances** in the year under review testified to the contrary.

One can understand the frustration felt by an officer in the following case:

- *Residing in Bergheim, he was transferred to the Air Force barracks in Cologne-Wahn in 2008 and paid a separation allowance. This was later followed by deployment at the Lüttich barracks in Cologne-Longerich. Here, the separation allowance was correctly discontinued because the soldier's home was now closer and in the barracks' catchment area. With effect from 1 April 2012, he was transferred back to Cologne-Wahn and again paid a separation allowance. It was not until the year under review that the Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services ruled that the soldier had no longer been entitled to a separation allowance since then. He had changed his actual duty site again, but not his official duty location in Cologne. The current legal situation stipulates that the separation allowance may only be granted in the context of a transfer if the official duty location and not just the actual duty site changes for the soldier.*

Even though the Bundeswehr refrained from reclaiming the separation allowance paid in the intervening period from the soldier on the grounds of protecting his legitimate expectations, the legal situation is unsatisfactory. Unfortunately, the proposals by the Ministry of Defence to avoid cases like this were not included in the Military Pay Structure Modernisation Act. Lawmakers should remedy this obvious injustice as quickly as possible by amending the law.

- *There was also criticism that changes of residence on private grounds – such as married couples or unmarried partners moving into a shared home – do not give rise to an entitlement to a separation allowance. Only when marrying is the shared home recognised as eligible, with the result that in the event of a subsequent personnel measure (transfer to another duty location) it can be the basis for entitlements to the reimbursement of removal costs or a separation allowance.*

Here, given the changing realities of life, lawmakers should consider extending the entitlement to **unmarried couples**. The same applies to the recognition under removal law of homes that are more than 100 kilometres away from the place of duty. Recognition is only possible for married applicants, but not for unmarried servicewomen and men.

However, a number of improvements also entered into force in the year under review for all Bundeswehr commuters. There is now the possibility of travelling home every fortnight by the means of transport of the

soldier's choice, for instance. In addition, soldiers who are parents or legal guardians can apply to save up any leave above four weeks, provided they have custody of at least one child under the age of twelve. This accrued leave may be taken retroactively in the year in which the last child turns twelve. Likewise, forms of financial compensation, such as the now extended elective right to choose between receiving the removal costs allowance or a separation allowance when transferred from Germany to abroad, are a step in the right direction, as is the extension of the entitlement to a separation allowance for early moves to the new location from three to six months. The continued granting of an overnight separation allowance for the duration of three months in the case of parental or caregiver leave also eases the strain on military families. This means, for instance, that a soldier taking paternity leave does not have to give up his commuter flat for this period. It is questionable, though, whether the limitation to three months is sufficient to ease the strain on military families, because young fathers often want to be actively involved in the development of their children for longer periods nowadays.

Another positive aspect is the change in organisational practices towards reimbursable costs for **commuter housing**. Previously, the amount of reimbursable accommodation costs for renting commuter housing for the duration of the assignment at the given location had to be based on the maximum rent amount applicable when the rental agreement was concluded. This also applied if the person moved to a different flat; the person entitled to a separation allowance could not claim reimbursement of the new and usually higher maximum rent. On 1 November 2019, the Federal Ministry of Defence abandoned this restrictive practice. Since then, all those entitled to a separation allowance can claim reimbursement of their accommodation costs up to the maximum rent applying in the respective settlement month. They will also now be reimbursed for accommodation costs that were not eligible for reimbursement at an earlier point in time when the rental agreement was concluded, up to the maximum rental amount.

The decision in the following individual case on what is known as final relocation was also pleasing to see:

- *Under the Federal Removal Expenses Act, retired soldiers receive a removal costs allowance for relocating to their chosen place of residence if this relocation takes place within two years of retirement. To accommodate family interests, the Bundeswehr made an exception to this in its decision on an individual case. The soldier concerned was able to provide legitimate and plausible reasons for not being able to move within this period.*

In spite of the improvements and positive examples, the Bundeswehr must maintain its efforts to facilitate reconciling service in the Bundeswehr with family commitments and to put in place more measures for greater autonomy and flexibility.

The circumstances of their service mean that servicewomen and men in **seagoing units** are often only able – if at all – to take advantage of support services to promote work-life balance, such as teleworking, mobile working or part-time work to a very limited degree. This makes it all the more important for them to have planning certainty for the time they do have available with their families. However, unscheduled yard periods, materiel shortages and personnel vacancies as well as the increasing number of deployments and quasi-operational commitments often stand in the way of this legitimate interest. So early communication at all levels and above all informing the affected personnel is essential in these cases and should go without saying.

There is still a whole host of servicewomen and men who feel that they have been poorly advised by the Career Centres on their desire to be placed on an assignment close to home. However, the Parliamentary Commissioner found no evidence of inadequate advice in any individual case. On the contrary, in most cases the personnel management very much endeavoured to meet these wishes. If there is no suitable post at the desired location or if no replacement can be found for the soldier's post, even understandable transfer requests unfortunately cannot always happen. This makes it all the more important to actively involve the service personnel in the decision-making process and to communicate the reasons for denial of the request transparently and openly. A negative decision is then easier to accept, even though it does not make the soldier's family situation any easier.

It is not just in personnel management or at the Career Centres that one sees **communication deficiencies**. Time and again, attempts by personnel management to support soldiers in difficult personal situations also fail because those concerned show little willingness to compromise or do not provide the necessary evidence, or do not do so in time. Solutions always require all those involved to actively engage in the process and think through all possible options together in an open and constructive manner.

In the following case, it was not a matter of a lack of cooperation, but rather a failure to carefully consider the different options that posed a problem:

- *A staff sergeant had initially applied three times for a transfer close to home and simultaneous change of assignment due to difficult family circumstances. All three applications were unsuccessful as it was not possible to assign him. He therefore requested his service period be reduced by eight years. This request was also unsuccessful, although personnel management and his immediate disciplinary superior had promised their support. Even before the subsequent complaint was upheld, however, the Federal Office of Bundeswehr Personnel Management found that surpluses were to be expected in the petitioner's assignment in the future and reduced the length of service by eight years as requested.*

Alternative working models

4,675 servicewomen and men are now **teleworking**, a big step forward compared to 2015, when there were just 500 teleworking jobs. The experiences with working from home during the Covid-19 pandemic have awakened the desire for flexible working among many soldiers. In many cases, though, the posts in the Bundeswehr, especially in troop assignments, are not considered suitable for this. The operational capability of the armed forces must always come first. However, the Bundeswehr's experience with flexible working during the Covid-19 pandemic has shown that more posts are suitable for teleworking than previously thought. So it is important to give superiors confidence in their actions when determining the number, suitability for telework and approval of these posts. The Bundeswehr has responded to this with working aids and information material. These are also available to the soldiers. They not only explain the basics of teleworking and mobile work, but also offer decision-making tools and make processes more transparent.

In spite of all this, there are still different approaches in individual cases when assessing the suitability of a post for teleworking. More communication between applicants and superiors could be helpful here. Furthermore, working from home only leads to a better work-life balance if employees feel supported by their superiors. This is the conclusion of a study by the Hans Böckler Foundation's Institute of Economic and Social Research. If this is not the case, employees experience conflicts between work and family far more keenly, the study found. Overall, the research to date shows that employees working from home are more motivated and satisfied with their jobs than other employees. However, it also found that the underlying conditions at the company make a major difference in whether working from home means a good work-life balance. So working from home should be shored up by a personnel policy that promotes this balance. Furthermore, the study concluded that universally applicable criteria for job evaluation are necessary, for example, to ensure equal treatment of those working from home and those working on site. The results of the study show how important it is not just to create structural conditions for teleworking and mobile work, but also to make the benefits of working from home clear to superiors.

Servicewomen and men are justifiably frustrated by the fact that it takes several months or even more than a year for approved teleworking workstations to be made available. The reason the Ministry of Defence cites is the high demand and the monthly roll-out agreed with the central IT service provider, which is too low. By boosting teleworking, the Bundeswehr is hoping to have created an instrument that can increase the resilience of soldiers. However, it will only relieve strain if teleworking can start promptly.

One petitioner commented on the situation as follows:

- *"The Bundeswehr advertises itself as an attractive employer and wants to compare itself to large companies in industry. These go to the nearest tech store and buy their employees the right PCs. The Bundeswehr takes 1.5 years from the time the application is made until you have the equipment at home."*

To do better here and enable flexible IT-supported work at any time and location, the Bundeswehr has been gradually providing servicewomen and men with laptops at their office workplaces to replace the existing desktop PCs since October 2020. This is a good, progressive decision, especially since the Bundeswehr is now favouring teleworking over part-time work.

There is positive news on **part-time work** which is lower than half the full-time hours, which did not used to be possible, and the limit of twelve years beyond which soldiers cannot be authorised to work part-time. The requisite amendment to Section 30a of the Legal Status of Military Personnel Act and the subsequent amendments to the Directive on Part-Time Employment of Military Personnel are already undergoing the legislative process, which is expected to be completed before the parliamentary summer recess in 2021. With the amendments, in the future part-time work will be allowed beyond a period of twelve years to avoid undue hardship if at least one child under the age of twelve or another relative in need of care is actually being looked

after or cared for and there are no compelling service-related reasons standing in the way of this. In such cases, part-time work of less than half the regular working hours may be authorised.

Servicewomen and men working part-time must not be appraised less favourably than their comrades because of their part-time work and must have the same chance of promotion. The deciding factor must be their aptitude, not their working hours. The legally enshrined prohibition of discrimination against part-time workers does not just apply to employees. Superiors do not always seem to be aware of this, as complaints from those who have suffered discrimination show. All the more important, then, to involve superiors in the development of alternative working hours models and to make them aware of the benefits they harbour.

Distance higher-education degrees are an alternative to conventional higher-education degrees:

- *In the year under review, servicewomen and men raised the question of why the Bundeswehr does not allow distance higher-education degrees. The Ministry of Defence informed the Parliamentary Commissioner that it had already conducted several studies on this. The current form of consecutive intensive in-person study, where the Master degree is completed within the standard period of study of four years (instead of five and a half years at federal state universities), had proven the optimal form of study, it said, as nationally and internationally recognised academic training leading to a high level of qualification that is as short as possible and can be integrated into various training courses, and which users also prefer. Another argument against distance higher-education degrees was the low demand anticipated.*

Even if distance higher-education degrees are not feasible, there are increasing opportunities for **digital learning** – as the chapter on the Covid-19 pandemic illustrates. In addition to this, the Bundeswehr should continue to fully harness all the possibilities mobile work harbours. Above all, personnel management should focus more than it has done in the past on regional planning with longer periods in post when structuring the assignment of service personnel. Otherwise, social realities, such as partners now often working far apart or increasing cases of separated parents sharing custody, will increasingly be an obstacle to wanting to extend service in the Bundeswehr or to considering the Bundeswehr as an employer at all.

Information and communication

Occasionally servicewomen and men complain about incorrect or sluggish processing of applications. Often, this is down to documents missing from the application. No matter what the cause of the delay, though, it is unfortunate if applicants do not receive any information about the status of their application for months. The importance of a culture of direct and straightforward dialogue cannot be emphasised often enough. Any questions and problems should be addressed openly and constructively on all sides. This often allows any issues to be resolved before they turn into a real problem, as was the case in the example outlined below:

- *A servicewoman who was also a single mother lost out financially due to the processing time of an application for parental leave of some eight months, as the deadline for applying for her parental allowance expired during this time. Moreover, the processing of her transfer application took one and a half years. She did not receive any information about the status of her application in the meantime.*

Even if the servicewoman was indemnified and the reason for the processing of the transfer application taking so long was a lack of assignment possibilities, regular communication with the servicewoman could have avoided the unpleasantness.

It is equally important to take into account the realities and life circumstances of individual soldiers in the provision of personnel support. **Single parents** are particularly reliant on the support of their employer:

- *A single-parent servicewoman described how long waiting lists at child daycare centres and the fact that places were often only kept for local residents meant organising care for her two-year-old daughter during a course away from home planned for her was very problematic. The poor and last-minute communication regarding the details of the training had made planning even more difficult.*

Even if childcare could eventually be ensured by a childminder, early communication would have made the situation easier. In another case, the personnel management had also failed to inform the soldier regularly, but at the same time did endeavour to find a good solution:

- *A single-parent serviceman with a four-year-old son asked for support in making his request for assignment close to home happen, inter alia because neither of them had any contact with the child's mother anymore.*

Although the serviceman cannot be transferred to an assignment close to home until 2022, the Federal Office of Bundeswehr Personnel Management has planned to assign him for temporary duty under administrative responsibility until his transfer and to prepare him for his new assignment.

There is still a lack of clarity regarding the **reduction in working hours** to 40 hours per week for parents raising children:

- *Servicewomen and men continue to ask why this possibility is contingent on the receipt of child benefit (Section 5 of the Military Personnel Working Hours Ordinance). This principle, which also applies to civil servants, is based on the idea that only the parent receiving the child benefit should benefit from the reduction in working hours. The assumption being that this parent also actually looks after the child, which naturally consumes more time than the exercise of visitation rights or duties by the other parent.*

Case-law has already ruled this distinction lawful on several occasions. As a result, the Ministry of Defence does not intend to amend the Military Personnel Working Hours Ordinance – for the reason of ensuring equal treatment alone. Nevertheless, the Parliamentary Commissioner is of the opinion that greater flexibility would be desirable for servicewomen and men for whom childcare is particularly difficult due to commuting, training periods and missions abroad.

The possibility of reducing working hours for the purpose of caring for children or relatives gave rise to further questions:

- *A soldier wanted to know whether under Section 5 of the Military Personnel Working Hours Ordinance, the terms “parent” and “children” also included stepchildren and parents-in-law. The Ministry of Defence explained that currently only parents, spouses or long-term domestic partners, a biological or adopted child were considered relatives in the meaning of this regulation. Parents-in-law were not included. However, there is the intention to examine the possibility of extending the definition of relatives in consultation with the responsible Ministry of the Interior.*

The Parliamentary Commissioner is of the view that the definition of relatives urgently needs expanding. What is more, it continues to be the case that possible support and relief for carers – for example by reducing their weekly service hours – is tied to the condition that the person in need of care lives in the carer’s household. This does not correspond to today’s social realities. Instead, the level of responsibility and the degree of commitment and actual time and effort invested should be the deciding factors.

Family-specific problems during foreign assignments

In the year under review, there were only isolated cases of soldiers complaining of family-specific problems when assigned abroad:

- *For instance, a servicewoman reported disadvantages in terms of her later pension because she had to take leave to accompany her husband, also a soldier, who was temporarily posted to the Federal Foreign Office. In spite of intensive efforts by the personnel management, it had not been possible for her to continue her employment through teleworking or in a local post.*

In this case, the military couple can benefit from a provision that entered into force on 1 January 2020 with the Military Pay Structure Modernisation Act. Married recipients of foreign assignment pay who come under the scope of the Foreign Service Act may be paid an increased foreign service allowance, which must be demonstrably used to build up an independent old-age provision for the accompanying spouse.

On the other hand, there is still no solution to the recurring delays in issuing the government certificate which is the basis for a transfer abroad under the Security Clearance Checks Act. Military families reported that they had encountered great difficulties with the family relocation associated with the transfer. If the **government certificate** has still not been issued shortly before the ordered start of service abroad, this can lead to existentially threatening situations, all the way to and including temporary homelessness. After all, giving notice or taking a leave of absence from the spouse’s job or moving house, school or nursery require a certain lead time. In many cases, poor communication between the departments involved is the reason for the sluggish processing. Furthermore, there is often uncertainty at units about which category of security clearance check is required. Procedures and responsibilities relating to security clearance checks need to be clearly defined and

transparent. Uncertainties on the part of third parties must not lead to service personnel and their families experiencing existential hardship.

Absences before missions abroad for **language training** also cause problems for military families:

- *Service personnel suggested offering English courses as in-house training in the future. The Ministry of Defence pointed out that in order to ensure a standardised performance profile in English, a three-month intensive training course was usually necessary, which could only be conducted at a central education facility with the appropriate resources. Alternatively, the Ministry said, there was combined language training with short attendance phases and longer periods of self-study. However, this extended the training to about eleven months per level.*

It is understandable that the Ministry therefore considers it indispensable that this knowledge be imparted as quickly as possible in the interests of mission accomplishment.

For years, servicewomen and men have lamented the fact that after the end of a foreign assignment, they have no choice but to accept **reimbursement of removal costs** to the new place of employment from their employer. The consequence of this is that they are not entitled to a separation allowance to commute to the new place of duty if the family returns to their former place of residence. This problem was already addressed in the 2015 annual report, and it was urged that the regulations be revised:

- *In its comments on a current submission, the Ministry of Defence has now announced that a demand to this effect has been made to the Ministry of the Interior, which is responsible for this matter, to revive an earlier claim to a separation allowance in Germany in addition to the reimbursement of relocation costs from abroad. Whether this demand can be implemented during inter-ministerial negotiations is not foreseeable at present.*

Childcare

Ensuring childcare that is tailored to the needs and special requirements of the military profession is an issue that posed significant challenges for soldiers with parental responsibilities even before the pandemic. The time-consuming long-distance commute that is often necessary between home and the place of duty mean that childcare is often a major organisational feat. Even though it is certainly true that constitutionally, the legal entitlement to a childcare place exists vis-à-vis the towns and municipalities, not vis-à-vis the Bundeswehr itself, the Bundeswehr should, in the interest of being competitive on the labour market, increasingly seek solutions proactively, especially in times of crisis, to optimally support military families in finding qualified childcare.

The Bundeswehr is still unable to ensure childcare across the board. Nevertheless, in the year under review, it was possible to further increase the number of **childcare places**. In 2020, there were a total of 1,079 childcare places nationwide (2019: 1002, 2018: 870). These consisted of 575 rights to a place (including 29 places for course participants), 129 places at childminders and large childminder groups, and 375 places in Bundeswehr-affiliated daycare centres and in one of the Bundeswehr's own daycare centres. It is good news that the daycare centre for the Bundeswehr hospital in Berlin finally opened its doors in the year under review. On the other hand, it is a shame that the construction of the new "Wilde Wiese" daycare centre on the property of the Julius Leber Barracks is evidently still a long way off. So far, only plans exist. A date for completion is not yet in sight.

Difficulties arose for a soldier when applying for special leave to care for a sick child:

- *The soldier's unit asked him to provide evidence that the other parental guardian could not provide the care.*

The unit had no right to do so because the regulation they were citing had already been out of force since 2016. This example shows how important it is to advise and train superiors on personnel matters.

In contrast to previous years, childcare in connection with course participation was only a problem for service personnel in isolated cases:

- *A servicewoman whose child was being cared for by her mother, who worked as a childminder, complained that the Bundeswehr had refused to assume the costs incurred for the care. A review of the case revealed*

that the criteria for reimbursement of the childcare costs were indeed met. As a general rule, family members are indeed supposed care for a child free of charge, it was said. However, reimbursement of costs was permissible if the soldier officially declared that free care by family members was not possible and the costs incurred were documented.

This example shows again how important it is to have the necessary expertise in the right places. Continuous information and training of the responsible staff is indispensable.

6. Women in the Bundeswehr

A judge's ruling 20 years ago not only made legal history, it also brought about a major change in the Bundeswehr. On 11 January 2000, the European Court of Justice ruled that the then Article 12a (4) of the Basic Law, under which women were not allowed to serve in the armed forces, was in violation of the Directive on Equal Treatment of Men and Women and in turn European law. The complaint had been filed by Tanja Kreil, whose application had been rejected by the Bundeswehr several times since 1996 on the grounds that she was a woman. The subsequent amendment of the Basic Law opened up service in the armed forces to women. Before then, women had only been allowed in the Bundeswehr in the Music Corps and in the Medical Service. Once the amendment entered into force at the start of 2001, the first servicewomen began their service in the armed forces in April 2001. Even though Tanja Kreil never started her service in the Bundeswehr, it was she who provided the impetus for the bold and landmark ruling by the European Court of Justice with her complaint. This was a major step forward towards equal rights. At the same time, this landmark decision has enabled the Bundeswehr to tap into a large new field of female applicants, which is indispensable given the personnel problems that still persist.

Even 20 years on, the Bundeswehr has not come close to achieving the targets it set itself with regard to the **proportion of women**. The target proportion of 15 per cent set for all careers excluding the Medical Service in Section 4 (5) of the Act on Equal Opportunities for Female and Male Military Personnel of the Bundeswehr was 8.88 per cent in 2020. Things look better for the Medical Service. The proportion of women serving in the Central Medical Service and female medical orderlies serving in all other major organisational elements was 45.16 per cent in the year under review (2019: 44.8 per cent), which means that the target of 50 per cent set forth in the law has almost been attained.

In 2019, there were 22,594 women serving in the Bundeswehr. In the year under review, the number of servicewomen increased to 23,066 (including 1,550 military service volunteers). The proportion of women (Medical Service and other careers) rose to 12.55 per cent (2019: 12.3 per cent). In the Army, the proportion of women was 7.06 per cent in 2020 (2019: 6.9 per cent), 8.82 per cent in the Air Force (2019: 8.5 per cent), 10.25 per cent in the Navy (2019: 9.9 per cent), 10.96 per cent in the Joint Support and Enabling Service (2019: 10.4 per cent), 9.6 per cent in the major organisational element of the Cyber and Information Domain Service (2019: 9.5 per cent) and 40.92 per cent in the Central Medical Service (2019: 40.7 per cent). Women accounted for 7.04 per cent (2019: 6.7 per cent) of career soldiers and 14.53 per cent (2019: 14.4 per cent) of temporary-career volunteers. Following the modest increase in the number of women among military service volunteers in 2019 of just one additional servicewoman compared to the previous year to reach 1,546, the number increased again by just four servicewomen to reach 1,550 in the year under review. This equates to a total share of 18.79 per cent.

Sociological gender research has found that women only exit **minority status** when their proportion in an organisation exceeds the 15 per cent mark. And only when the proportion increases to over 30 per cent is a stable mixing of genders possible. This shows how far away the Bundeswehr is in reality from genuine equality.

The Bundeswehr should ask itself why the increase in the proportion of women is so slow. It needs to present itself in such a way that it becomes even more attractive for women to apply to the Bundeswehr and commit to long-term service. The objective criteria on which selection procedures or promotion decisions are based are the same for women and men. This also applies to the pay of servicewomen and servicemen. The Bundeswehr is making recognisable endeavours to actively promote gender equality – including with a view to appearing equally attractive to young women and men as a modern employer. In this context, the role of the **military gender equality commissioners** is also of particular importance. Since 2005, they have been ensuring that the provisions of the Act on Equal Opportunities for Female and Male Military Personnel of the Bundeswehr are

implemented in the force. They have important participation rights for key issues, which they use to help shape daily military life and the underlying conditions in the interests of equality.

The Bundeswehr Centre of Military History and Social Sciences has investigated the reasons that stop female and male medical officers from applying to be transferred to the service status of career soldier. The study comes to the conclusion that female medical officers attach greater importance to employer characteristics that could be subsumed under the heading of a good work-life balance. Male medical officers, by contrast, primarily expected the opportunity to assume leadership tasks. However, there were no significant differences between female and male medical officers in most of the other variables explored. Although the investigations confirmed the hypothesis that female medical officers feel less strong ties to their employer than their male comrades, hardly any factors could be identified specifically preventing female medical officers from applying to become a career soldier. Various factors had a negative impact on personnel retention for both female and male medical officers. These included in particular: bureaucracy, poor work-life balance, lack of proximity of the workplace to the place of residence as well as constraints on control over one's own leisure time. According to the study, the Bundeswehr has the chance to raise the willingness of the majority of those who are still undecided to apply for the service status of career soldier during their entire period of service. The Bundeswehr should make even more use of this opportunity than it has in the past.

Equal rights and equality have arrived in the armed forces, are part of daily military life, and there is no doubt that a lot has been initiated, improved and achieved in the past 20 years. Nonetheless, servicewomen repeatedly face situations in their everyday work that make it clear that the acceptance and equal treatment of women in the armed forces is far from universal. Servicewomen are particularly critical of **discriminatory statements** or conduct by their fellow soldiers and superiors:

- *A servicewoman complained that her superior had called her a “money-hungry bitch”, a “cunt” and a “battalion moped”. In the course of the investigations conducted in this case, the Bundeswehr ascertained that the superior in question had indeed made obscene and discriminatory remarks to the servicewoman on multiple occasions. Overall, his choice of words towards the servicewomen and servicemen under his command was unacceptable. The superior received a four-digit fine and was transferred out of the formation.*
- *In another case, a superior unacceptably asked a servicewoman several times whether she intended to become pregnant. He also commented in a group of fellow soldiers that “women’s wrestling is like horse racing – just with donkeys”. While the question about pregnancy was sanctioned with a disapproving statement, the investigating authorities saw no reason to reprimand the statement in connection with the topic of “women’s wrestling”.*

These and other examples make it clear that a not insignificant number of soldiers still see the Bundeswehr as a male domain. In spite of all due criticism, however, it is pleasing to see that the armed forces are increasingly taking a serious and close look at **misogynistic behaviour** within their own ranks and taking strict measures to combat it. Major efforts are still needed, however, to make women in the Bundeswehr truly the norm. *Innere Führung* is called upon to create a climate of mutual respect and trust.

Pregnant servicewomen felt discriminated against in the context of free rail travel because this offer is tied to being in uniform. Since 2017, pregnant servicewomen have been able to wear service clothing specially designed for pregnant women. Alternatively, they can also wear civilian clothing for the duration of their pregnancy and receive compensation for the special wear and tear it is then subjected to. However, this then rules out free rail travel, which is on the condition of being in uniform. This is justified, too, because the purpose of introducing free rail travel was and is to boost the image of the Bundeswehr as a part of society by making service personnel in uniform visible in public.

The key lever for eliminating discrimination against women in the armed forces is increasing the overall percentage of women, especially in **leadership positions** and in the combat forces. In the Special Forces Command (SOFCOM), for instance, there are currently still no women among commando soldiers, although the proportion of women in the formation as a whole is 8.29 per cent, which is higher than in the Army as a whole. In 2020, not a single servicewoman could be recruited as a commando soldier either. In the autumn of 2020, however, a servicewoman successfully participated in part 1 of the assessment of potential procedure for the first time. It is to be hoped that she will be able to successfully complete the procedure in 2021. All the more so as, in the Bundeswehr's own assessment, the reason why so few women are interested in serving in SOFCOM is that it has been implied publicly that women cannot pass the selection procedure and the training to become

commando soldiers. The Bundeswehr should be more decisive in countering such rumours than it has been in the past. In 2017, there was already the intention to have SOFCOM's recruitment organisation specifically approach potentially suitable servicewomen. It is to be welcomed if this now happens with the necessary vigour.

There are still hardly any servicewomen in pay scheme B. In the year under review, these included just ten servicewomen in the medical field. Out of these, seven are assigned to grade B 3 (six colonels, Medical Corps and one captain, Medical Corps). Two servicewomen are assigned to grade B 6 as brigadiers, Medical Corps and one servicewoman as a major general, Medical Corps in grade B 7. This is too few; the proportion of female soldiers in leadership positions needs to continue to rise and soon.

Servicewomen and men alike were perplexed by press reports about plans to introduce female versions of the respective military **rank designations**. Servicewomen in particular approached the Parliamentary Commissioner on this matter and expressly spoke out against this initiative. The Ministry has stated that there is currently no intention of introducing separate rank designations for female soldiers. If such deliberations were to arise again at a later date, this would have to be discussed very objectively and in depth. In this case, it would be important not only to involve all participation bodies in such a process, the servicewomen and men themselves would need to have a say above all. The Parliamentary Commissioner will continue to follow and support this discussion closely.

7. Diversity in the Bundeswehr

The diversity of tasks and services in the Bundeswehr should also be reflected in the diversity of its personnel. **Homosexual servicewomen and men** faced considerable discrimination due to their sexual orientation for a long time, and sometimes still do as a result of the behaviour of superiors and fellow soldiers. It was not until 3 July 2000 that the Bundeswehr issued a directive ending systematic discrimination against homosexual soldiers. It is positive that in the year under review the Federal Minister of Defence not only used this anniversary to apologise for the decades of systematic discrimination against these soldiers; soldiers who have suffered disadvantages because of their sexual orientation are to be rehabilitated and compensated in the future. This is an overdue and important step for these servicewomen and men. The chairman of QueerBw (formerly the working group of homosexual members of the Bundeswehr) emphasised that this marked a major new beginning and a sense of release for many.

The basis for these measures is a comprehensive study by the Bundeswehr Centre of Military History and Social Sciences. Under the title "Taboo and Tolerance", it conducted the first self-critical research into the Bundeswehr's handling of homosexuality from 1955 to the turn of the millennium and also evaluated internal papers of the Federal Ministry of Defence and decisions by disciplinary and complaints courts. The reckoning with this difficult chapter of the Bundeswehr's history was long overdue. The rehabilitation and compensation of the soldiers affected now needs to be expedited. The draft law provides for the **rehabilitation** of soldiers suffering legal disadvantages during their service, in particular by annulling disciplinary and complaints court convictions based solely on consensual homosexual acts as a disciplinary offence. In addition, it sets forth the issuance of a rehabilitation certificate for both the annulment of the respective ruling and for other legal disadvantages suffered. Furthermore, rehabilitation will come with symbolic compensation of €3,000 for each person for the discrimination suffered as a result of the conviction or other legal disadvantages. Under certain conditions, the amount of compensation may even be €6,000. The draft law was passed by the Federal Cabinet on 25 November 2020. The parliamentary procedure is scheduled to be concluded at the end of May 2021.

Experience with the guide "**Transidentity** in the Bundeswehr" shows that the Bundeswehr has also made major progress in the acceptance of transsexual people. According to feedback from those concerned, the guide provides them as well as other service personnel involved in the process with the necessary information and gives them confidence in their actions.

In spite of all these efforts, however, it has not yet been possible to win over all members of the armed forces to accept the diversity in their own ranks:

- *One superior called a soldier in his squad a "Russian spy" and a "homo" in the presence of comrades. He asked him whether he "preferred a big black cock or a small Chinese cock" and whether the soldier in question "would rather take it up the arse or suck off another man". A severe disciplinary fine was imposed on the superior.*

- *In another case, a soldier complained that fellow soldiers repeatedly made fun of his sexual orientation and insulted him because of his homosexuality, using the word “faggot” in an almost inflationary way towards him. One day, he had taken the trouble to count the number of times the word had been used against him. On that day alone, he had counted 54 times. The Bundeswehr consequently had to admit that the camaraderie within the lecture hall in question was not commensurate with the Bundeswehr’s desired and practiced values. The conduct by the soldier’s superiors also left much to be desired. Disciplinary investigations were initiated against the accused, which have not yet been concluded. The next level up in the hierarchy took this case as an opportunity to emphatically raise awareness among the subordinate personnel and to increase command supervision.*

These cases show that there is still a huge need for education and awareness-raising in the force. Historical and civic education on the topic and on handling diversity – starting in basic and initial career training – would therefore be desirable.

At the Leadership Development and Civic Education Centre, a **Central Point of Contact** for Diversity Policy began its work on 1 April 2020. Its main task is to support projects, initial, follow-on and advanced training and events on the topic of diversity and to be available to all members of the Bundeswehr for questions in this area. This support relates to all diversity criteria such as gender, age, disability, ethnic and cultural backgrounds, religion and beliefs as well as gender identity and sexual orientation. The objective is to achieve respectful and positive interaction with each other as well as leveraging the potential in all Bundeswehr members to accomplish the Bundeswehr’s mission. In this context, the Federal Ministry of Defence’s Point of Contact for Discrimination and Violence also has an important task. It would be good if instead of viewing the problems brought to it only as individual cases, it would take them even more than it currently does as an opportunity to investigate the bigger picture. Only an open approach towards problems can ensure real and enduring tolerance, respect, acceptance and equal treatment. It must be clear: it is always the victims of discrimination who deserve loyalty and comradeship. A misguided sense of loyalty towards the offending party leads to untoward manipulation and misconduct being covered up. Above and beyond this, any form of discrimination is not only undignified, but in the Bundeswehr also always constitutes a breach of the duty of comradeship, which must be dealt with resolutely in each and every case.

An officer highlighted a completely different problem on the topic of diversity in the Bundeswehr:

- *He pointed out that in his unit the use of the “gender asterisk” in official correspondence was not permitted. He said that this ban disconnected a small part of the Bundeswehr from the principles of Innere Führung. The Ministry of Defence rejected the soldier’s complaint inter alia on the grounds that it was by all means possible for him to use a different designation for persons who were permanently not able to be assigned to either the female or the male gender. There was no evidence of unnecessary hardship or discrimination against members of the Bundeswehr.*

The decision is not to be criticised. The linguistic equal treatment of genders is currently the subject of debate – including with regard to the legally recognised third gender. An agreement on a universally applicable writing convention that addresses all genders has not yet been reached. The Council for German Orthography has not yet included the gender asterisk in the Duden because its use leads to grammatical problems and it is not suitable for reading out loud. The Parliamentary Commissioner will continue to monitor this issue in the future.

It is good that the Bundeswehr has become much more diverse. Women, men, people with a migration background, trans and homosexual people, older and young soldiers all make an important contribution to the armed forces being able to accomplish their mission. In recent years, the Bundeswehr has increasingly realised that diversity is an asset. This is essential, too, because its future viability quite simply is only assured if it appeals equally to all sections of the population, irrespective of social origin, sexual orientation or religious beliefs. The study “Bunt in der Bundeswehr” on diversity in the Bundeswehr was conducted in May 2019. It is regrettable that the publication planned for the end of the reporting year has not taken place yet.

8. Materiel

Full resourcing of the Bundeswehr and operational readiness of the major weapon systems

The overall materiel situation, and in particular the resourcing of the Bundeswehr with major equipment, has been the centre of attention of the Parliamentary Commissioners, parliament and the public for many years and has been covered in the press. After all, the operational readiness of our armed forces is at stake. To perform its tasks, the Bundeswehr needs the necessary equipment – of the right quality and in the right quantities. It is also imperative that the requisite financial resources be made available in a predictable and reliable manner. The Bundeswehr has to be able to meet the requirements of collective and national defence that need to be bolstered as well as the growing challenges in the area of missions abroad and quasi-operational commitments. For many years, the armed forces' personnel and materiel were contracting. Now, the current mission situation and the expected development of future missions require important capabilities in many areas to be restored and modernised. New procurements, upgrades and maintaining the operational readiness of existing materiel are difficult and time-consuming. Long planning processes are all too often followed by lengthy contract award procedures and the selected materiel is frequently unavailable. Delivery delays occur at the private-sector contractors and maintenance and repair services come to a standstill. The capacities the Bundeswehr now has available in-house are but rudimentary, spare parts and special tools are often in short supply. The multitude of problems is well known and their topicality recognised.

Operational readiness and resourcing, especially for training, are a subject on every field visit and the reason for many petitions. This dents soldiers' motivation and makes the attractiveness of service suffer. Like in previous years, in the year under review it was apparent that the operational readiness of relevant **major equipment** has now plateaued at a low level overall. The Ministry of Defence estimates the materiel readiness of all 69 major weapon systems at 74 per cent as of December 2020, compared to just under 71 per cent in June 2020. The Bundeswehr Association by contrast currently puts readiness at a maximum of 50 per cent.

Broad improvements are slow and, in many cases, hardly noticeable. The key factor is still how much equipment is actually ready for use on site in the barracks yard, on the airfield or in port, so that it is immediately available, be it for deployment, exercises or current training.

Twice a year, the Ministry of Defence presents a report on the status of operational readiness and current defence procurements, most recently in December 2020. According to this report, the materiel readiness of the **weapon systems** used by the **Army** is at a sufficient level to be able to perform missions and quasi-operational commitments without having to make compromises by means of materiel prioritisation. However, training and exercises continue to require considerable organisational and coordination efforts and, in some cases, face restrictions. This means that what is currently required can only just be scraped together with considerable effort and by accepting shortfalls in important areas. Such a situation is not sustainable in the long run, as it does not allow any room for manoeuvre to respond to new challenges. If one looks at individual areas that are under particular strain, there are a multitude of problems that have been known for a long time. According to the Chief of the Army, the delivery of additional systems for the PUMA infantry combat vehicle, the GTK BOXER or the LEOPARD 2 battle tank in the year under review was juxtaposed by comprehensive retrofitting and modernisation measures for the existing fleet. As a result, despite intensive steering and coordination actions, there have been no lasting improvements in the availability of operational systems for the troops in the short term. In practice this means that despite positive efforts, at the training centre in Munster, for instance, an average of just 13 operational LEOPARD 2 battle tanks were available for training in the year under review, whilst the target is 35. The Ministry of Defence estimates that this weapon system will only be ready for deployment as required once the retrofitting programmes put in place for the requisite modernisation of the weapon system have been completed. This is expected to be the case in 2025. Until then, restrictions to training are likely and sacrifices in the quality of training cannot be completely ruled out.

Turning to the PUMA infantry combat vehicle, operational readiness continues to be unsatisfactory here, too. According to the current report on the materiel readiness of the major weapon systems, there has been a positive development, especially in the quality and reliability of the weapon system. This is attributable to the fact that the measures introduced in 2019 jointly by the Ministry, the private sector, the Army, the Federal Office of Bundeswehr Equipment, Information Technology and In-Service Support and the Army maintenance logistics company Heeresinstandsetzungslogistik GmbH are now coming to bear. The tactical operational suitability test of the PUMA infantry combat vehicle in the VJTF (Very High Readiness Joint Task Force) configuration

baseline has been completed and the Army has declared its “readiness for acceptance”. Nevertheless, there are still considerable operational shortcomings and important functionalities are missing. As a consequence, neither normal training operation nor deployment of the PUMA is possible. Overall, the improvements that have been made fall short of the expected and commissioned scope. Although the Chief of Defence expects further improvements by mid-2021, the PUMA is not expected to be ready for deployment until 2025. The lack of operational PUMA infantry combat vehicles means the Army will have to continue to rely on the MARDER infantry combat vehicle which has been in service since the early 1970s. But the MARDER, too, faces major limitations to its operational readiness. Increased use leads to greater wear and tear. Measures to extend its service life or to upgrade it lower the proportion of infantry combat vehicles actually in service in the armoured infantry battalions.

In the area of Army helicopters, no significant increase in operational readiness is discernible either. The TIGER combat helicopter, for instance, was deployed in Mali from the end of March 2017 to the end of June 2018; so the mission had been over for two and a half years by the end of the year under review. The Bundeswehr has stated that the concentration of all available resources in training, personnel, special tools and spare parts on this 15-month deployment halted the process chain in domestic operations to such an extent that this continued to have a significant disruptive impact on materiel readiness in 2020. Aircraft awaiting a major inspection but not being able to be processed due to a lack of docking capacity are hampering the TIGER’s operational readiness in a major way. The Bundeswehr does not expect this inspection backlog to be cleared until 2022 at the earliest. A decision on the future of the TIGER is urgently needed. The Bundeswehr needs certainty on this, including so that it can plan reliably.

Nor are there any discernible major improvements in the operational readiness of the NH90 transport helicopter. The Ministry of Defence’s Report on Materiel Readiness I/2020 cites only first small steps forward thanks to support from additional civilian maintenance capacities. The next report published in December 2020 mentions on the one hand a trend towards improved operational readiness for the NH90 and, on the other, increased restrictions to this operational readiness due to time-consuming troubleshooting and delivery delays on the part of the private sector. This is astonishing, since the NH90 has been delivered for several years now. It is, however, still considered a “system in the introduction and growth phase”. During this phase, it seems not to be uncommon for major equipment that the existing stock is not actually operational in the field for years, or only to a miniscule extent.

Add to this the fact that, as the Chief of the Army states in the current report on Army materiel readiness, the insufficient stockpiling of spare parts on the part of the private-sector and in the Bundeswehr logistics system continues to hamper the prompt and timely maintenance and repair of almost every Army weapon system. Improvements are urgently needed here.

In spite of some isolated cases of progress, the **Air Force** did not see any lasting improvements in the operational capability of important weapon systems in the year under review. The Air Force does say that it is capable of performing the tasks set in connection with its missions abroad and the standing operational tasks in Germany, including the alert elements for airspace security for NATO Air Policing Baltic. But this takes everything it has, often at the expense of training initiatives. It was not able to assume additional tasks, or only to a limited extent. The Ministry of Defence frequently attests a high degree of fluctuation with regard to the materiel readiness of both systems that are new or in the introduction and growth phase and systems in the saturation and degeneration phase. In his current report on the materiel readiness of the Air Force, the Chief of the Air Force provides a differentiated assessment of the airborne weapon systems. On the one hand he cites positive developments. During the COUNTER DAESH, RESOLUTE SUPPORT and MINUSMA missions, the materiel readiness of the Air Force weapon systems was regularly very high according to the report, with the A400M performing particularly well as a refuelling aircraft during COUNTER DAESH. When the situation in the region so requires, the A400M also guarantees the rapid deployment of personnel and materiel thanks to its protected air transport capabilities, including at night. A field visit to 62 Air Transport Wing in September 2020 confirmed a positive trend in terms of the aircraft’s operational readiness. In particular, the ability to deploy the A400M with appropriate equipment for evacuation and transportation of the wounded has increased its operational spectrum. Here, the Air Force ensures a high level of operational readiness to guarantee twelve-hour readiness for this aeromedical evacuation. However, at a total number of more than 30 aircraft, an average of roughly just ten to twelve A400Ms are available and ready for deployment. This is not enough to get pilots into the cockpit as quickly as possible during their training. Many training sections do take place in very good high-

tech simulations. But, despite their authorisation to fly, it sometimes takes more than twelve months before they can complete a real flight. Here, there is an urgent need for more actual flights.

Another negative aspect is that the TORNADO weapon system continues to be a problem even following completion of the COUNTER DAESH mission. Here, too, it takes a great deal of effort to train crews fully and in time. The increasingly difficult spare parts situation for older systems, as well as requisite modernisation measures and maintenance and repair work often reduce the number of operational aircraft for long periods of time.

The situation is similar with the CH-53 transport helicopter. After 16 years of continuous deployment in Afghanistan, the break in operations announced for 2021 is urgently needed in order to achieve a certain consolidation. The Bundeswehr has had the CH-53 since 1972. Important replacement parts are missing and can only be procured at great effort. The operational readiness of the CH53 is the lowest of all airborne weapon systems in the Air Force. Flying hours on this system are therefore a scarce commodity. Furthermore, it is noticeable that, as shown by media research, unscheduled landings for safety reasons – 24 between June 2019 and June 2020 – are becoming more frequent. This is unacceptable; the safety of the soldiers must be ensured.

The armament project to procure a future heavy transport helicopter to replace the ageing CH53 fleet and its various models is also going badly. The Ministry of Defence cancelled the procurement process in September 2020 on cost grounds. This suggests that the existing CH-53s will have to remain in service even longer than previously thought. Although the Ministry has stressed that implementing the heavy transport helicopter project has very high priority and that the air transport capability is of paramount importance, the decision on the next steps, which had been announced as happening by the end of 2020, was still pending at that time. Given the precarious condition the existing fleet has been in for many years now, the central importance of air transport capacities to mission accomplishment and the market availability of suitable and tested systems, neither the time the procedure will take up to a final procurement decision nor the resulting capability gap are acceptable.

In contrast, the distinctly positive trend continued for the EUROFIGHTER weapon system. In this reporting period, around six more EUROFIGHTERS were available to the formations for flight operations every day than on average in 2019. This means the number of operational EUROFIGHTERS has increased noticeably over the past three years, with a peak materiel readiness of over 70 per cent for this system. As a result, the number of flying hours is also trending upwards but has not yet reached the required level. During a field visit to 73 Tactical Air Wing “Steinhoff” in February 2020, wing members confirmed that the EUROFIGHTER’s availability rate had improved, but that the loss of flying hours due to the technical problems of the past meant that there was now a pilot shortage. Currently, only about half of the flight instructor posts were filled, they said, making the necessary training of pilots difficult in turn. In the meantime, however, the Air Force has been able to report positive trends in flight instructor training. Further courses were being held, it was said, and qualified reservists had been reactivated for this instruction. Additional administrative measures such as the secondment of flight instructor personnel to 73 Tactical Air Wing “Steinhoff” from other EUROFIGHTER units were also producing improvements, it was reported. These positive developments cannot hide the fact, though, that there are still too few flight-capable systems available to ensure continuous, timely and sustained training.

So it is very much to be welcomed that the German Bundestag Budget Committee approved a total of €5.5 billion for the procurement of 38 new EUROFIGHTERS in November 2020. This, together with the procurement of spare parts and aerospace ground equipment also planned, will significantly increase the availability and operational readiness of this system in the future.

The **Navy** continues to have to cover its wide range of tasks of operations, quasi-operational commitments, exercises and training with a small number of operational seagoing units. At the same time, it is supposed to be prepared for growing responsibility and in turn increasing tasks in its relationship with the European Union and NATO. This requires a sufficient number of ships and boats.

In actual fact, though, one has the impression that this branch of the armed forces is also only able to fulfil one task if it neglects the other. Personnel and materiel are being stretched to their limit, ships and boats are lacking and the little equipment that is deployed faces disproportionate wear and tear. The Navy itself clearly highlights this in its description of its materiel readiness. So it is especially important that new units be delivered in a timely manner if operational readiness is to be increased. So far, this has not happened to a sufficient degree. Irrespective of this, it is also important to improve the availability of existing units for operational use. What is needed is the timely removal of age-related wear and tear, adequate repair capacities in cooperation with private-sector companies and for sufficient Naval Arsenal support capacities to be restored. Otherwise, juggling

and reassigning personnel for training, exercises and operations, up to and including cancelling international commitments, like in the case of the oiler SPESSART, which was unable to participate in the Standing NATO Maritime Group as promised due to delays in repairs, will continue to be unavoidable. And it is the crews that routinely have to shoulder this burden.

But there are also positive signals in the form of the new 125 class frigate NORDRHEIN-WESTFALEN, which entered operation in the year under review. Two more are to follow in 2021. In the area of K130 corvettes, too, it would be good if the five K130 corvettes from the 2nd batch were to arrive swiftly. Here, a further increase is also under discussion. Beyond this there is the intention to press ahead with the procurement of the new multirole combat ship MKS 180, which since December 2020 has constituted class 126 in the Navy's frigate sequence and is thus termed F126. The procurement of four of these ships with an option for two more has been approved by the Budget Committee. These developments – once the boats and ships are operational – will improve the Navy's materiel readiness. It is well known that the procurement of major equipment, especially ships, entails lengthy planning, award and production phases. What is needed now is for these phases and procedures to be expedited or shortened. And until new systems actually arrive, existing systems must continue to be maintained and repaired. This is the only way to ensure that servicewomen and men have sufficient opportunity to practice at sea.

The area of submarines is also seeing a slight positive trend. The Navy confirmed that it had fulfilled all its NATO operational commitments. Nevertheless, there are still distinct problems. The Navy cites long yard periods, difficulties with main batteries and the practice of "controlled removal" from some submarines in order to keep others operational as the reasons behind this.

The area of naval aviation is also affected by bottlenecks in materiel readiness. In 2019, the Bundeswehr refused to take delivery of two NH90 SEA LION naval helicopters due to major shortcomings in the technical documentation. The helicopters have since entered service:

- *During a field visit to the Nordholz Naval Aviation Command in June of the year under review, however, the Parliamentary Commissioner was told that for SEA LION, the supply of spare and replacement parts as well as the arrival of ground equipment would be a problem in the medium term. Another issue is the lengthy process of adapting the old infrastructure to the new NH90 models. A positive aspect cited was the temporary installation of the NH90 simulator outside the property, which at least allowed the sea SAR service to continue without disruption. This could serve as a blueprint for subsequent projects. However, the staffing level of flight crews is problematic for the most part. This was reported to be the result of insufficient flying hours over the past years and personnel recruitment not being able to secure sufficient new recruits for the area for a long time.*

What service personnel on site reported confirmed a well-known problem: delays in the introduction of new systems and an initial lack of operational readiness leading to subsequent problems, which in turn have a negative impact on materiel readiness. The total package has to be right. If a new system has been ordered it needs to be operationally ready, personnel and infrastructure need to be prepared and spare parts and tools need to be available.

Another problem raised by servicewomen and men was the retrofitting or modernisation of the P-3C ORION long-range maritime patrol aircraft. This had exacerbated what was already too low availability, they said, and negative impacts on the fulfilment of operational commitments could not be ruled out. A high number of deployments was juxtaposed by a low number of operational aircraft. The Ministry of Defence has communicated that maritime reconnaissance and anti-submarine warfare are essential for the Bundeswehr and NATO. Following clear criticism already voiced in 2019 by the Bundesrechnungshof towards the escalating costs for the maintenance and continued use of the existing eight aircraft originally planned, the Ministry decided in the year under review to halt the intended modernisation of the aircraft. Only the advanced maintenance measures on two P-3C ORIONS are still to be completed. Subsequently, its materiel readiness will continue to decline until the aircraft is finally removed from service. Regardless of whether the Bundeswehr intends to make use of commercially available platforms, as announced, or considers planning a new aircraft: past experience shows that procuring a successor model will take several years. When an operational aircraft type will be available to the servicewomen and men in sufficient numbers for deployments, exercises and training remains unclear. The Ministry must now make a decision as quickly as possible and ensure planning certainty.

In the year under review, the Bundeswehr launched the **Operational Readiness Initiative**. This is a series of specific measures contributed by the armed forces chiefs, the directors at the Federal Ministry of Defence and the directors of the federal offices for this portfolio. This means the ideas come from the Bundeswehr itself – not from outside. Most of them directly target materiel readiness and measurable, swift improvements. In addition to this, the aim is to better utilise and fully harness budgetary resources and to make and track decisions with a direct impact on operational readiness earlier and more reliably. The Ministry of Defence has said that concentrating on materiel-related measures is not enough and that what is needed is a holistic look at different aspects such as infrastructure, commercial services, personnel and more. Only in sum will this lead to an improvement of the situation. The Ministry assumes that this initiative will contribute to increasing materiel readiness in the short, medium and long term. The first positive signs and impacts of the measures introduced are discernible, for example with the EUROFIGHTER, PUMA infantry combat vehicle and A400M. This is to be welcomed. Now it is a matter of cementing the positive trend and quickly rolling it out to other projects and weapon systems. In addition to urgently prioritising central projects in the near future and channelling efforts into important individual measures, structures also need to be created to be able to accomplish the tasks set in deployment and in collective and national defence in the medium and long term, too.

At the same time, the **defence technology industry** also needs to be involved in the efforts to be made, for instance by concluding performance-based contracts. Contractual commitments, such as on delivery dates and agreed capabilities of the systems to be delivered, must be honoured. Furthermore, it is important to increase the quality of the systems delivered and to reduce industrial maintenance throughput times by taking appropriate measures, such as increasing the stockpiles of spare parts.

Unmanned aircraft, or **drones** as they are known, have been used by Bundeswehr servicewomen and men for reconnaissance for decades. They provide protection on dangerous deployments. However, this special protection is only the best possible if, in addition to reconnaissance, there is also the possibility of defending oneself. Armed drones can do precisely that. They already form an integral part of the operational reality outside of the German armed forces. Mastering their operational principles is part of the tactical craft for military leaders engaged in international missions. The rules of engagement must be strict, and the German Bundestag must clearly define and oversee them. They must be based on the norms of the Basic Law and the rules of international law. The deployment of armed drones never permits extra-legal killings. Such drones must only ever be controlled from the theatre of operation in question – not from a control centre far away from the action. What is more, the pilots must be extensively trained and qualified – technically, legally and ethically. Drone mission preparation and debriefing also entail the provision of maximum psychological support to the servicewomen and men involved in the mission, because deploying an armed drone is not a trivial matter.

For almost ten years, this by all means difficult debate has been conducted in a factual, differentiated, transparent and in-depth manner. So far, no majority has been secured in the Bundestag to arm drones. So the Bundeswehr must continue to do without this important capability, which is necessary above all to protect the servicewomen and men. And yet the German Bundestag could use its mandate to define clear rules for the use of armed drones on the basis of international law, with due regard for the ethical and human rights principles, and to define the general conditions, in turn allowing Germany to set standards that others could emulate.

Equipment for training, exercises and deployment

Our servicewomen and men defend our safety and security, our peace and put themselves – sometimes even their lives – on the line to uphold our values. So they deserve the best possible equipment, especially when it comes to personal kit. Last year's report already discussed the fact that excessive bureaucracy in the Bundeswehr's **procurement system** is one of the causes behind existing equipment shortfalls. The procurement processes are too cumbersome and encourage a fragmentation of responsibility due to the involvement of a large number of different agencies. Soldiers consequently often have to wait far too long for the right kit and equipment. It is good that the Minister of Defence declared in a policy speech at the end of the year under review that basic equipment and resources to meet daily operational needs are to have priority in the future.

All measures that serve to accelerate procurement are to be welcomed. This includes the increased use of central master contracts and the flexible funds for commanders and civilian heads of unit. Originally, the associated package of measures in 2019 was only intended for military units at formation level, such as battalions, regiments, wings and ships, and for central military training facilities with training and exercise operations, but at the beginning of the reporting year the Ministry of Defence expanded the scope of application to include

civilian and other military services and units. Those responsible there have responded positively to what so far has been colloquially referred to as **hand money** and use it to procure missing but commercially available items for training purposes, for instance. At the same time, however, there is resentment among the troops that they are not allowed to use these funds for a number of purchases. Although there are usually good reasons for this, it also shows how important it is to communicate the possibilities as well as the exceptions and limits of such packages of measures to the troops early on and in a way that makes sense. This helps to avoid false hopes and expectations. It is to be welcomed that the Ministry has taken the criticism on board and will ask those responsible in the scope of an evaluation to what extent expectations matched implementation and the scope of action. The evaluation is also designed to highlight gaps in communication and application knowledge and ways to adapt and optimise the measures. The evaluation report is supposed to be available by the end of the first quarter of 2021.

A negative example of the cumbersome procurement processes at play is the procedure relating to the new **assault rifle**. In 2015, the political leadership of the Ministry of Defence, in agreement with the military leadership, decided to procure a successor model to the over 20-year-old G36. Under the original plans, the new weapon was to gradually replace the G36 from 2019 onwards. This did not happen. After the Ministry of Defence practically stopped the award procedure for the procurement of the new rifle in the year under review, though, many more years will pass before the servicemen and women receive their new assault rifle. Before that, slip ups have to be dealt with and patent issues have to be resolved in a complicated legal dispute. In contrast to other procurement projects, soldiers can continue to use the G36 – a useful, reliable and indeed popular weapon – without further ado. But this only applies as long as the regeneration of this discontinued model is ensured. This case gives reason to fundamentally reflect on the application of **public procurement law** and contract award procedures. This is a task for public administration and lawmakers alike.

After boat crews highlighted a lack of **cold weather suits** and helmets, the Navy Headquarters illustrated the procurement problem that existed here, too, in its comments on the matter in June 2020:

- *It stated that it had submitted the procurement application for the anti-exposure/cold weather suit at the beginning of 2019. This was currently being examined by the Bundeswehr Office for Defence Planning. There had been no outcome so far. It had also submitted a procurement request for the helmets at the beginning of 2020. The Federal Office of Bundeswehr Equipment, Information Technology and In-Service Support had said that a contract would be concluded in July 2020 at the earliest and had contacted the Bundeswehr Office for Defence Planning to assign the budgetary resources. It then said: “The Navy Headquarters has no further information at this time. The aforesaid processes are no longer within the Navy’s area of responsibility. [...] The Navy Headquarters therefore requests that in the event of further questions on the matter, the Federal Office of Bundeswehr Equipment, Information Technology and In-Service Support or the Bundeswehr Office for Defence Planning be consulted.” The latter recently stated that it would be possible to provide helmets as well as anti-exposure and cold weather suits “as early as” in 2022, subject to a funding commitment to this effect.*

Four years processing time – in the best-case scenario. Processing times like this defy explanation; they may be detrimental to the health and safety of the soldiers.

The deficiencies in the procurement processes are also highlighted by the following example of **flight helmets**:

- *During a field visit to the Naval Aviation Command in Nordholz in December 2019, the complaint was voiced that the Bundeswehr was currently unable to adequately equip its naval aviators with flight helmets. The flight helmets from the Netherlands that came with the P-3C ORION aircraft were too old to be used anymore. According to the Ministry of Defence, the adaptation of a helmet model already in use in the Bundeswehr to meet the technical requirements of this aircraft began as early as in 2008. Before the adapted helmets could be procured, however, the Federal Office of the Bundeswehr for Military Aviation had demanded airworthiness verification for them to be approved. This had resulted in delays of many years. The reasons cited by the Ministry for this, for instance, were the reorganisation of the defence administration, unclear remits, frequent changes of personnel, imprecise agreements, changes in requirements and, finally, a lengthy approval process. Since this meant that the official path was initially blocked, the Bundeswehr opted for an interim measure and procured more than 200 helmets for “testing” in 2018 and 2019.*

The Bundeswehr was at least able to complete the approval procedure in August 2020, so now there should be nothing standing in the way of properly equipping naval aviators with the adapted flight helmets. It is to be

hoped that a sufficient number of helmets will reach the naval aviators before the P-3C ORION is decommissioned in 2025.

There will also be delays in the provision of the **Armed Forces combat helmet**. Originally, 15,000 helmets were to arrive from the year under review onwards. In light of the personnel resources available, the Bundeswehr does not expect them to be delivered until the second half of 2022. The procurement of 90,000 helmets is intended by 2025.

In other cases, too, formalities and regulations created complicated procedures, leading at times to considerable delays in procurement. In the area of the **clothing concept for freefall jumpers** of the paratroopers, the Bundeswehr has reacted:

- *Since 2017, an “Integrated Project Team” has been working on improving and modernising the clothing concept for freefall jumpers. The trigger for this was that the commercially available clothing for parachutists had improved significantly over the last few decades in terms of steerability and influencing the speed of the fall. The prerequisite for all further steps is now the initiation of a formal procurement initiative at the procurement office. The project team feared that going through the entire procurement process would take a long time and that its conceptual groundwork would not be taken into account. The Ministry of Defence is addressing this concern. It now wants to merge the necessary documents into one document and use the insights gained by the Integrated Project Team as the basis for the tender documents.*

This approach by the Ministry is to be welcomed; any other decision would have called into question the purpose of the project team and the three years of groundwork it invested. User expertise of this kind should be incorporated into procurement processes as a matter of general principle.

The Ministry of Defence’s announcement that consultations to finalise a directive on the acceleration and sustainability of the provision of clothing and personal equipment will happen by the end of March 2021 gives hope that in the future procurement processes in similar cases will be faster and leaner than before. In the procurement of a ski touring and climbing helmet intended for the mountain infantry, the Ministry was able to prove this and also take the aspect of **decentralised procurement** into consideration. The fact that this works is proven by the skis and buckled ski-touring boots that the formations in question were able to procure themselves for the mountain infantry training in the winter of 2019/2020.

During a field visit to the engineers training centre the soldiers highlighted the importance of forward planning in properly equipping service personnel, in the area of training in particular:

- *They pointed out that the number of officer training places was set to double in 2021. There was not enough materiel available to accommodate this, however. For example, commercially available vehicles would have to be used to ensure the training could take place. In the area of explosive ordnance disposal, the requisite materiel was only available for one of the eleven explosive ordnance groups. There was also a lack of IT equipment (tablets, laptops) for modern training. Finally, accommodation was not sufficient to cope with the increase. The Ministry of Defence stated that sufficient materiel was available, but that “the technical availability of the materiel, especially of the explosive ordnance disposal robots, in some cases limits their use in training.” So the materiel is there, it just does not work. The lack of IT equipment, so the Ministry, is down to a lack of MS Office software and licences for hard disk encryption and the completion of the accommodation is not expected before 2025. Until then, double occupancy of the accommodation at the engineer barracks will be necessary.*

Given the long-term plans to transfer officer training back into the force, it is surprising that the training facilities have not been resourced in time and sufficiently and that there are not even enough licences for the necessary software.

The use of commercially available, **unarmoured vehicles** for training has unfortunately already gained notoriety – known as the substitution principle. Some of the soldiers in training cannot use the equipment designated for the mission. The much-vaunted principle of “train as you fight, fight as you train” thus degenerates into nothing more than an empty phrase. In the year under review, this understandably also caused incomprehension among the servicewomen and men of 3 Reconnaissance Demonstration Battalion:

- *During a field visit, they stated that there was a lack of armoured vehicles for participating in the Very High Readiness Joint Task Force and that unarmoured vehicles from the Bundeswehr vehicle fleet service, such as the GREENLINER, had to be used for practice. The Ministry of Defence and its subordinate*

agencies confirmed a considerable shortage of armoured vehicles of the types FUCHS, EAGLE IV / V and DINGO 2, resulting in 3 Reconnaissance Demonstration Battalion not even having a quarter of the target fleet. The use of these vehicles in preparing and carrying out Bundeswehr missions has priority, it was said. This meant that for training and exercises, the GREENLINER type unarmoured vehicles had to be used. However, even these were only available to a limited extent and were also prone to breakdown due to age-related damage. The Ministry citing the implementation of the Bundeswehr's capability profile as gradually eliminating these shortfalls in the long term does not give much hope for swift improvement.

Equipping the troops with armoured vests has been a constant topic in the last annual reports. Although the provision of class I armoured vests at the firing ranges has eased considerably compared to previous years, servicewomen and men of smaller stature often have problems getting their hands on suitable **armoured vests** at the firing ranges:

- *During field visits and in a submission, servicewomen and men criticised the lack of armoured vests at the local firing ranges in Merzig, Laage and Coblenz-Pfaffendorf, especially in small sizes. This meant normal training was no longer possible.*

The situation improved in the year under review when the clothing service provider reconditioned old armoured vests and successively made them available to the firing ranges again. The Ministry of Defence reacted extremely promptly when informed of any problems. Class I armoured vests are now available in size XS not just in Coblenz-Pfaffendorf, but also in Parow near Laage. This is to be welcomed and it is to be hoped that the situation on the firing ranges will ease increasingly. However, this problem persists with class IV armoured vests:

- *At the Air Force wing in Laage, a servicewoman who was 1.68 metre tall found the size S vests with increased protection available at the firing range noticeably too large. The procurement office rejected her request for a size XS class IV armoured vest.*

The justification cited by the Ministry that this size is solely for persons of a height of less than 1.60 metres is not convincing. When it comes to clothing and equipment with a protective function in particular, such a categorical provision should not be allowed; functionality and the safety of the service personnel must take precedence. With armoured vests, like with helmets, it is obvious that they need to fit properly. The Ministry should therefore examine the possibility of allowing exceptions in such cases.

The size issue aside, the Bundeswehr intends to significantly increase the stock of class IV armoured vests as part of the Modular Ballistic Protection System for Soldiers (MOBAST) – as already discussed in last year's report. An influx of 5,000 items was originally scheduled for 2019. Since one bidder appealed against its disqualification from the award procedure, the procurement process was delayed by eight months, according to information from the Ministry of Defence. The first batch of the approximately 8,600 armoured vests planned to arrive by the end of 2021 is now scheduled for mid-2021. Even if the Bundeswehr's efforts are to be acknowledged in principle, it still seems a long way off from providing every servicewoman and man with their own personal armoured vest.

To date, the implementation of the **armed forces combat boot system** has been a good example of the modernisation of troop kit items. However, after the highly successful introduction of the heavy-duty combat boot, many servicewomen and men are now waiting for the light combat boot edition they were told they would receive. During the summer months, in particular, there were complaints that the worn-out previous model could not be exchanged for the successor model:

- *One soldier reported that according to the service station of the clothing service provider responsible for him, he would have to wait until 2022 to receive the light combat boot. In the meantime, he could only exchange worn-out boots for a new pair of the old model. Another soldier complained of preferential treatment towards recruits when issuing the light combat boot. The Ministry of Defence stated it was unable to complete the full outfitting of all servicewomen and men, most of whom serve in field uniforms, by the end of 2020 as intended due to pandemic-related restrictions faced since March 2020. It has assured the Parliamentary Commissioner that it will continue issuing these items in the scope of what is currently possible.*

The Bundeswehr should communicate any further delays early on. The importance of equipping soldiers with this boot promptly should also be seen against the background of the armed forces of other nations currently equipping their servicewomen and men with this boot model.

A positive example to be highlighted is the case of a serviceman stationed in Mali, whose complaint the clothing service provider responded to in a customer-friendly and quick manner:

- *For a period of several weeks, a soldier in Mali with shoe size 51.5 had to make do with just his winter combat boots while the delivery of his urgently needed light combat boots was delayed. The clothing service provider immediately responded to the petitioner's request and ensured that he received the boots fit for a tropical climate in the appropriate size.*
- *The submissions of several soldiers from Sigonella (Italy), who objected to their request for a lump sum for the procurement of climate-appropriate clothing being denied, were also successful. They received the lump sum retroactively.*

There also seems to be a positive trend emerging in the procurement of flame-retardant **flight jackets**:

- *During a field visit to 62 Air Transport Wing, some soldiers told the Parliamentary Commissioner that they had been waiting for a new jacket for over a year. The Ministry of Defence confirmed this. The timely procurement of a new jacket had failed due to the need to conduct tests to rule out any health hazards to the wearers. This has since been resolved and the first 3,400 flight jackets are expected to be available at the beginning of June 2021.*

The criticism of the current **rucksack model**, which dates back to the 1980s, already outlined in last year's report, is not abating, however:

- *The comments on this from the Ministry of Defence do not give hope for an improvement in the situation in the foreseeable future. These state that the 110-litre Berghaus rucksack model preferred by the soldiers is only intended to be used in basic operations for certain units and services with a required endurance of up to 72 hours. For these and to equip the Very High Readiness Joint Task Force 2023, the Bundeswehr is currently procuring 60,000 items. For all others, the Ministry plans to modernise the current combat rucksack from 2022/2023.*

If the Bundeswehr continues to opt for different rucksack models, the procurement of this new, up-to-date rucksack for general service must happen quickly and not drag on for years.

There were also complaints about the limited functionality of clothing, especially of **water-proof protection**:

- *The water-proof jacket only has two pockets, while the water-proof trousers have neither leg pockets nor a way to access to the trousers underneath, making it very difficult to store items.*

Improvement is in sight with the introduction of the armed forces combat clothing set, which is designated to replace the system 90 field clothing currently used as the modern clothing system. The Ministry of Defence intends to procure 50,000 of these in a first batch by the end of 2021 and to increase the stock to 164,000 sets by the end of 2031.

The **authorised allowance** is of decisive importance for soldiers' clothing, as it details which items they are entitled to for service clothing and dress uniform. The following examples show that this does not necessarily match actual needs:

- *According to a servicewoman deployed mainly on training fields, the field uniform provided is not up to the demands of the outdoor terrain over the long term, in particular as it lacks abrasion and impact protection.*
- *Another soldier complained that the standard issue clothing quickly ran up against its limits in terms of the wet and cold when worn for regular all-day outdoor duty. It was unsuitable for the predominant weather conditions, especially since in his capacity as a supervising instructor he was unable to move around a great deal.*

It would therefore make sense to take into account the activity usually performed in the respective post in the authorised allowance. It stands to reason that servicewomen and men deployed in the field on a daily basis, for instance, need more and better clothing with protection against the cold and wet, whilst for those on staff duty in the office the dress uniform is probably more called for. So distinguishing between indoor and outdoor service would already be helpful here.

In the case of what are termed **repair cycle items**, the clothing service provider inspects a returned item of clothing according to predefined criteria and either reconditions it in order to then reissue it or sends it for

recycling if it is not suitable for reuse. This is generally to be welcomed, but sometimes produces unsatisfactory results:

- *A soldier had to exchange the cold-weather undergarment issued to him – in part manufactured in the 1990s – three times because time and again the zip was broken. At the time of his submission, he was waiting for an opportunity to make the fourth exchange.*

Although the age of an item of clothing is not the sole criteria for its quality, it is more likely not to be suitable for use the longer it is worn. When inspecting older items, the Bundeswehr Bekleidungsmanagement GmbH's service stations should examine their typical pain points, such as zips, more critically and, if in any doubt, at times show more willingness to remove them from circulation.

The denial of requests for **additional or special equipment** for medical reasons is recurrently the subject of submissions. A positive trend is to be noted here:

- *Following a heart operation, a petitioner needed the Berghaus rucksack model and the infantry armoured vest for an upcoming course. After this was originally denied, the Ministry of Defence took the case as an opportunity to reconsider the procedure for requesting special equipment in cases like this. Ultimately, the servicewoman received the required equipment.*
- *Similarly, servicewomen and men who have suffered hearing impairments in the line of duty have been criticising the failure to provide adequate ear protection and suitable helmets for years now. Those affected are routinely very motivated to be able to continue performing their duties, but often despair at the lengthy request procedures, varying remits and occasional contradictions they run up against. Disappointment is often followed by a sense of resignation. Fundamentally, the Ministry of Defence assumes that the introduction of the combat helmet and the compatible microphone headset with ear protection function will lead to major improvements. Nevertheless, the ministerial directorates A II and Plg II have realised the need for binding regulations with clearly defined responsibilities and have initiated a critical probe into whether and where they can harmonise different supply routes. This initiative deserves express praise and recognition.*

For years, the dire lack of equipment has prompted many servicewomen and men to purchase missing items out of their own pocket:

- *They buy themselves commando trousers and commando field shirts with large leg and sleeve pockets as well as combat shirts, for instance. They replace the thin official undergarments provided with Woolpower items and the jacket liners, whose drying properties are below par, with cold-weather jackets. The list of privately purchased items is long. It ranges from the successor model to the already outdated load-carrying system to weather-proof sleeping bag covers.*

Wearing **privately purchased items** with a protective function is not actually permitted though for liability reasons. This means the servicewomen and men in question face a considerable dilemma. Certain areas of duty – basic operations included – cannot keep on being performed with the functional and protective clothing officially provided, especially in terms of water-proofness, protection against the cold and against solar radiation. So they end up wearing the privately purchased kit nevertheless. For the remainder, the criticism voiced in many previous annual reports still applies. It is unreasonable to expect servicewomen and men to purchase some of the personal equipment necessary for service from their own private funds.

In this respect, it is at least pleasing to see a positive trend emerging in the area of Woolpower undergarments. The Ministry has communicated that the first servicewomen and men for the Very High Readiness Joint Task Force 2023 are expected to be kitted out with the armed forces combat clothing set, which also includes **Woolpower** underwear, from the middle of 2021 and has said they can keep this for good. All the other soldiers will receive the Woolpower items as part of the successive general outfitting with the armed forces combat clothing set or in the scope of another deployment where this kit is designated, the Ministry says.

9. Infrastructure

The sometimes very poor condition of Bundeswehr properties and the long time taken to refurbish them or to complete new buildings is an issue that features regularly in the annual reports. So it is pleasing that the condition of accommodation buildings has fundamentally improved over the past six years. At the end of the

year under review, about 72 per cent of accommodation buildings were in “good to average” condition. In 2014, it was only 53 per cent.

Another positive note is that according to the Ministry spending on investment in infrastructure has increased by around 48 per cent since 2014 to around €1.08 billion in the 2020 reporting year.

This is a step in the right direction, but not yet reason to give the all-clear – because the figures simultaneously mean that 28 per cent of the accommodation buildings show “considerable” wear and tear and “major deficiencies”. This is not an acceptable situation, not least for servicewomen and men required to stay in this accommodation.

Construction flaws and delays

The occupational health and safety of soldiers must always be the yardstick for operating the Bundeswehr’s duty and accommodation buildings. Unfortunately, this is not always the case. Mould sprouting is a constant issue in particular. Here, patching over things does not help, only fundamental renovations do:

- *One example is building number 6a of the Jäger Barracks in Bischofswiesen, which is classified as “poor” in building condition “C”. Water had penetrated the basement of the building, the Parliamentary Commissioner was told. In several accommodation rooms, leaking pipes in the wall had caused damage from water and mould. After regular and persistent demands by the company, only building maintenance measures had been carried out.*

It is good that the responsible federal office has announced that **building maintenance** is to be stepped up in the coming years. It already budgeted €65,000 for repairing floors and new paintwork in 2019 and another €50,000 for the year under review. In addition to this, there are plans to repair showers, washrooms and toilets, and in some cases this is already underway.

It is not acceptable if mould or other remedial work drags on for years:

- *At the Niederauerbach Barracks in Zweibrücken, for instance, the mess hall has been unusable since 2016 due to mould. In the medium term, a modern utility building with an MWR area is planned. However, in the year under review the commissioning of the mess hall, which was scheduled for mid-2019, was delayed.*

It is now supposed to be ready in April 2022 – far too long for a makeshift solution. According to information from the Ministry of Defence, a delivery service from the mess hall in Lebach, 47 kilometres away, is currently providing food for the servicewomen and men. The quality of the food will certainly not improve after being transported over such a long distance.

Service personnel serving at the over 60-year-old aircraft hangar 321 at Büchel Airbase have also been waiting a long time for **damage to be repaired**:

- *In the building currently used as a warehouse, the heating system does not manage to reach an indoor temperature higher than eleven degrees Celsius at an outside temperature of nine degrees Celsius. It regularly rains through the roof and the lighting is too weak. Construction of a new main warehouse is not scheduled to begin for another eight years.*

So the construction and building maintenance measures to the old hall now need to be carried out without delay.

It is particularly frustrating when new buildings already have such major flaws that they cannot be used for years, like the swimming and rescue training hall at the Heppenser Groden Naval Base in Wilhelmshaven:

- *This hall, which was completed at the end of 2017, already displayed construction flaws, including to the tiles, during the first scheduled inspection in 2018 and has been closed ever since. The Ministry has communicated that it is not expected to be reopened before the end of 2021. Until the problem is solved, the servicewomen and men will have to train at Wilhelmshaven’s open-air swimming pool or at the local leisure pool.*

This does little to help though because the exercise options there are more than limited. Everything beyond the use of a life jacket is not allowed at these pools.

In the case below, the very sluggish implementation of the construction of a firing range is exacerbating training:

- *During a field visit, members of 73 Tactical Air Wing in Laage communicated that there was a need for a firing range close to the site because the journey to the facility in Torgelow currently used was too long. The Ministry of Defence explained that there were plans to conduct the formation's firearms training at the nearby but not yet completed firing range in Karow. The construction measures there were able to begin in March 2020 after more than ten years of planning and preparation and are expected to be completed in December 2023.*

It is also unacceptable for existing personnel and a deterrent for recruitment if the employer is not capable of providing functioning sanitary facilities:

- *A petitioner reported that the toilets at the Hermann Köhl Barracks in Niederstetten were faulty and the hot water supply and heating only worked sporadically. The wind blew through the windows and doors, he said. The Ministry of Defence assured the Parliamentary Commissioner that regular maintenance and repair work was carried out, but also admitted that the Bundeswehr was not making any major investments because of the plans to demolish this building.*

Fortunately, the new accommodation building was completed in September 2020 and the service personnel in question have now moved there.

- *The use of external sanitary cabins, like at the Theodor Körner Barracks in Lüneburg can only be a temporary solution. Moreover, the accommodation situation there is very cramped because many accommodation buildings cannot be used, and some are even cordoned off. The reason for this is the need for major renovations or new buildings.*

The Ministry of Defence should now give final approval to the utilisation concept drawn up for this property as soon as possible.

The **housing containers** provided as a substitute for permanent accommodation in some cases are also not a long-term solution, especially as the increasingly hot summer months can make being in them unbearable:

- *The complaint voiced in this context that container modules at the General Olbricht Barracks in Leipzig have no built-in air conditioning is therefore understandable. The Ministry of Defence intends to provide better air conditioning for the summer of 2021.*

It is difficult to understand, however, that these make-shift arrangements are expected to serve as replacements until the end of 2028 *inter alia* in the interests of listed building preservation. That is clearly too long.

In some cases, though, servicewomen and men also actually want containers for the transition, as the Parliamentary Commissioner heard during a field visit to 381 Communication and Information Systems Support Battalion in Storkow:

- *There, new accommodation buildings are not scheduled for completion until 2023. However, the Ministry of Defence does not consider an interim solution of this kind to be time-saving because containers also need foundations and supply and disposal hook-ups. The construction measures required for this would then compete with and delay the construction of permanent accommodation buildings already planned.*

Finally, synchronising stationing decisions with construction projects should also go without saying – but apparently this is not always the case:

- *Further to a stationing decision in 2011, most of the activities at Erding Air Base are to be relocated to Manching near Ingolstadt, about 84 km away. About 600 service personnel are affected by this move. Most of the accommodation was going to be provided in rooms at the engineers training centre in Ingolstadt. The increasing number of courses, however, means the rooms are no longer available, which is why further accommodation buildings are now going to be built in Manching. They are not expected to be completed until 2024, though.*

It is good that interim accommodation has been arranged at the new location for the 21 soldiers required to live in official accommodation at the end of the year under review. Any additional accommodation needs that may arise should be met in the same way.

Countless new Bundeswehr buildings – from accommodation to functional buildings – take far too long to construct. Rarely is the project completed by the originally scheduled date. Construction projects are often

delayed by several years, sometimes even decades. During a field visit to 413 Light Infantry Battalion in Torgelow, the Parliamentary Commissioner learned of an alarming example of this:

- *At the Schill Barracks located there, the end of the year under review marked 22 years since a new TRIO MWR building had been planned in 1998 without it ever being completed.*

The outdated infrastructure in need of refurbishing at the Niederauerbach Barracks in Zweibrücken is also deplorable, as seen during a field visit in August 2020:

- *Overall, the fabric of the buildings was in dissatisfactory general condition. An additional difficulty in the urgently needed refurbishment is the fact that the buildings are listed and subject to protection. General refurbishments are necessary, but so is the demolition of some of the buildings. The planned renovation work is estimated to last 18 years in total, and construction is not scheduled to begin until 2022.*

Overall, the Bundeswehr sees a need for infrastructural investment to the tune of €12.5 billion by 2029. Executing these investments, quickly remedying the problems described above and completing planned construction projects on time without delays hinges largely on good cooperation between the Bundeswehr and the **federal state building authorities**. The latter are responsible for the execution of Bundeswehr infrastructure measures. As such they are the bottleneck when it comes to quick construction and repair.

Two things are crucial: first, that Bundeswehr projects are given the priority they deserve at the federal state building authorities. Second, that the federal state building authorities are sufficiently staffed. So it is very worrying that as of 1 November 2020, around 400 positions at the building authorities were vacant. A critical stock-take of the situation in Aachen shows the impact of understaffing of this kind:

- *The Bundeswehr classifies more than 60 per cent of the condition of the buildings of all barracks located there as “poor”. All the MWR facilities were only able to be operated under the aspect of the right of continuance and at three barracks the accommodation and training infrastructure was in need of a complete overhaul. In the Ministry of Defence’s assessment, the requisite construction measures would only be able to be accelerated if the responsible North Rhine-Westphalian building authorities were relieved of some of their workload.*

So it stands to reason that servicewomen and men have repeatedly floated the idea of wanting the Bundeswehr to construct buildings itself to a limited extent, given the long construction times and staff shortages at the federal state building authorities. The constitutional and legal situation stands in the way of this, however, which stipulates that responsibility for Bundeswehr buildings lies with the federal states. Article 87b (1) Sentence 3 of the Basic Law does by all means open up the possibility of transferring construction tasks to the Bundeswehr administration. The prerequisite for this would be a federal law to this effect, which would require the consent of the Bundesrat. Lawmakers should examine this option. However, a change in responsibilities only makes sense if it leads to procedures speeding up.

As an alternative, a good suggestion made during a field visit to the Bundeswehr Operational Communication Centre in Mayen should be examined. The shortage of in-house specialist personnel the Rhineland-Palatinate state enterprise for property and construction supervision had complained of could be remedied by it temporarily employing **retired soldiers or reservists**. Thanks, for instance, to their specialist training as civil engineers, this group could contribute their technical expertise and support the tasks of the state enterprise in this area.

Elsewhere, initial experiences with modular construction are promising, as the construction times for infrastructure measures at the Fürst Wrede Barracks in Munich impressively demonstrate:

- *At the Bundeswehr Medical Academy there, a new building with 600 square metres of space that could be used to house six language lecture halls, two of which are for computer-assisted language training, as well as functional spaces, was built in just under two years. The preparation of the media connection and the construction of the floor slab had started in February 2019. The construction of the building shell took two weeks and was finished by the end of April 2020. The interior was completed in the autumn of 2020. The Medical Academy will be able to take occupancy of the building in early 2021 for training operations. The modular construction method as it is known made this rapid completion possible.*

Modular construction could thus be another building block to leverage for the swift implementation and completion of Bundeswehr infrastructure measures – in addition to urgently needed better staffing at the federal state building authorities. It should be applied wherever possible and appropriate.

Barracks' resourcing

Like in previous years, satisfactory **wireless Internet coverage** for servicewomen and men at their accommodation remains an important benchmark for the Bundeswehr's stated aim of improving the attractiveness of service. The Ministry of Defence had promised this by the end of March 2021. The pandemic has meant implementation will be delayed until December 2021.

What do not make sense in some cases are the priorities set in equipping the properties with wireless Internet:

- *In the year under review, there was still no full coverage wireless network at the Bundeswehr Central Hospital in Coblenz.*

This gap is all the more serious because, according to hospital staff, it makes medical services in particular, such as digital rounds, more difficult. The Bundeswehr should give priority to hospitals and equip them as quickly as possible.

There continue to be problems when it comes to the initiative to introduce **automated time and attendance recording**. The Ministry has said that the roll-out of the IT support, originally planned for the third quarter of 2021, will be postponed again until 2022. In this context, a special directive from the Ministry of Defence is to be welcomed. This permits all agencies to have flexible working hours models even without automated time and attendance recording and leaves it up to the agency itself to define a suitable method of recording individual working hours with the involvement of the service personnel.

Servicewomen and men live at the barracks for long periods of time and understandably also want to do their private laundry there. The Bundeswehr does not have **launderettes** like allied armies do. So in some cases they organise washing machines and dryers privately. One first sergeant wrote the following on this:

- *"The subject of cleaning soldiers' personal laundry has presumably always occupied the armed forces, and there have probably been many ways of solving the problem in the past. From my experience, these have mostly been made possible by the soldiers or by the units (first sergeants), not by the employer in the form of officially procured washing machines, but by private donations. So far so good. Until a new service regulation was issued, which now stipulates that all washing machines and dryers must be registered (this was also the case before!) and that a set fee has to be paid for using them: 15 euros for a washing machine and 10 euros for a dryer, so a total of 25 euros per month. I wonder whether more electricity is not wasted at the Bundeswehr every day by lights left on at properties that are not actually being used! As a first sergeant in my squadron, I honestly have a problem with having to tell my soldiers now "either one person agrees to be responsible for paying" or "washing machine gone" and you can no doubt imagine that it is not possible to permanently rotate between multiple people."*

Legally, there can be no criticism of charging a user fee, as the Federal Budget Code has to be observed. Nevertheless, the Bundeswehr should fulfil its duty of care and look for other ways to enable commuters to do private laundry at the barracks at low cost.

It is very regrettable that the Ministry of Defence insists on not wanting to put the **outdoor swimming pool** at the Julius Leber Barracks in Berlin, which is currently closed, back into operation. As already stated in the 2019 annual report, reopening it would enhance the attractiveness of service for the 2,400 servicewomen and men and 400 civilian employees performing their duties at these barracks. Citing the swimming pool being mainly used for recreational purposes as why, under Bundesrechnungshof rules, it is not to be restored for budgetary reasons is not a convincing argument. Swimming is one of the basic individual skills all soldiers must have at all times. Where, if not in the swimming pool, are they supposed to practise this? In terms of economic aspects, the Ministry should also examine the possibility of making the swimming pool available for use by clubs and schools, for instance, and generating income from this.

During field visits, younger soldiers, especially at combat units, repeatedly commented that they were critical of the **single or two-bed room concept**. Multiple-bed rooms helped promote and strengthen a sense of comradeship, especially when spending time together after duty, while single rooms limited the scope for accommodation during training. It also made sense, they argued, in terms of preparation for deployment to get used to the multiple-bed accommodation in the theatre of operations in advance. The Ministry of Defence and its subordinate services still see the single or two-bed room concept as a way to increase attractiveness. A compromise would be to offer multiple-bed rooms for greater flexibility, like at the Erzgebirge Barracks of 371 Armoured Infantry Battalion, for example.

Another issue on field visits is the separation of accommodation and functional buildings as this diminishes the sense of community and cohesion, as it does the possibilities of informal social control, especially among the younger soldiers who are obliged to stay at the barracks.

Like in many areas, communication and transparency are also an important basis for a good working atmosphere when it comes to infrastructure:

- *For example, plans at the air mission building of 10 Transport Helicopter Regiment to hand over a duty room previously belonging to this unit to another unit for their use caused considerable resentment.*

However, the decision did not warrant criticism. The commander of 10 Transport Helicopter Regiment took not least the insights gained through the petition as an opportunity to discuss the measure directly with the servicewomen and men concerned, though.

10. Digitalisation

The swift solutions found as outlined in the chapter on the Covid-19 pandemic aside, complaints in the Bundeswehr about inadequate IT equipment have existed for a long time. Ranging from 51 Tactical Air Wing as well as many other areas of the Bundeswehr, which complain about the slow establishment of teleworking jobs, all the way to the Federal Office of Military Counter-Intelligence in Cologne, where they would like to see fundamentally better IT equipment. Other units are grappling with technical and operational challenges, such as server capacities for videoconferencing, in spite of the short-term rectification of capacity bottlenecks. Access to classified information also presents a problem in many areas. It is not uncommon for strict confidentiality guidelines and data protection issues to stand in the way of digitalisation. The digital transformation has more than just a technical side. Many obstacles stand in the way of a “culture of doing”, as the Bundeswehr expressly understands digitalisation. Beyond the technical and legal challenges, behavioural patterns and mentalities also need to change.

It is not uncommon for major changes to cause frustration and annoyance in day-to-day working life. This makes it all the more gratifying when a quick remedy is found. Like the **single sign-on solution** called for in the 2019 annual report, for instance. This is the possibility of gaining access to all authorised computers and services at the workplace with a single authentication. According to information from the Ministry of Defence, one of the Bundeswehr’s digitalisation partners, BWI GmbH, has been commissioned with planning and introducing a uniform Public Key Infrastructure (PKI). PKIs are used to ensure the secure electronic transmission of information during network activities and also enable single sign-on solutions. Unfortunately, the PKI will not be available to the Bundeswehr until 2024. It is pleasing, though, that users will be provided with pragmatic interim solutions until then. One hopes that these do indeed help. If they work and everyone has grown accustomed to them, however, it is to be feared that the renewed switchover from 2024 onwards will again mean a change for many users with the familiar transition periods.

When it became apparent at the end of 2019 that users had been at least sloppy in their handling of the prescribed accounting rules in the force’s newly introduced **SASPF accounting system**, this was evidently also due to many users not rushing to engage with the new system. The experience of decades of paper files is not easy to leave behind. Furthermore, in many cases people also have negative experiences with digital applications if everything takes longer or becomes more complicated. It is problematic when such experiences with digitalisation ultimately lead to a loss of confidence in new capabilities:

- *After the Bundeswehr deployed type H145M special forces helicopters known as the Special Operations Forces Light Utility Helicopter (SOF-LUH) for the first time last year on the Gazelle training mission in Niger, someone, presumably a Bundeswehr soldier, commented on an Internet forum on the Chief of Defence’s reports of success – “all machines are flying, no failures” – with the words: “Just wait, the SOF-LUH will end up in SASPF, too, then you can say goodbye to the clean bill of health!”*

The Ministry of Defence has postponed the introduction of the new S/4HANA software. The switch to this process management software is one of the Bundeswehr’s largest IT projects. It affects the entire maintenance and spare parts management. It is right to take a little more time for this. SAP has set the end of maintenance work for previous software, originally announced as happening in 2025, for the end of 2027. This allows time to use active change management *inter alia* to reduce the considerable uncertainties described not just in last year’s annual report, and to make the roll-back of over 40,000 customisations user-friendly.

The catalyst and core of the digitalisation of the land forces is the **VJTF** (NATO Very High Readiness Joint Task Force). This is good for the roughly 10,000 Bundeswehr servicewomen and men who are on very short standby for the NATO spearhead because the Army Headquarters confirmed reports on the materiel situation at the VJTF which servicewomen and men had presented during a visit to 3 Reconnaissance Demonstration Battalion in Lüneburg:

- *The analogue radios were not interoperable with other systems, it was reported. The information collected could not be passed on, so the connection had been made using the field telephone. The multinational partners were now familiar with the term “Ackerschnacker” (a colloquial German term originally for field telephones and now also for mobile phones). This was “highly embarrassing”. Without the use of private mobile phones, it would not have been possible to pass on reconnaissance findings.*

Once 37 Armoured Infantry Brigade from Frankenberg in Saxony provides the majority of the NATO VJTF and also assumes command in 2023, the basic digitalisation of this unit needs to be ensured in addition to many other capabilities. Voice and data need to be digitally transmittable by then at the latest. For this purpose, the Ministry of Defence is procuring its own Battle Management System (BMS), which connects command staffs and combatants with each other. By the end of 2020, it had not been possible to put the new system in place all the way to the vehicles. This would have made sense, though, because in 2020, 37 Armoured Infantry Brigade started training and national VJTF certification began, with NATO certification to follow in 2021. The BMS hardware alone, which is in a different location compared to the EAGLE predecessor model, meant a new certification process was required for this vehicle, and this can be a lengthy process. In spite of this, the Bundeswehr is certain: “At present, there is nothing to cast doubt on the intended timely increase in capability,” but does then immediately qualify this by adding that should the Bundeswehr not be able to further accelerate the availability of platforms in individual cases, operational restrictions will have to be accepted or alternatives ordered.

The switch to modern digital filing of **health records** at the Medical Service, which has already been announced several times, is taking far too long. In the civilian sector, digital patient records have been used almost exclusively for the organisation of patient records at doctors’ surgeries and hospitals for about two decades now. At the Bundeswehr Medical Service, by contrast, service personnel’s health records are still kept in paper form. This leads to problems like handwritten entries that are difficult to read and them having to be sent by post when changing medical facilities. Documents have to be handed over to service personnel to take with them, and sometimes records get lost. By the end of 2021, the Bundeswehr has announced, all regional medical facilities should have initial capability to keep electronic health records. This would be good but sounds very optimistic given the experience of recent years. At any rate, money should not be the stumbling block: from 2021, the Bundeswehr will receive an additional €1.6 billion for digitalisation, first and foremost for the digitalisation of the health system. This is also urgently needed, as was heard during a field visit to the Bundeswehr Central Hospital in Koblenz:

- *At the Bundeswehr hospitals in Berlin, Hamburg, Koblenz and Ulm, the hospital information system NEXUS/KIS, which is used throughout the country, is outdated and only works very slowly. When it bought the system, the Bundeswehr did so without concluding a system-related support agreement.*

IT support is also a problem with some of the ageing weapon systems such as the TORNADO. The long service life sometimes leads to losing IT support from the manufacturers. This means the Bundeswehr needs an overview here of which IT is installed, and obsolete components need to be removed in time and replaced with new ones. The project managers of the weapon system need to tackle questions of how up to date the components are, whether there are alternatives on the market or whether end-of-life stockpiling needs to happen to save the remaining service life of the system.

The Navy’s units afloat are one of the last areas in the Bundeswehr not yet equipped with SASPF. The LogITU-F125 project is designed to logistically manage all four class 125 frigates and to provide a self-sufficient, decentralised **SASPF solution** tailored to operational requirements. The aim was to gradually implement this between 2016 and 2020. Initial self-sufficiency capability was to be completed in May 2018, full self-sufficiency capability actually from July 2020. The Ministry of Defence itself has stated that “the Bundeswehr’s missions are not sustainable without SASPF.” For the Navy, which has a particularly high mission workload, this makes the project particularly important. The fact is that whilst the Navy has built and commissioned the decentralised SASPF systems for the four units of the F125 on schedule, delays in the acceptance of the units by the private sector mean that so far SASPF systems have only been installed on board the BADEN-

WÜRTTEMBERG and the NORDRHEIN-WESTFALEN. Installation on the SACHSEN-ANHALT and the RHEINLAND-PFALZ is scheduled to take place in the course of 2021 based on ship commissioning and port availability. According to the Ministry of Defence, the entire process of establishing a self-sufficient SASPF solution for all ship classes of the German Navy should be completed in 2028.

It is not only the really big IT projects that cause problems or take too long. In response to the question: “What would you like to see from the Bundeswehr?” soldiers at one location also answered last year: “functioning wireless Internet and digital time sheets”. This is anything but new. Bureaucratisation at the Bundeswehr sometimes paralyses digitalisation, especially for smaller projects like these, as was reported during a visit to the Bundeswehr personnel office:

- *Prioritisation meant that smaller software procurement projects at the Federal Office were often given lower priority than the big procurement projects. Given the fast pace of today’s digital world, the procurement need was often obsolete, though, by the time the desired product was finally available years after the request.*

“Technical expertise beats organisational placement” should be the principle applied and detours and intermediate levels should be avoided when it comes to concrete cooperation. With the Cyber Innovation Hub, the Bundeswehr has created an instrument that is intended to get innovations into the hands of servicewomen and men quicker. This is a unique structure in the Bundeswehr where soldiers, reserve servicemembers, lateral entrants and civilian employees work together in mixed teams, reviewing existing start-ups and apps to see if and how they could be adapted for the Bundeswehr and also developing apps of their own. The first results are encouraging, for instance the app to book tickets for rail travel in uniform on service personnel’s private smartphones was implemented in record time – six months after the idea was floated and four months after the start of development, and it works. The **Cyber Innovation Hub** also pushed forward the introduction of medical consultations by video. There should be more pragmatic quick solutions like these. Currently, the Cyber Innovation Hub is exploring 70 innovation projects. The initial fear that the Cyber Innovation Hub’s agility might suffer as a result of its integration as a subordinate department at BWI GmbH (the Bundeswehr’s central IT service provider) has not materialised. The greater freedom accorded to the Cyber Innovation Hub seems to be proving successful.

Reservists also have reason to be happy. The Bundeswehr is planning to introduce the app “Unterhaltssicherungsgesetz-online” on the Benefit Payment and Dependents Maintenance Act as early as in the second quarter of 2021. This will enable reservists to apply for their benefits under this Act online. In addition to significantly simplifying the benefits procedure, the Bundeswehr expects this to make the processing of applications organisationally more efficient.

There is also good news regarding the digitalisation of the Bundeswehr’s **facility management**. An independent jury of administrative, IT, eGovernment and scientific experts selected the project “Cloud-based facility management with BIM (Building Information Modelling)” as the best infrastructure project of the year in the 2020 eGovernment Competition. Holistic digitalisation of the cross-organisational and cross-state process in the field of federal construction has the potential to be one of the keys to solving the fragmented bureaucratic brake pads slowing down Bundeswehr infrastructure projects, as described time and again in this and past annual reports. There is justified hope for improvement, especially since €100 million is available respectively from the 2021 and 2022 economic stimulus packages for the digital inventorisation and documentation of Bundeswehr property.

The example also shows how diverse and complex the challenges digitalisation presents the armed forces with are in all areas. According to information from the armed forces, there are well over a thousand projects directly and indirectly related to digitalisation, which not only digitalise existing capabilities, but also add new digital capabilities – military, administrative and social ones. The question arises as to whether the associated tendency in many cases to have increasingly multi-layered systems is the right course of action. At any rate, the Chief of Defence warns: “Ease of use and technical progress must be in harmony with each other.” One has to agree with him. It is good if future large-scale projects are subject to “requirements controlling”, and above all it helps if problems are addressed openly. Image campaigns with digital scenarios that have little to do with reality and raise expectations that are then disappointed in the Bundeswehr’s daily digital life, by contrast, are of little help.

All the difficulties, complaints and imponderables notwithstanding, there are – as has been seen – things that are working very well and many things that are working or at least heading in the right direction. The latter also includes the core of the Bundeswehr’s cyber strategy, the **Cyber and Information Domain Service** and its

headquarters. The security of connected systems, networked defence and not least the protection of networks are of central importance, as the publicly known case of a hacker attack on the Bundeswehr's vehicle fleet last year showed. The Cyber and Information Domain Service Headquarters is the answer to the threats of an increasingly digitalised world. In addition to good financial resources, however, the success of the Cyber and Information Domain Service Headquarters stands and falls with its personnel capabilities. This makes the vacancies for IT experts at officer and senior officer level at the centres for cyber operations, cyber security and software expertise alarming. The IT battalions also have staffing problems, as became clear during the visit to 381 Communication and Information Systems Support Battalion in Storkow:

- *In the short and medium term, there was a major gap of 120 IT staff sergeants, it was reported, who shouldered the bulk of the burden during deployments. In the long term (from 2023), the personnel situation looked better.*

This does provide some hope. As already described in the chapter on personnel, the Bundeswehr is competing for these specialist personnel with a civilian labour market that is generally more attractive, as the example of Storkow demonstrates especially. In the next few years, several tens of thousands of jobs will be created in the immediate vicinity at one of the world's largest electric car manufacturers and just shy of a thousand more at the world's largest online retailer.

So the Bundeswehr will have to continue to work on raising the attractiveness of this special area of work. Flexibility is the operative term here: computer wizzes, potentially without higher-education entrance qualifications or higher-education degrees, can undoubtedly be irreplaceable cyber security experts in the armed forces. The Bundeswehr is aware of this issue. Solutions must now follow. At the Bundeswehr's new Digitalisation and Technology Research Centre, Bundeswehr researchers will be teaming up with German companies and organisations to conduct digital and technical research. Perhaps cooperation of this kind will not only generate digital expertise, but also good ideas for recruiting and retaining personnel.

11. Deployments and quasi-operational commitments

For some years now, there has been little discussion about the Bundeswehr's missions abroad, which is why they are far less on the public's radar. The soldiers notice this and it does not do justice to the service they perform on deployments, often under life-threatening conditions. What is more, the aims of missions abroad need to be far more clearly defined and there should be honest discussion, analysis, assessment and evaluation of what has been accomplished.

One of the darkest days in the Bundeswehr's history, and which marked its tenth anniversary in the year under review, cautions us to do this in particular. On Good Friday, 2 April 2010, three soldiers were killed in Afghanistan during heavy fighting near the village of Isa Khel west of Kunduz:

Sergeant First Class (OR-7) Nils Bruns (35)

Corporal (OR-4) Robert Hartert (25)

Private First Class (OR-3) Martin Kadir Augustyniak (28)

The Good Friday Battle was a watershed moment in the history of the Bundeswehr. For the first time, German soldiers faced prolonged combat with insurgents. For the first time, the Defence Minister spoke of "casualties" and of being at "war" in Afghanistan. For the first time, the Chancellor attended a funeral service for soldiers killed in action. And for the first time, a large section of the German public realised what the mission in Afghanistan could actually mean for the Bundeswehr: soldiers dying in combat.

Important places commemorating those lost are the Forest of Remembrance on the grounds of the Bundeswehr Joint Forces Operations Command near Potsdam and the Bundeswehr Memorial on the edge of the Bendlerblock building complex in Berlin. These have finally been joined by a permanent place of remembrance at the German Bundestag. In November 2020, after a long political struggle, the President of the Bundestag inaugurated a **memorial stele** in front of the Defence Committee meeting room, which pays tribute to the members of the Bundeswehr who have died abroad in a digital memorial book.

These places offer the bereaved space to grieve, for inner reflection and remembrance. At the same time, they are an important sign to the public of respect for the armed forces and the memory of soldiers who died in the line of duty – in the defence of peace, justice and freedom. When bereaved families take the initiative to honour the service of those killed elsewhere, be it on a large or small scale, they deserve support. For the ultimate sacrifice that soldiers make in the service of Germany in the worst-case scenario is beyond compare. The year 2010 demonstrates this above all, the year with the highest number of casualties in the history of the Bundeswehr, with eight soldiers killed in action. Barely two weeks after the Good Friday Battle, the following soldiers were killed by a booby trap or a grenade on 15 April 2010 and in October 2010 as victims of a suicide attack:

Major Jörn Radloff (38)

Sergeant First Class (OR-7) Marius Dubnicki (32)

Sergeant (OR-5) Josef Kronawitter (24)

Major, Medical Corps Dr. Thomas Broer (33)

Staff Sergeant (OR-6) Florian Pauli (26)

The names of these soldiers are representative of all soldiers who have died in action.

Troop commitments

At the end of the year, the number of Bundeswehr troops deployed on eleven mandated missions abroad was 3,152 (as of 14 December 2020), just slightly below the previous year's level. The force earmarked for quasi-operational commitments and standing operational tasks together with the mandated missions abroad remained unchanged at just under 20,000 service personnel, around 500 of whom continued to be temporarily stationed in the Baltic States in the scope of the NATO ENHANCED FORWARD PRESENCE and NATO Integrated Baltic Air Defence at the end of the year under review.

As explained in the chapter on the Covid-19 pandemic, the Bundeswehr's missions abroad were also significantly impacted by the crisis.

MINUSMA and EUTM Mali

At the end of May of the year under review, the German Bundestag approved the extension of the two missions in Mali. In the process, it raised the mandate ceiling for EUTM Mali from 350 to 450 soldiers and extended the mission to the other G5 Sahel states, in particular Burkina Faso and Niger. The mandate ceiling for MINUSMA in Mali and at the air transport base in Niamey (Niger) on the other hand remained unchanged at 1,100 soldiers.

It is positive that the criticism levelled in last year's report at the failure to involve the German Bundestag in mandating the training of Nigerien special forces by German commando soldiers (GAZELLE Mission) has now led to its involvement in the mandate for EUTM Mali.

The military coup by Malian officers in August 2020 highlights the political instability in the region and the need for stabilisation forces on the ground. At the same time, though, it raises questions about the thrust and emphasis of European military assistance. In the wake of the coup, EUTM Mali suspended all activities with Malian soldiers for several weeks, although the training mission had already essentially been suspended due to the Covid-19 pandemic.

At the end of the year under review, there were 101 German servicewomen and men in the region for the EUTM mandate, while the personnel ceiling for MINUSMA was more clearly exhausted at 888 soldiers. In addition to the Covid-19 issues, the spectrum of submissions from the two missions in the Sahel region ranges from volunteer applications which were not considered, to the lack of proper pretraining for deployments, to a lack of transparency and planning certainty in deployment planning:

- *One soldier complained, for instance, that his volunteer application had not been successful because not enough time had passed since his last deployment. He cited his experience in Afghanistan and his professional experience as a firefighter and paramedic. The review of the matter revealed that the post in theatre now no longer existed.*

Regardless of this, the **deployment planning and implementation system**, under which soldiers are supposed to have five times as much free time between two deployments as the time spent on the last deployment, sets great store by the idea of the duty of care. The time between missions abroad is supposed to ensure that soldiers can regenerate with their families at home. Another principle is that the strain of missions abroad should affect the armed forces' personnel as evenly as possible, to keep the individual strain on each single soldier as low as possible.

Time and again, changes in the planning details of posts in theatre clash with the staffing process that has already begun and the extensive pre-deployment preparations that go along with it, to the frustration of those affected:

- *A servicewoman only found out after arriving in the theatre of operations that the post she had been assigned to now required a security clearance check. The background to this was a change in the deployment planning report three months prior to this. The medical mission support team had failed to include the change in the staffing list and to initiate the security clearance check for the servicewoman in time. Repatriation, which was initially considered, was averted at the last moment.*

Establishing full operational capability also entails soldiers in theatre being able to determine the specific aiming point of their weapons as quickly as possible:

- *So it is disconcerting when in response to a submission by a sergeant major, the Ministry of Defence states that due to the general conditions in Gao/Mali, and exacerbated by the Covid-19-related restrictions, it is not always possible to calibrate weapons immediately, meaning that the responsible military leader on the ground had to make prioritisations.*

The Bundeswehr rightly believes in the principle of “train as you fight!”, even though this has been clashing with weapon system and personal equipment shortages for years now – as past annual reports testify. Full resourcing and the best possible training are therefore understandably what the women and men preparing for deployment abroad most urgently want. A firing range in the vicinity of Camp Castor, as called for by the German MINUSMA contingent, should therefore be put in place as soon as possible.

In addition to the best possible equipment and training, servicewomen and men deployed abroad also deserve the fastest possible medical care, which includes not only tactical medical evacuation to a ROLE2 medical facility but also strategic **medical evacuation** to a ROLE3 medical facility in Germany. A serviceman who fell ill with malaria in Niamey in 2018 only survived because an allied forces aircraft that was faster than the A400M was used to evacuate him to Europe. This shows that sometimes just a few minutes can make all the difference in the rescue chain. In the year under review, the servicewomen and men deployed in Mali were rightly concerned about the future of tactical and strategic air transport given the imminent decommissioning of the C160 TRANSALL – and in turn the future of the air transport base, which had only recently been built to cutting-edge standards. The Ministry of Defence has stated that it is essential for all German contingents to maintain an uninterrupted and resilient rescue chain that meets the high national standards. Since military solutions had not been available in the short term, an existing European Defence Agency master agreement had been used for the subcapabilities of primary and tactical aeromedical evacuation in Mali and Niger. The contractor for primary aeromedical evacuation with helicopters had been a German company since 1 December 2020, the Ministry reported. A South African company would be providing the capability for tactical aeromedical evacuation between Mali and Niger from January 2021. Both providers were well-known and reliable companies with years of experience both in the region and in cooperation with international organisations such as the United Nations and the European Union, as well as with armed forces, it continued. Operationally and technically, both the selection of the providers and the use of the pre-negotiated European Defence Agency’s master agreement ensured a seamless transition of capabilities while maintaining national standards. Private Malian airlines were not being used for medical evacuation in Mali. The Bundeswehr should nonetheless once again make its own military solutions available for tactical and strategic medical evacuation.

RESOLUTE SUPPORT, Afghanistan

The German Bundestag extended the mandate for the Bundeswehr’s participation in the RESOLUTE SUPPORT Mission in Afghanistan with a personnel ceiling of 1,300 soldiers until 31 March 2021. On 29 February 2020, the US and the Taliban signed a framework agreement, which includes the gradual withdrawal of all international troops from Afghanistan. The withdrawal of international security forces is conditional on the Taliban honouring their commitments. In return, the US has committed to ceasing its attacks against the Taliban and to supporting the Afghan security forces only in defensive situations. There was also an exchange of prisoners between the Afghan government and the Taliban.

At the end of the year, an announcement by the US administration that it intended to reduce the number of troops stationed in Afghanistan from an estimated 4,500 to 2,500 by mid-January 2021 caused a stir. Irrespective of this, the Bundeswehr had already completed the transfer of the forces stationed in Kunduz to Mazar-i Sharif at about the same time and had begun planning the transfer of materiel and personnel in anticipation of the withdrawal of all foreign troops from Afghanistan resulting from the framework agreement between the US and the Taliban. Given this already ambitious timetable, the US announcement came at an inopportune time, especially since the Bundeswehr does not operate self-sufficiently in Afghanistan and relies on the capabilities of other NATO partners, especially the air transport of personnel by the US Air Force. The top priority for the Bundeswehr’s continued engagement in Afghanistan remains the safety of its servicewomen and men. Fortunately, an uncoordinated, premature withdrawal of troops did not materialise before the new US president took office. Instead, signs now point to the US returning to its future actions in Afghanistan being geared towards not undermining the fragile peace process in Afghanistan. Furthermore, the **withdrawal of NATO troops** should also be coordinated by NATO – in the spirit of “in together, out together”. Irrespective of the timing of the withdrawal: Given that to date more than 158,000 German soldiers have worked to secure the

peace in Afghanistan, there should be a stocktaking exercise once the mission is over, evaluating the many years of deployment in Afghanistan and with an open discussion about the goals achieved.

The last annual report already cited the criticism voiced by soldiers that there was no **early warning system** or response system at Camp Pamir in Kunduz. The accommodation in unprotected, rented accommodation was equally inadequate. According to the Ministry of Defence, the completion of the circular observation mast has so far failed because the civilian contractor found the risk associated with the deteriorated security and threat situation too high for the provision of transport and construction services. The Bundeswehr, on the other hand, could not do this itself without breaching the mandate ceiling. Furthermore, the pandemic-related restrictions halted the construction work in Kunduz for the most part. With locally available resources, at least two protected accommodation buildings have since been built.

In light of the planned withdrawal of troops, the Bundeswehr Chief of Defence decided on 19 October 2020 to suspend the planned construction measures at Camp Pamir in Kunduz for the time being. Prior to this, the leadership of the international military mission had already ordered in late summer 2020 that the approximately 100 German soldiers deployed in Kunduz be withdrawn from the camp back to the main base in Mazar-i Sharif. Since then, the German advisors, if requested by the Afghans, are to fly to Kunduz by helicopter, advise there and leave the camp again after their work is done. This was the second time that the Bundeswehr's permanent presence in Kunduz came to an end.

COUNTER DAESH and Training Support Iraq

Since 2015, the Bundeswehr has been part of the international anti-IS mission to stabilise the region, prevent a resurgence of IS and promote reconciliation between Iraq and Syria. The current mandate provides for both areas of operation to run until 31 January 2022, as well as the provision of air surveillance radar in Al-Assad, Iraq, while tactical air reconnaissance with TORNADO fighter aircraft ended in March 2020. There were pandemic-related difficulties during the change of contingent:

- *Servicewomen and men deployed in Jordan complained about the planning and information behaviour of the Joint Forces Operations Command for the change of contingent initially planned for the end of March 2020. In response to the Covid-19 pandemic, the Jordanian government had decided to impose an entry ban with effect from 16 March 2020. On 18 March 2020, the Jordanian authorities then agreed to German soldiers entering the country, but on the condition that they isolate in accommodation in Jordan. Under these conditions, the Ministry of Defence felt the change of contingent was inexpedient, as it would not have been possible to ensure that the posts would be filled and the mission would have been jeopardised. It therefore initially pushed back all planned return flights to Germany until 30 April 2020 for all soldiers. Soldiers with serious personal reasons or who were no longer needed to continue performing the mission were allowed to be prioritised to leave the theatre of operations, so before 30 April. Many servicewomen and men were only able to fly back to Germany a month later than planned, however.*

The dissatisfaction of the affected service personnel towards the extension of the deployment and the associated inconvenience is understandable. Nevertheless, for the armed forces to function, it is necessary for posts in theatre to be filled at all times.

SEA GUARDIAN and IRINI in the Mediterranean

Operation SEA GUARDIAN is designed to monitor and combat terrorist activities in the Mediterranean. Since 2016, the German Navy has only ever been involved occasionally, usually with ships in transit to other deployments. NATO's Allied Maritime Command in Northwood, United Kingdom is in charge of the mission. There is also the possibility to search ships based on the common assessment of the situation by the Allies and partners. The German Bundestag last extended the mandate on 13 March 2020 and limited it to 31 March 2021. The mandate ceiling is 650 German servicewomen and men.

The main task of Operation IRINI is to contribute to the implementation of the arms embargo imposed on Libya by the United Nations Security Council. IRINI also helps to prevent the illegal export of oil from Libya and supports the development and training of the Libyan coast guard and navy. Another objective pursued by IRINI is stopping the activities of smuggling and human trafficking networks in the central Mediterranean. The

Federal Republic of Germany is participating in the operation with a type P-3C ORION maritime patrol aircraft and a ship.

At the end of November 2020, the frigate HAMBURG terminated its inspection of the Turkish freighter Roseline A as part of the IRINI Mission after the Turkish side objected. At the time when the inspection was called off, no weapons had been found on board the freighter. Russia and Turkey in particular stand accused of providing different warring factions in Libya with weapons.

UNIFIL in the Mediterranean

On 17 June 2020, the German Bundestag passed a decision to extend the UNIFIL mandate, which has been in place since 2006, for another year until the end of June 2021. Whilst the mandate ceiling remains unchanged at 300 soldiers, at the end of the reporting year 144 soldiers were deployed in Lebanon, Cyprus and at sea off the coast of Lebanon to prevent arms smuggling and to monitor the sea routes. Here, too, there were submissions in connection with quarantine due to Covid-19:

- *Two soldiers complained that they – like other soldiers – had had to isolate in official accommodation in preparation for their transfer to the mission, although the United Nations had imposed a moratorium on the rotation of contingent personnel at that time because of the emerging pandemic. The review of the matter revealed that the Bundeswehr had simultaneously sought exemptions for the rotation of personnel who had already been on deployment for up to six months at that time. It was only able to obtain such an exemption for ten soldiers. The rest of the personnel who had been designated for rotation were immediately released from their isolation in official accommodation.*

Although this means that some soldiers had to accept the restrictions associated with isolating in official accommodation in vain, it is nevertheless a good example of forward-looking planning by the Bundeswehr in terms of its duty of care as an employer.

EUNAVFOR ATALANTA in the Indian Ocean

Germany has been involved in the counterpiracy mission since it was launched in 2008 as the European Union's first naval force. In the year under review, personnel were permanently deployed in the support element in Djibouti, which operates the forward logistic site for the ships in the Horn of Africa. In addition to this, the Bundeswehr was involved twice in the year under review with a type P-3C ORION maritime patrol aircraft. Since the first mandate was issued, the threat of piracy off the coast of Somalia has dropped sharply, which is why the mandate ceiling was reduced from 950 to 600 soldiers in 2016 and again to 400 in 2019. On 27 May 2020, the German Bundestag decided to continue the mandate until 31 May 2021 with the same mandate ceiling. Troops designated for this mission faced double isolation in official accommodation:

- *Soldiers on their way to Djibouti, who had already quarantined for more than 14 days due to a flight delay before being transferred to the mission, had to turn around during the flight and fly back to Germany because the Sudanese authority had not granted the duly applied for overflight clearance in time. Immediately after landing, they had to be quarantined again for several days until they were transferred back to the theatre of operation. After landing in Djibouti, they had to spend several more days in isolation due to the regulations in force there. After a negative Covid-19 test, the soldiers were able to move around freely, at least in the hotel area. However, the pandemic-related restrictions of the partner nation whose base the German unit is located on meant it was not possible for them to take up their duties for another ten days. In total, more than a month passed between the start of the (first) quarantine in Germany and the start of duty in the theatre of operations.*

The frustration of the servicewomen and men affected is understandable.

One submission made from the deployment was on the desire for a shop selling personal demand products at the deployment site:

- *A serviceman said that in 16 years of deployment in Djibouti, it had not been possible to set up a supply line for personal demand products for the sale of duty-free and tax-free goods locally. In the Ministry of Defence's eyes, German soldiers in Djibouti are able to purchase products to meet their daily needs. It is possible to buy these items in local shops. Implementing a separate personal demand product supply line*

would not be economically viable in terms of the additional infrastructure required for this and the supply of the goods themselves. In addition, qualified personnel and specific equipment (cash register system, refrigerated container) would be required to set up a personal demand products shop.

KFOR, Kosovo

In June 2020, the German Bundestag extended the mandate for the KFOR Mission until 31 June 2021 with the same mandate ceiling of up to 400 service personnel. This means that the Bundeswehr will continue to be able to respond quickly and flexibly. 67 service personnel were actually deployed in the capital Priština at the end of the year of review.

In November 2019, the commander of the Bundeswehr Joint Forces Operations Command decided not to resume food MWR services at the German Ark MWR facility. The servicewomen and men can, however, use the MWR facility as a common room and quiet area. Otherwise, they can use a comprehensive range of facilities offered by multinational partners and local operators.

UNMISS, South Sudan

The Bundeswehr's involvement in the United Nations peacekeeping mission in Sudan (then UNMIS) was first approved by the German Bundestag on 22 April 2005. After South Sudan's declaration of independence in 2011, as a result of which the UN Security Council terminated the mandate of UNMIS, the Bundeswehr has been participating in the successor mission of the United Nations in South Sudan (UNMISS) since 2011 on the basis of corresponding decisions by the German Bundestag. The current Bundestag mandate allows for the deployment of up to 50 soldiers on the territory of the youngest member of the international community until the end of March 2021. The UN mission's task is protecting the civilian population, monitoring and investigating violations of human rights and international humanitarian law, ensuring access for humanitarian aid and supporting the implementation of the peace agreement and the peace process. At the end of the year under review, twelve members of the Bundeswehr were serving at UNMISS Headquarters in the capital, Juba.

With regard to the call in last year's report for there to be a **military postal service** for smaller contingents as well – this is to be considered sufficient if post can be sent at domestic conditions and in compliance with the lead times customary for military post for the large contingents abroad – for instance via the Federal Foreign Office's diplomatic postal service or the United Nations postal system. However, given the renewed focus on the collective defence mandate, contrary to the view of the Ministry of Defence, the primary consideration for larger exercises abroad should be practicing the logistics the military postal service entails rather than its economic viability.

UNAMID, Sudan

In Sudan, Bundeswehr soldiers had been deployed in the conflict region of Darfur since 2007. As a stabilising element, the UNAMID Mission contributed to improving the security situation there and to supporting political efforts to end the crisis. At the request of the Sudanese government, the United Nations discontinued the mission on 31 December 2020. Germany will participate in the civilian successor mission with police officers. The only German soldier still serving at the headquarters in El Fasher in 2020 left the country on 11 December 2020, ending Germany's contribution to UNAMID after more than twelve years.

NATO in the Aegean

The Bundeswehr's activities to combat illegal migration in the Aegean are carried out within the scope of the NATO statutes. For the purpose of sea surveillance in the Aegean, especially in the territorial waters between the Turkish mainland and the Greek islands, in the year under review Germany placed the frigate BRANDENBURG under the command of Standing NATO Maritime Group 2, which was to gather information on illegal smuggling activities in the region. In addition, it carried out the rescue of persons in distress at sea and shipwrecked persons as required under international law.

NATO in the Baltic

Since 2017, Germany has provided the multinational NATO Battle Group Lithuania in Rukla as part of NATO's **ENHANCED FORWARD PRESENCE**. Its main task is joint training and exercises for NATO troops.

Service personnel criticised the clothing issued in preparation for the deployment and the accommodation during the deployment:

- *Combat trousers and combat helmets from the future infantryman system were not available in the right sizes and contact gloves were not available at all. This situation did not change for months until the beginning of the deployment.*
- *Living in non-air-conditioned containers at temperatures of up to 30 degrees Celsius and a humidity of more than 80 per cent in the summer months was a strain it was reported. It had not been possible to get a good night's sleep, nor to dry kit, and in some cases it had even started to grow mould.*

Given that the Lithuanian armed forces themselves equip all new buildings and containers with air-conditioning, it does not make sense that the Federal Office of Bundeswehr Infrastructure, Environmental Protection and Services has denied applications to equip the Bundeswehr soldiers' accommodation with air-conditioning units.

After a case of Covid-19 was confirmed in March 2020, the Bundeswehr took immediate measures to protect the servicewomen and men deployed in the Baltic in order to prevent the virus from spreading further. This included an eleven-week closure of the mess hall. The packed lunches at lunchtime and a hot meal in the evening the soldiers were given instead could be eaten at their accommodation. From 8 June 2020, both the mess hall and the MWR facility were able to be used again.

- *In the area of food and everyday items, criticism was voiced towards the reduction in the basket of goods of personal demand items at the beginning of 2020. This meant that full provision of duty-free and tax-free personal demand products was then only possible to a limited extent. Initially, it was still possible to buy the required items at local supermarkets. With the onset of the Covid-19 pandemic and the restrictions imposed as a result, however, this form of self-supply was then no longer possible. The situation was exacerbated by the longer delivery times due to the pandemic.*

It is understandable that the servicewomen and men's motivation has nosedived as a result.

Since the three Baltic states Estonia, Latvia and Lithuania joined NATO in 2004, NATO has been protecting the airspace in the north-east of the Alliance, as all three states do not have the necessary airborne weapon systems. Since 2014, the Bundeswehr has been participating in the reinforcement of NATO's **Air Policing Baltic Mission**. From September 2020 to April 2021, six Bundeswehr EUROFIGHTERS will again be stationed at the Ämari Airbase in Estonia. The German pilots monitor the airspace over the Baltic together with Italian forces which are in command from the base in Siauliai/Lithuania. To increase the tactical command and control capability, the Bundeswehr also integrated a deployable air defence operations centre into the mission there in the year under review. This is also intended to help train air mission control personnel. There were complaints about the accommodation there:

- *The servicewomen and men deployed in Siauliai complained that whilst the tents provided were heated and also connected to electricity generators, this produced a huge amount of noise. Sleeping well was not exactly possible at noise levels of around 50 decibels, but urgently needed to perform roles with a bearing on flight safety. Furthermore, there were only 16 toilets, some of which were always blocked, and 16 showers for 90 servicewomen and men, so far too tightly calculated. It was also unfair, they said, that despite this situation, they were only entitled to a level 2 foreign assignment allowance, just like their comrades who were accommodated at a hotel. The Ministry of Defence informed the Parliamentary Commissioner that two generators had since been brought to the country, which could be located twice as far away from the accommodation as the equipment used so far, allowing the Bundeswehr to lower the noise in the sleeping area. They had decided not to erect soundproof walls, however, given the upcoming transfer back to Germany.*

Very High Readiness Joint Task Force (VJTF)

Germany was instrumental in setting up the VJTF, also known as the NATO spearhead, and headed it as the Framework Nation in 2019. The VJTF is part of the NATO Response Forces and must be ready for deployment anywhere in the world within 48 to 72 hours. In the year under review, Germany maintained a total of around 9,500 service personnel at all readiness levels of the NATO Response Forces, including in the VJTF. While many Bundeswehr formations suffered from the transfer of weapon systems and materiel to the VJTF in 2019, soldiers from 3 Reconnaissance Battalion in Lüneburg described the other side's perspective during a field visit:

- *They explained that the formation had an unduly large amount of materiel which would first have to undergo technical inspection once returned from the VJTF. They hoped that given the formation's operational commitments in 2021 they would not have to hand over some of this materiel to other formations only to then take it back again.*

This desire is understandable, but a fully resourced Bundeswehr is not yet in sight, meaning the mutual loan of weapon systems and materiel will continue to be necessary, which is why the associated logistics also require constant practice and improvement.

MWR telecommunications

Since July 2016, servicewomen and men in the Bundeswehr's theatres of operations have had the opportunity to stay in touch with their families and relatives free of charge, allowing them to preserve a piece of home during their deployment. This is of great importance to the service personnel, which is why disruptions and problems in this area hit them particularly hard.

It is encouraging that since October 2020, a new master contract has been in place, significantly increasing the Internet bandwidth – although this hinges on IT adjustments – and all data traffic is now encrypted. Troubleshooting is now also to take place within 24 hours instead of the previous 96. Another positive aspect is that the Bundeswehr has implemented the Parliamentary Commissioners' demand that the contractual services be made available to non-members of the Bundeswehr and multinational partners as well. The core of the new contract is the provision of an MWR media cloud. This will provide access to video telephony/telephony, the Bundeswehr's feature film service, MWR radio and television, electronic print media and the Internet. The completion of the implementation is expected to be delayed until the end of March 2021 due to the pandemic.

MWR telecommunications on board seagoing units used to be problematic. The new master contract combines the previous individual contracts on land and at sea, so that the Navy can now finally also benefit from the contractual services. For the transition period until the new master contract came into force, it was agreed with the contractual partner to provide data transmission rates of 5 Mbit/s on seagoing units. This evidently did not work everywhere:

- *Members of the frigate HAMBURG complained that the bandwidth on board had dropped to as low as 3.7 Mbit/s in September 2020. According to the Ministry of Defence, the unfavourable location of the reception technology is the reason for the low bandwidth. Due to the high masking level of the satellite system, the satellite link takes longer to switch depending on the course of the ship. Since then, the frigate HAMBURG has become one of the very first units to have the necessary components to be able to make immediate use of the considerably improved performance and services under the new master contract.*

In Kunduz at Camp Pamir, too, there was cause for complaint about MWR telecommunications in the year under review:

- *The camp network was not stable, it was reported, and broke down on a regular basis. Afghan providers had to be used, resulting in a risk of interception by foreign intelligence services. In the event of a power failure, no network was available at all. The Ministry of Defence stated that the security situation meant it was sometimes not possible to fix breakdowns promptly. In light of the expected withdrawal of Bundeswehr troops from northern Afghanistan, to date they had decided not to directly connect Camp Pamir to the local fibre optic network. Instead, the master contract partner had planned a stationary satellite connection.*

12. Administration of justice and law violations

Disciplinary attorney's offices and disciplinary and complaints courts

The situation at the disciplinary attorney's offices und disciplinary and complaints courts has been a constant subject of submissions in past annual reports, with the staffing levels and length of judicial disciplinary proceedings featuring front and centre. For many years, the Office of the Parliamentary Commissioner has received a large number of petitions concerning the **excessively long duration** of judicial disciplinary proceedings and the disadvantages this entails for the servicewomen and men concerned. All too often it is still the case that a large number of court proceedings drag on for years. Disciplinary attorney's offices and disciplinary and complaints courts alike continue to report work backlogs, having to select what to prioritise and that they cannot reliably say when progress can be expected in the requested case due to the excessive workload. The Parliamentary Commissioner discussed these issues with the Disciplinary Attorney General for the Armed Forces during a visit to Leipzig in October 2020 and was informed about the measures taken.

The picture is mixed, with very positive but also negative developments still. Above all, measures that swiftly make a difference are still required. Conducting disciplinary proceedings is not an end in itself. The long duration of proceedings places considerable psychological strain on the servicewomen and men affected, and they are usually not promoted or provided with career support until the proceedings have been concluded. At the same time, disciplinary law can only achieve its intended educational and preventive effect if misconduct is sanctioned swiftly. This also and particularly applies in the fight against extremism.

According to information from the Ministry of Defence, the duration of judicial disciplinary proceedings under the jurisdiction of the **disciplinary attorney's offices** had increased slightly by mid-2020 compared to the previous year. This includes the period from the initiation of the preliminary investigation to the drafting of the charge sheet or until discontinuation by the initiating authority. With concurrent criminal proceedings, the average duration was 20.7 months, without criminal proceedings 19.2 months. In 2019, the proceedings averaged 20.6 months and 17.2 months respectively for the year as a whole. At the same time, the Office of the Parliamentary Commissioner is aware of a noticeable number of cases that have been ongoing for several years and still have not reached a conclusion. These legacy cases must be addressed and dealt with urgently.

Personnel shortages at the disciplinary attorney's offices in many cases are one of the main reasons for excessively lengthy proceedings. In the year under review, as in previous years, the staffing situation there was marked by understaffing of roughly twelve per cent. Whilst the Bundeswehr is making efforts to increase the number of personnel by recruiting new staff, at the same time a not insignificant number of experienced disciplinary attorneys is leaving the area of the administration of justice, often for the Ministry of Defence. This results not just in the frequent loss of knowledge and experience but also means that the total number of disciplinary attorneys is only increasing very slowly. The number of actual staff available on site is lowered even further due to the many absences to attend courses, accompany missions abroad, for parental leave and also due to frequent changes of post. Disciplinary attorneys, who perform this role in addition to their duties as legal advisors, are doubly called upon and doubly under pressure. The recruitment of new lawyers to work at the disciplinary attorney's offices must continue to be accorded top priority.

The staffing situation at individual **registries** is also problematic. For instance, at 1 Armoured Division, the number of lawyers' posts has increased by 175 per cent since 2006, but that of registry staff has only increased by 33 per cent in the same period. This also delays the processing of cases.

At the disciplinary attorney's office for the Training Command, an additional burden is having a negative impact on the disciplinary proceedings to be processed. The staff of this disciplinary attorney's office in some cases have had to fill in for the legal instructors missing at the Army's training facilities, the additional workload amounting to 20 days per civil servant. In addition to this, the measures taken in the context of the Covid-19 pandemic, especially the restrictions in service operations in the first half of the year, will lead to any sustainable reduction in the duration of proceedings being further delayed.

This is also partly down to the fact that the area of the administration of justice at the Bundeswehr is not yet able to work digitally to a sufficient extent and still relies on **paper files**. A dedicated position for IT coordination in the area of the administration of justice was established at the Office of the Disciplinary Attorney General for the Armed Forces at the Federal Administrative Court in 2017. However, when she visited the Disciplinary Attorney General for the Armed Forces, the Parliamentary Commissioner learned that this post in particular, as

well as others, was facing a knowledge and experience drain due to age-related departures. This related to top posts in the higher intermediate service, it was said, making it difficult to find suitable successors as only particularly experienced civil servants were eligible for these posts, who, however, were hard pushed to demonstrate the necessary prior knowledge in the area of IT coordination as well as in the area of the administration of justice. The Ministry of Defence to date has not pursued the proposal of assigning further grades to the corresponding posts (“post pooling”), so that younger candidates can fill the gaps that arise and remain longer in the post. Instead, an overlapping filling of the posts is supposed to enable the transfer of knowledge. However, this solution does not appear expedient if there are not enough suitable candidates in the top pay grade. Particularly in the IT sector, in view of the prevailing shortage of experts, every opportunity should be taken to attract and retain urgently needed personnel.

The workload of the individual judges at the **disciplinary and complaints courts** also remains high and they continue to be backlogged from previous years. To counteract this, a structural change is planned, making it possible to equip the disciplinary and complaints courts with nine chambers instead of the current six in the future and to transfer the judges from the two remaining empty chambers to regular chambers. The personnel selection for four new judges’ posts took place in the year under review. Although these new judges must first familiarise themselves with their work, this measure will ensure a reduction in the number of cases in the medium term. In order to reduce backlogs in the shortest possible time and reduce the general duration of judicial disciplinary proceedings in the long term, all possibilities offered by the new structure of the disciplinary and complaints courts must be harnessed. It would help if the vacant judges’ posts were to be filled quickly and the empty chambers were to be temporarily filled.

In the interest of accelerating proceedings, the suspension provisions of the Military Discipline Code should be applied with caution. Particularly in the case of internal matters, for instance, the initiation of a criminal investigation should not automatically lead to a suspension of the disciplinary proceedings. Instead, the pros and cons of a suspension should always be carefully weighed up in each individual case. The main purpose of suspension is to avoid divergent decisions. However, this undoubtedly important aspect cannot in all cases justify the delay in proceedings that routinely occurs. The current suspension regulations under the Military Discipline Code offer a balanced legal provision in this regard, which – when applied appropriately – allows the necessary case-by-case consideration.

The last annual report already referred to the planned reform of the **Military Discipline Code** and the work of the expert group established for this purpose in the summer of 2019. Their work is proceeding with the aim of submitting proposals for amending the Military Discipline Code by the end of the first quarter of 2021. The Ministry of Defence intends to prepare a draft bill by October 2021 for presentation to the Bundestag at the beginning of the 20th electoral term. The expert group is examining all sections of the Military Discipline Code in order to make its application at all levels faster, simpler and more effective. It is also looking at related aspects of other laws or secondary regulations. The Office of the Parliamentary Commissioner is closely accompanying the meetings of the expert group and, considering the interim results so far, assumes that at the end of the consultations there will be a large number of suitable and expedient proposals. The subsequent transposition into law and regulations can be expected to improve the excessively lengthy proceedings in the medium and long term. However, an acceleration of these in the near term is not apparent. As before, the most efficient way to speed up judicial disciplinary proceedings is to staff them in line with the actual workload.

Requests for review and information

Section 3.1 of the relevant Type A General Publication 2600/2 states that the processing of matters concerning the Parliamentary Commissioner shall be dealt with as matters of urgency. Should an extended period of time be required to deal with such matters, the Parliamentary Commissioner for the Armed Forces shall be informed of the progress made at appropriate intervals by the agency that has to comment on the matter. The tight personnel situation and high workload at the agencies meant it was often not possible to comply with this requirement in the year under review. In addition to this, as a result of the Covid-19 pandemic they were temporarily only able to uphold basic operations. Even in cases where a longer processing time became apparent at an early stage, the Parliamentary Commissioner was sometimes not informed. In some cases, it was only when the Parliamentary Commissioner enquired about the progress of a case that she was subsequently informed about decisions already made in disciplinary, criminal or dismissal proceedings. It is particularly frustrating if the decision was made several months or almost a year earlier. Likewise, follow-up enquiries are routinely necessary due to

investigation documents either not being sent at all or incompletely. Furthermore, if disciplinary superiors fail to give the full name of the accused when submitting comments to the Parliamentary Commissioner on reportable events, this makes it more difficult for the Parliamentary Commissioner to make enquiries with the higher-ranking agencies, the disciplinary attorney's offices, the public prosecutor's offices and the criminal courts. It also hampers matching submissions to reportable events relating to the same matter.

Offences against sexual self-determination

In the year under review, the Parliamentary Commissioner repeatedly had to deal with offences against sexual self-determination. In addition to 25 (2019: 32) submissions in which servicewomen and men reported sexual harassment up to and including sexual assault, the Parliamentary Commissioner also evaluated the 224 reportable events (2019: 345) from suspected offences against sexual self-determination. Here, there was a significant decrease compared to previous years, possibly due to the Covid-19 pandemic. Parties at which excessive alcohol consumption played a role – not infrequently the cause of sexual assaults – were practically unable to take place. There was also an increase in the number of servicewomen and men working from home, leading to fewer situations where sexual assaults could happen.

How many of the reported cases will ultimately be confirmed is not yet clear, as in some cases the investigations have not yet been completed. It should also be taken into account that the number of confirmed cases is only of limited significance. Especially in cases of sexual assault, it is often a matter of one person's word against another's, with the result that proceedings have to be discontinued because the offences cannot be proven with the necessary certainty. But this does not mean that they did not take place. Often, the discontinuation of criminal or disciplinary investigations is an additional burden for the victims of sexual assault.

It is already difficult to ascertain the actual total number of sexually motivated assaults, as victims are often afraid to report them for fear of professional or personal disadvantages. Feelings of shame also play a major role in this context.

Overall, though, an increasingly sensitive and consistent policy towards offences against sexual self-determination or suspected offences of this kind has been seen in many areas of the Bundeswehr in recent years. The investigation documents submitted increasingly show that the Bundeswehr does not tolerate any form of sexual assault and seriously and thoroughly investigates allegations in this vein. Another positive aspect is that recruits already deal intensively with the topic of "Protection against harassment and sexual harassment during service" during their first months of service. The Ministry of Defence is also currently developing a new **central service regulation** on "Dealing with sexuality and sexual misconduct" for members of the Bundeswehr containing information on the relevant legal foundations and regulations. The aim is to put victims and their superiors in a better position to protect themselves and to react appropriately to such incidents. This is necessary, too, as the following cases show:

- *A female soldier described how she had been invited by a fellow soldier on WhatsApp to have her pH level measured by him, after he had already mused several times about what the pH level of a vagina should be and what you should use to clean it. He had also sung: "If you don't lick it, you won't know what it tastes like."*
- *In another case, the father of a young servicewoman described that a superior had tried to get close to his daughter by putting his arm around her waist. After she had resisted this attempt, he grabbed her crotch from behind. The soldier in question was stripped of his command authority. He was also forbidden from having any further contact with the servicewoman. Although the investigating superiors had demonstrably taken all the necessary steps, the servicewoman felt that she was not being taken seriously in what was a very difficult situation for her.*

This feeling on the part of the servicewoman of not being fully taken seriously by her superiors is not an isolated case, as evidenced by a number of submissions from victims of sexual assault. In the majority of cases, though, these impressions are not confirmed when the incidents are reviewed. In many cases it does become clear, however, that the trigger is a lack of communication. Consequently, it cannot be emphasised often enough how important it is to treat victims of assault sensitively and empathetically.

Irrespective of this, it is up to leadership to demand and promote a culture of mutual respect. Recurring information and discussions are a good way to change expectations, perceptions and behaviour. This is the only way to permanently raise awareness of appropriate interaction at all levels.

Bullying

The Federal Labour Court defines bullying as systematic hostility, harassment or discrimination towards employees either from other employees or by superiors. In this context, it speaks of “behaviour which taken in its entirety is unlawful”. The causes of bullying are manifold and usually several come together. The most important triggers include deficiencies in how work is organised, weaknesses in leadership behaviour, a person’s particular social status, for instance gender, nationality or disability, or indeed weaknesses in the corporate culture. The victims find themselves under huge pressure, their performance declines and they become ill. The economic and social ramifications of bullying are immense. Those in leadership roles should be aware of the importance of this issue, cf the comments in the chapter on leadership behaviour regarding command personnel coaching.

Bullying was the subject of submissions in this reporting year again. The Parliamentary Commissioner also monitored the investigation of allegations of bullying in connection with reportable events. The Parliamentary Commissioner received 41 submissions and 22 reportable events in total. In none of these cases, however, could bullying be unequivocally proven. Instead, it was found that conflicts had escalated and that the interaction between the parties had become so harsh that those affected subjectively had the impression that they were being bullied:

- *A serviceman felt harassed, insulted and humiliated by his former instructor, which the investigation of the matter did indeed confirm. Although systematic bullying could not be proven, the disciplinary superior nevertheless assessed the servicewoman’s behaviour as completely unacceptable and unprofessional and formally judged it to constitute a disciplinary offence. He cautioned her to reconsider her behaviour for the future and placed her under heightened command supervision. Furthermore, the command level took the case as an opportunity to sensitise the subordinate area to the need to strictly sanction disciplinary offences by superiors.*

The case shows in an exemplary way that superiors in the Bundeswehr need to take conflicts seriously and create a sense of comradeship so that there is no room for disrespectful behaviour and bullying. The **Point of Contact** for Discrimination and Violence in the Bundeswehr has no doubt already made a major difference in this regard.

In the course of investigating allegations of bullying, it frequently transpires though that there is considerable tension and conflict because all parties involved are not acting optimally and there is a lack of constructive communication:

- *For instance, a servicewoman had accused her first sergeant of bullying and defamation. He had repeatedly put pressure on her and created a climate of tension and fear, she said. The investigation revealed that both the superior and the servicewoman had displayed behaviour in their day-to-day dealings with each other that was not always conducive to working constructively together. For example, the first sergeant had made inappropriate comments to the servicewoman about the age difference between her and her partner. The servicewoman, on the other hand, had levelled accusations at the superior, but also at fellow soldiers, that were so harsh that they were also defamatory.*
- *In another case, a comrade insulted a servicewoman with statements such as “...you’re so fat...”, “...you’re an evolutionary dead end...” or by calling her a “beluga whale”. He received a reprimand for this. However, the servicewoman’s behaviour had not always been correct either. She had demonstrably called a subordinate a “filthy foreigner” several times, for which she was also reprimanded.*

Such crude manners attest to an uncomradely and destructive relationship. Studies regularly show that a good working relationship with colleagues and superiors has a strong influence on people’s personal work ethic and in turn performance. Respectful and appreciative interaction is particularly important for most people’s job satisfaction. Everyone can and must contribute to a good working atmosphere and fair and open working relationship. This applies fundamentally and across all hierarchical levels. Displaying civil courage for oneself

and others and defusing difficult situations should therefore be something every single servicewoman and man aspires to.

Ammunition theft

In the year under review, it became apparent that the recording of ammunition stocks was not always without mistakes, especially during firing practice. Although initially missing ammunition is often found again, servicewomen and men sometimes steal ammunition. Excluding ammunition stolen from the Special Forces Command, the Ministry of Defence recorded lost ammunition totalling almost 3,000 rounds in the entire Bundeswehr in the year under review. There is an urgent need for action here. The greatest possible care must be taken when handling ammunition and those responsible must secure ammunition to the greatest possible extent against theft and misappropriation. To reduce the loss of ammunition, superiors must ensure careful record-keeping and hold their subordinates more accountable. Every servicewoman and man must be aware that any theft of ammunition – even if this is borne out of the naïve intention to keep it as a memento – is not only a serious disciplinary offence, but also entails criminal penalties. This cannot be emphasised often enough in firing exercises. In addition to this, the Bundeswehr should also make greater use of technical possibilities and introduce a digital record-keeping system across the board.

Drugs

In contrast to civil society, in the Bundeswehr not only the possession but also any and all use of illegal drugs is strictly forbidden, even during off-duty hours. The following example illustrates this:

- *At the naval base in Kiel, there was the smell of cannabis coming from a room occupied by two servicemen. When civilian guards came to investigate, the room was locked – inside, though, one could hear deodorant being sprayed and the window being opened. A rapid drug test carried out later revealed that at least one of the two soldiers had consumed cannabis.*

The ban is designed to ensure the operational readiness of the Bundeswehr and at the same time avoid security risks, especially through drug use by those bearing arms. Despite being specifically cautioned at the beginning of their service about this absolute ban on drugs, young servicewomen and men in particular are often surprised by the serious consequences that even one-time use can have. For instance, temporary-career volunteers who are found to have used illegal drugs during their first four years of service are routinely dismissed without notice pursuant to Section 55 (5) of the Legal Status of Military Personnel Act. This possible consequence of even one-time off-duty drug use must be regularly brought to the attention of soldiers who are still inexperienced in life. In the year under review, there were 242 reportable narcotics offences.

The fact that not only the use of illegal drugs but also excessive **alcohol consumption** creates problems in the force has been shown again this year. A considerable number of soldiers were involved in alcohol-related misconduct or accidents. Those who violate a conduct order face high disciplinary fines. One superior imposed fines of between €3,000 and €3,500 on several soldiers who had become massively drunk while on deployment abroad. In this context, the Central Point of Contact for Addiction Prevention established at the Leadership Development and Civic Education Centre in the year under review is to be welcomed, which is intended to provide assistance to superiors and agencies in the prevention of addiction.

Crimes against the Bundeswehr

In this reporting year (as of 13 December 2020), the Bundeswehr was the target of 96 attacks or criminal offences (2019: 102). There were 18 acts of violence against members of the Bundeswehr (2019: 14) and 78 acts of violence against Bundeswehr property or vandalism on military training grounds (2019: 77). The latter included three arson attacks (2019: seven) and four acts of sabotage (2019: four).

13. Care

Medical Service

Servicewomen and men in the Bundeswehr receive free medical care from a unit physician. The trade-off here is that they do not have a free choice of doctor and instead have to consult the unit physician at the medical care centre responsible for them in the event of illness. The unit physicians treat them within the scope of their skills and, if necessary, refer them to specialists at the Bundeswehr specialist medical centres or at the Bundeswehr hospitals, or to the civilian health system. The unit physician ensures that the treatment recommendations of the specialists are implemented.

The fact that this does not always go satisfactorily was again shown by a number of submissions in the year under review. In some cases, frequent **changes in unit physicians** due to absences or the departure of the unit physician was the cause:

- *Over the course of the medical consultations for his illness, a serviceman had to contend with an extremely frequent change of attending unit physicians. These changeovers from one doctor to another meant no-one had the bigger picture of his illness and a suspected connection between his illness and deployment was not picked up and followed up on promptly – only after almost one and a half years had passed.*

Even though in the eyes of the Medical Service this was an isolated case, it shows the importance of continuity in medical care. Particularly in the case of protracted, severe and chronic courses of illness, it is essential for service personnel to have a fixed contact person who accompanies them throughout their entire course of treatment and coordinates the treatment.

The provision of medical care for the members of the Multinational Corps activation staff in Szczecin was also less than satisfactory, though:

- *Originally, the contractual agreements between the participating nations Germany, Denmark and Poland provided for free medical care for German service personnel at a Polish medical facility at the Szczecin location as well as care at the military hospital there with reimbursement of the costs. Furthermore, the German Joint Medical Officer at the Szczecin location was to additionally offer unit physician consultations. However, the content of the intergovernmental agreement has been unclear for years. In actual fact, the Bundeswehr Medical Service facilities close to the border, the medical care centres in Prenzlau and Torgelow (Viereck outstation) have been providing care for the German service personnel stationed in Szczecin since the establishment of the corps headquarters in 1999. In the year under review, they were only able to do this by prior arrangement and when capacities were free, mainly due to their high workload.*

It is not acceptable for the Bundeswehr Medical Service to be turning away **soldiers stationed abroad**. It is particularly disappointing, though, that 21 years on the European integration of armed forces has not progressed further, as exemplified by the provision of medical services to their members.

The Medical Service is limited in its operational capability if it is not equipped with fit-for-purpose modern vehicles:

- *On the way to the scene of an accident, a Unimog type ambulance, which had been in use for 35 years, became a traffic obstacle for the convoy due to insufficient engine power. In addition, the outdated vehicle no longer met the legal requirements for ambulances. The ambulance service is now no longer allowed to transport casualties in this ambulance – save for in exceptional emergencies.*

It is good that the Ministry of Defence plans to have the Bundestag examine the possibility of procuring new modern rescue vehicles in the second quarter of 2021. If approved, delivery of new, modern vehicles could begin in 2022.

Equally crucial for the Medical Service is proper training equipment:

- *A paramedic and an instructor at a medical squadron complained about outdated and missing equipment for the training to qualify as an “A” first responder, as the knowledge to be imparted could be vital in responding to accidents on firing ranges or during exercises at home as well as during combat operations. Automated external defibrillators (AEDs) were missing, meaning only theoretical training could be*

provided on this equipment, and the training dummies for cardiopulmonary resuscitation were outdated and worn out.

The Bundeswehr Medical Service Command also considers practical training on an AED simulator worthwhile. Defective training dummies also needed to be taken out of circulation, it said. The Command therefore announced that it would conduct a stock check for both training resources and look into procurement. This step is to be welcomed.

Deployment-related mental illnesses

This year, a considerable number of servicewomen and men (301) were examined and assessed for the first time at a psychiatric department or specialist psychiatric examination centre of the Medical Service for a deployment-related mental illness. The majority of these new cases (172) are related to the ISAF Mission in Afghanistan, which took place several years ago. There are also still new patients (37) whose illness was caused by the KFOR Mission. This shows that traumatised persons sometimes do not enter treatment until much later.

Former servicewomen and men not being sufficiently informed about points of contact and support services in the Bundeswehr might play a role here. The Bundeswehr should proactively reach out to this group – for example through the media – to improve the chances of them accessing the medical care system faster.

The treatment of those who have suffered trauma on Bundeswehr missions has improved continuously over the years and new approaches are also being adopted. The Psychotrauma Centre's ongoing study on **equine-facilitated therapy** is to be expressly welcomed. Initial positive experiences in the scope of the military chaplaincy project by the Evangelical Lutheran military chaplaincy have led to this now being evaluated on a larger scale. It would be very positive if this study could contribute to equine-facilitated therapy becoming part of free medical care for troops.

With the introduction of Section 20a of the Act on the Continued Employment of Personnel Injured on Operations, lawmakers have put in place the legal foundations for the reimbursement of certain expenses incurred by relatives involved in the treatment of those suffering from deployment-related mental illnesses. The Ministry of Defence is drafting implementation regulations on this, which are to cover the inclusion of loved ones both in inpatient rehabilitation measures and in inpatient hospital stays and outpatient therapy measures. The Ministry is examining the possibility of the Bundeswehr covering the costs of **family health cures for soldiers**. A positive decision would be another important signal of recognition of the importance of relatives in the recovery process.

The establishment of day-clinic beds, which has been planned for some time to supplement the existing inpatient treatment capacities at Bundeswehr hospitals, is progressing slowly. In Coblenz, Ulm and Hamburg, these will probably only be available as planned new buildings come online. This is regrettable, as day-clinic treatment ensures that patients remain socially integrated at home, which for some makes psychiatric treatment seem possible at all.

In addition to treatment, **reintegrating** service personnel who have suffered deployment-related mental illnesses back into service is of great importance for a positive course of the illness. However, this is a particular challenge, as these illnesses are often associated with a high risk of chronicity, which can result in long periods of unfitness for service. This needs to be prevented wherever possible. In addition to a convincing rehabilitation concept, how these servicewomen are treated in daily military life is also of great importance. In a growing number of submissions, service personnel who have suffered deployment-related mental illnesses report that their superiors and comrades have not displayed much care when interacting with them, which has a negative impact on the course of their illness and leads to more sick leave. The Ministry of Defence has stated that the website www.ptbs-hilfe.de provides information for superiors and fellow soldiers about mental illnesses, especially post-traumatic stress disorder, and handling those who have suffered deployment-related mental illness. It also describes various ways superiors and comrades can support and help sufferers on the road back to working life. But this alone does not seem to be sufficient. What is needed is targeted, mandatory training for superiors. The aim must be to create an environment in which those affected feel their needs are taken seriously. The focus must be on what these comrades can still do, not what they can no longer do.

Low-threshold services for servicewomen and men with mental health problems in the form of comradely support at the unit or in the area where they are located are also important in the context of the duty of care.

Here, there are first of all the **caretakers** for those who have suffered trauma during deployments who support them towards seeking professional counselling, treatment and rehabilitation. Then there are the peers, who provide servicewomen and men with support in coping with psychological stress situations without hierarchical constraints. It must be ensured that a sufficient number of trained caretakers and peers are available at the respective formations:

- *During a field visit to 381 Communication and Information Systems Support Battalion in Storkow, the complaint was raised that there are neither caretakers nor peers at the location, which is an untenable situation given the high operational strain on the formation. Numerous soldiers were on waiting lists for these courses, but had not yet been accepted. The requested review by the Ministry of Defence revealed that the formation had not booked any participants in the IAMS training system for 2019 and four for 2020 for a total of five caretaker courses advertised. The superordinate major organisational element, the Cyber and Information Domain Service Headquarters, was not prioritising the applicants from the battalion, which was why the Leadership Development and Civic Education Centre, which conducts the courses, had not allocated a training place. For the peer training, 381 Communication and Information Systems Support Battalion had booked three participants in 2019 and one participant in 2020 in the IAMS training system. Since it cited the booking reason as “training for second/auxiliary role” for the participants, which – unlike the booking reasons “billet training” as well as “operational training” – are not prioritised, and the course is regularly overbooked, the formation ultimately only made it onto the waiting list. To remedy the identified need for caretakers and peers in the short to medium term, the Ministry suggested that the Cyber and Information Domain Service Headquarters liaise with the battalion on the necessary training places and align them with the available training capacities via the responsible contact and coordination points and, if possible, request them with priority.*

The question of whether caretakers for those suffering deployment related mental illnesses should be part-time or full-time is repeatedly the subject of debate. The Type A General Publication 2640/30 on caretakers for those with deployment-related mental illnesses provides for the role of caretaker being a full or part-time one. The major organisational elements are free to organise caretakers as they see fit. The Ministry of Defence sees this as harbouring the advantage of the major organisational elements being able to freely manage and control the number of caretakers and gear it flexibly to the number of personnel suffering deployment-related mental illness, this flexibility being enabled first and foremost in its view by the use of part-time caretakers. This is not to be criticised in principle. One does, however, have to agree with the Bundeswehr Association, which also deals with this issue in its demand paper “**Mission Soul** - preventing and helping deployment-related trauma”, that in areas where there is a great need and consequently a high workload for part-time caretakers, posts for full-time caretakers must be planned. At least in terms of the Bundeswehr hospitals mentioned by the Bundeswehr Association as an example, the Ministry of Defence also considers the provision of one full-time caretaker post each to be appropriate. This is to be expressly welcomed.

However, the Bundeswehr does not just have a responsibility to treat and reintegrate soldiers with psychological problems. **Prevention** is an important factor in preventing illness from occurring in the first place. A concept has been in place since 2012 to maintain and increase the mental fitness of soldiers and which sets forth corresponding preventive measures in basic operations, on deployment and during pre-deployment preparation and post-deployment follow-up. The concept has hardly been implemented so far, however. It is now being transposed into a central service regulation, which is to enter into force on 1 April 2021. This opportunity should now be seized with urgency to make concrete measures mandatory so that mental fitness is accorded the importance during training it requires to protect servicewomen and men to the best possible extent from mental illnesses caused by deployments. The financial and human resources required for this are undoubtedly justified if mental illnesses with all their long-lasting ramifications can be prevented.

In recent years, the Bundeswehr has taken many exemplary measures in the treatment of traumatised service personnel. It has acquired a great deal of expertise in this area, and this wealth of experience could also be harnessed for other safety and security agencies such as the police, the fire service and the medical sector. Nevertheless, it should always question whether further efforts are not needed to pave the way for the affected service personnel to re-enter society and service. Relatives must also be given even more support from the Bundeswehr. The aforementioned demand paper of the Bundeswehr Association puts forward ideas that could be a good basis for further improvements to the benefit of the affected soldiers and their families.

Suicides and attempted suicides

In 2020, the Federal Ministry of Defence reported 11 suicides (2019: 21, 2018: 17, 2017: 14, 2016: 12, 2015: 25, 2014: 24) and 61 attempted suicides (2019: 52, 2018: 57, 2017: 55, 2016: 46, 2015: 44, 2014: 43) by servicewomen and men to the Parliamentary Commissioner. These figures are based solely on the reportable events as transmitted to the Parliamentary Commissioner as daily reports from the Ministry of Defence. The statistics also include cases of purely verbal expressions of suicidal intentions or those feared by relatives. Furthermore, like in the other categories of reportable events, all daily reports of this type are initially counted here regardless of the outcome of any review of the matter, whose findings are sometimes not available until the following year. This means the statistics may also include cases where a suspected suicide attempt may ultimately not be confirmed once the review has been completed.

The reasons for the vast majority of suicides and attempted suicides by servicewomen and men, like for suicides and attempted suicides in the population as a whole, are very complex. Often it is a combination of circumstances at play. Alongside difficult situations in the soldiers' private lives, depression and underlying mental illness may be a primary cause. In a few isolated cases, service-related pressures such as the pressure from examinations, missions abroad or work-life balance could not be ruled out.

After a suicide attempt, the **network** of medical and psychological care in conjunction with support from comrades functions very well. It is not uncommon to find references in the comments to short and medium-term help that those at risk of committing suicide have received from fellow soldiers, including superiors. One example:

- *“The care of a serviceman organised after his suicide attempt by his comrades even on weekends is remarkable. In one case, we even suspect that a soldier changed his mind about making another suicide attempt thanks to the sensitive and confidence-building behaviour shown towards him by his superior.”*

The social aspect of comradeship is also emphasised in the draft version of the Guide on dealing with crises, attempted suicide and suicide – a tool not only for superiors. This leadership guide was actually supposed to be available in 2017. It will finally be published in 2021. The guidelines make a comprehensive contribution to instilling greater confidence in dealing with all facets of the topic of suicide. The role of superiors cannot be overstated when it comes to prevention and aftercare as well as appropriate conduct towards the relatives of suicide victims. It is to be hoped that the recommendations will do away with any remaining sense of uncertainty:

- *The lack of sympathy and cold bureaucratic behaviour on the part of direct superiors, as described by parents to the Parliamentary Commissioner after their son's suicide attempt, underline the practical need that still exists for a guide like this.*

The Bundeswehr is undeniably doing a great deal in this area. Unfortunately, what is lacking is the continuation of the systematic investigation of all suicide cases, as seen in the years 2015 and 2016. A study of this kind would allow the Ministry of Defence to assess more objectively and successfully whether the new preventive measures developed are sufficiently effective or whether it needs to continue to make changes to its programmes and services. This is in the interest of the Bundeswehr.

Disablement pensions

To date disablement pensions for service personnel have been based on the Federal War Victims Pensions Act. On 1 January 2024, this Act will be replaced by Book Fourteen of the Social Code of 12 December 2019 (Federal Law Gazette I page 2652). The new law focuses above all on the victims of violence and terrorist violence. Due to this shift in focus, the Ministry of Defence has deemed it necessary to establish provisions for disablement pensions for servicewomen and men in a separate law. A draft Act on the compensation of service personnel and on the reorganisation of the law governing military pensions is already available. The aim, so the Ministry, is “to duly reflect the special nature of the service and loyalty relationship as well as the employer's duty of care towards the servicewomen and men, their relatives and surviving dependents by tailoring the design of benefits to meet their specific needs and interests.” “In addition to the systematic reorganisation and creation of transparent eligibility provisions,” the aim of the new law is also “to further reduce bureaucracy and to accelerate administrative action.” The draft law sets forth *inter alia* an increase in compensation benefits that are not means-tested both for victims and for any surviving dependents. In the future, the Social Accident Insurance

Institution of the Federal Government and for the Railway Services is to pay for medical treatment and rehabilitation measures in connection with service-related disabilities. In addition to this, participation benefits and services are to be granted without means-testing in the future. Applications will be processed completely digitally, which above all will include modern, barrier-free communication thanks to individual online access, so that claims for compensation can be made easily from the comfort of one's home computer. The planned separate law governing disablement pensions for soldiers and, above all, its aims are to be welcomed.

The German **Foundation for Hardship Cases** makes an important contribution to overcoming the problems faced by those with service-related disabilities. The cases of those injured during deployments in particular are highly complex. Where the Bundeswehr comes up against its limits, the Foundation for Hardship Cases can provide lasting help. It routinely uses all the budgetary resources at its disposal, so the increase from €1.5 million to €1.75 million initiated in the German Bundestag deliberations on the 2021 budget is only logical. This ensures the continuation of the foundation's impactful work in the face of changing case scenarios and a wide range of applications for help. In the eighth year of its existence, the Foundation for Hardship Cases has now processed 721 applications, including 466 applications that were granted and those facing situations of special hardship have received a total of more than €10 million in support.

In addition to the Foundation for Hardship Cases, there are other foundations providing financial and material assistance to soldiers and their families in need, such as the Service Relief Association, the Bundeswehr Welfare Association, the foundation Oberst SchöttlerVersehrten-Stiftung and the Rohdich'scher Legatenfonds.

Since 2012, representatives of organisations close to the Bundeswehr and independent civilian organisations have been working together in the **Help Network** with the responsible staff at the Ministry of Defence in various working groups to promote the interests of active and former members of the Bundeswehr, their families, relatives and surviving dependents.

It is good that the issue of **radar victims** from the Bundeswehr and the former National People's Army has not been forgotten. Here, the Federal Ministry of Defence has initiated a research study to investigate possible DNA damage in the descendants of radar technicians. The first findings of this study should be available from March 2021. Time will tell what outcome further deliberations on this topic lead to.

In addition to disablement pensions, which apply in the case of damage to health in connection with service both at home and abroad, there are also the **benefits and pensions for special foreign assignments** for damage to health from deployment-related accidents in the context of special foreign assignments pursuant to the Act on the Provision of Benefits and Pensions for Special Foreign Assignments. The latter is supplemented by entitlements under the Act on the Continued Employment of Personnel Injured on Operations, in particular the entitlement to be placed under the protection period for active soldiers and the entitlement to re-employment for former soldiers. However, the scope of the Act on the Continued Employment of Personnel Injured on Operations is limited to accidents during deployment, meaning it does not apply to serious service-related accidents, such as shooting accidents or other serious accidents during exercises in Germany:

- *A corporal, senior grade described how he had suffered a serious service-related accident during a support activity on mission-related specialist training at the training grounds in Bergen. He had been run over by an armoured vehicle and suffered extremely severe injuries to his face and had also developed post-traumatic stress disorder as a result of the accident.*

If such an accident had occurred on a mission abroad, the Act on the Continued Employment of Personnel Injured on Operations would have applied. The Bundeswehr's special duty of care, arising from the intrinsic notion of self-sacrifice applies in the broadest sense not just in the case of deployment-related accidents, but also in the case of serious service-related accidents during preparation for deployment in Germany. The Ministry of Defence should explore the possibility of extending the scope of the Act on the Continued Employment of Personnel Injured on Operations.

Old-age pensions

Servicewomen and men with periods of prior service in the National People's Army repeatedly flagged unequal treatment on the matter of pension entitlements. The reason for this is a provision in the Unification Treaty whereby these periods of prior service flow not into the military pension, but instead into the statutory pension. Career soldiers who fall into this category receive both retirement pay under the Military Pensions Act and a

pension from the statutory pension insurance scheme. Since the statutory cap on the percentage due from the statutory pension insurance is 66.97 per cent, while the maximum rate for benefits under the Federal War Victims Pensions Act is 71.75 per cent, the sense of dissatisfaction is understandable.

Morale, welfare and recreation (MWR)

Food MWR services have always faced the trade-off between cost-efficiency and attractiveness. Nevertheless, it cannot be stressed enough that they serve as an important social point of contact and thus a central element in MWR. So profitability must not be the deciding factor. The **all ranks clubs** provide the space for social exchange that is immensely important for comradeship. Locations with few opportunities for this exchange therefore often lead to soldiers being isolated, which is why the personnel there are sometimes under greater emotional strain. The Covid-19 pandemic in particular, with its many restrictive measures, including for servicewomen and men, shows the special need for good MWR services in normal circumstances.

A step in the right direction is the Food MWR in Germany 2019+ Development Concept, which the last annual report already referenced. It is currently in the start-up phase and entails the Bundeswehr supporting the all ranks clubs operators with small-scale investments, for example in equipment or room design, in a straightforward and non-bureaucratic way. This could be the purchase of a billiard table or certain items of furniture. It would make sense to generally conclude investment agreements with the operators that include minor maintenance measures in particular. This would enable the Bundeswehr to motivate operators to invest even in less lucrative locations and offer an attractive range of facilities.

The **MWR offices** assume an important role in non-food MWR and are to grow in several tranches to 185 offices at 176 locations. They proactively provide MWR services for the soldiers at the location but are also responsible for their families and those on reserve duty. In addition, they are also intended to provide professional advice and support to superiors in their leadership task of caring for their servicewomen and men. The services offered depend on the location, with network partners from the region (for example local sports and cultural clubs and associations) providing regular support. The possibilities are diverse and range from joint meetings on site to sporting activities such as canoeing to excursions and visits to football matches or amusement parks.

Since April 2020, the offices' material resourcing has been secured, along with start-up funding of up to €15,000 per office. So far, the Ministry of Defence has had problems approving full-time personnel. However, an MWR office does not run itself, it requires committed staff who are aware of their importance and responsibility. In order to serve as a liaison for the servicewomen and men stationed on site and their families and to be able to include reservists, it is not enough to just do this job part-time. The crucial thing now is to actually fill the posts at the offices. As already mentioned, the Covid-19 pandemic has once again underscored the importance of MWR services and is also an argument for professional **full-time MWR**, for instance by a welfare staff sergeant.

In the ideal scenario, service personnel perceive a competently run MWR service as a welcome meeting place to spend time together and cultivate comradeship. A professionally run MWR service is important not just at more remote locations, but also at locations with a high number of leisure activities available in the vicinity. A field visit to Lüneburg revealed only a rudimentary food MWR service though:

- *The servicewomen and men stated that since 2016, whenever the mess hall was closed there was only a very basic service for all rank groups provided by the officers' club in the basement rooms of the mess hall. There was no MWR office. The Bundeswehr is examining whether the renovation or conversion of the officers' club, which has a rich tradition, can be justified or whether the only option is a completely new building. The findings of the economic feasibility study commissioned for this purpose were not available at the end of the reporting year. The future use of the highly prized Building 11 at the Theodor Körner Barracks in Lüneburg is therefore still undecided. The extremely high workload of the Lüneburger Heide building authority has been cited as the reason for the delay.*

The Parliamentary Commissioner hopes for clarity for the site in the near future regarding the future MWR situation. For the time being, the pilot project of a pizza vending machine set up at the barracks is encouraging and has been well received, the Bundeswehr says.

Family support, assisted by its numerous volunteers, makes an important contribution to the Bundeswehr on the ground and strengthens the individual location. Only in an intact environment can the individual servicewoman or man do a good job. Unlike the MWR offices, the family support centres and agencies work together with many different services – sometimes under their command – like the Bundeswehr Joint Forces Operations Command, the Land Commands, the Armed Forces Office and the Directorate-General for Forces Policy at the Ministry of Defence. Although there is a fundamental willingness to provide support on all sides, the different remits sometimes create difficulties in day-to-day operations. So it is a major step forward that the **family support centres** can now refer to the new Type A General Publication 2640/40 Family Support Organisation issued in the year under review as an authoritative basis that should ensure quick and simpler decision-making processes. State-of-the-art equipment with laptops, mobile phones and webcams is also indispensable. Especially in times like the Covid-19 pandemic, the pre-deployment and post-deployment seminars conducted by the family support centres are no longer possible in the reliable in-person format and personal contact with the families is more difficult.

- *During a field visit to the family support centre at the Mayen location, the Parliamentary Commissioner was informed about the extensive and exemplary support services offered to the relatives of service personnel on deployment, which 19 volunteers impressively devote their time to. The site has many years of experience in providing support and, thanks to the high level of private commitment, is able to offer an excellent and varied range of services. For example, the format of the extremely popular ten-day children's holiday programme in the summer holidays is now also to be trialled at the Hammelburg location. The close cooperation between the family support service and the MWR office is pioneering, as there is not a family support service at every location. Here it is important to effectively dovetail material and personnel resources in the interest of MWR.*

The provision of **cash**, which family support centres regularly need when staging events, needs to be improved. It is not uncommon for their staff to have to travel several hundred kilometres to have money paid out by the paying office of their responsible Bundeswehr service centre. They are reluctant to transfer cash to a nearby field office because of the effort this entails. This additional effort is not only disproportionate for family support services, but also less economical overall. The service centres should be instructed to transfer cash to the field offices when necessary.

Catering

A balanced diet is important for the troops. This holds particularly true for the recruits' basic training units, where healthy food is especially important in achieving the desired increase in physical fitness. Moreover, varied meals make a crucial contribution to motivation and job satisfaction in the daily lives of the troops.

In addition to the mess hall, all ranks clubs also provide daily meals for soldiers. The nutritional reference values for government-furnished meals at the Bundeswehr are based on the reference values issued by the German Nutrition Society. Balanced **meal planning** is ensured with the involvement of the Bundeswehr Medical Service. The points of criticism raised in the year under review mainly related to a lack of variety in the food offered:

- *At the infantry training centre in Hammelburg, there was criticism that there were too many white bread products and too many sugary desserts. The Ministry of Defence, on the other hand, assessed the catering provided as in line with needs and the rules, both in terms of quantity and quality.*
- *At the location in Munich, users complained about the limited opportunities to influence the unhealthy food offered by the all ranks club. The Ministry informed the Parliamentary Commissioner that the food offered matched demand and was usual for all ranks clubs at locations with training courses. In addition to dishes such as roast pork, spaghetti, schnitzel and hamburgers, there was a choice of different salads. The range was generally well received, it said.*

Both cases show that the Bundeswehr would be well advised to take on board the preferences and suggestions of the troops and to provide sufficient variety and healthy food.

The Parliamentary Commissioner very rarely receives submissions criticising the food offered by the Navy's floating units. This suggests that the cooks make great efforts to keep the crew happy with varied and good

cuisine, and that this is generally well received. When servicewomen and men nevertheless give thought to established concepts like these, this deserves recognition:

- *A ship medical officer complained about the increasing use of convenience products and the lack of choice of dishes in an on-board mess hall. The weekly fish meal was limited to a breaded fishcake, whilst high-sugar items such as canned fruit cocktail were not a suitable dessert, she felt. Although the provisions master and cooks were open to more varied cuisine, the meal plans, which were subject to cost pressure, left no room to depart from the set meals. In response to this, she developed the project “Healthy eating in the Navy”, containing her and other soldiers’ suggestions for a more balanced diet on ships.*

The Ministry should be positively inclined towards such displays of initiative and examine whether the proposals are feasible.

Military chaplaincy

Military chaplaincy provides important support to the troops in daily military life and special situations alike. At home and abroad, soldiers can turn to their military chaplains in confidence for advice, recommendations and support. At the same time, this independent organisational element offers a wide range of opportunities for meetings and discussions, inner reflection and to practice one’s faith. The services offered by military chaplaincy are of great importance during missions abroad and quasi-operational commitments. When far from home, it is particularly important to be able to turn to a trustworthy contact outside the military chain of command, for instance if there is a crisis in a relationship, if the family at home is struggling with unexpected problems or if one has doubts about serving and the meaningfulness of the deployment. At the same time, military chaplaincy provides servicewomen and men on deployment space to take a break from the routine of duty and offers ways to use one’s free time.

Like so many other areas, the Covid-19 pandemic also affected the military chaplains in the performance of their duties. In some cases, there were disruptions to the regular rotation of personnel on deployments or quasi-operational commitments, as chaplains belonging to the at-risk group were unable to carry out their planned assignments and replacements were needed at short notice. Typical group events like Bible breakfasts, discussion groups or retreats, which thrive on personal contact, were particularly impacted. The military chaplaincy service reacted very quickly to these challenges and was able to reorganise effectively. Services were held in the field or virtually, some chaplaincy was provided by telephone, day retreats replaced the usual multiple-day formats, and character guidance classes were mainly conducted online. The special situation gave military chaplaincy a digital boost, for instance through the increased use of social media and video messages. However, this would not have been possible without recourse to church and, in some cases, even private resources. This illustrates that this organisational element in particular also needs an appropriate **digital infrastructure** to be able to perform its duties.

Nevertheless, in-person emotional and psychological support becomes more important for many people in extraordinary times like the Covid-19 pandemic – during missions abroad in particular:

- *This makes it unfortunate if the servicewomen and men there lack such support because the military psychologist and the military priest have left the theatre of operation as planned, but there is no immediate successor. Having to manage without a permanent presence on the ground – like in the case of the military psychologist and being referred to support services from Germany in what is known as the reachback procedure already generally raises considerable doubts about the expediency of this approach. In times of additional strain due to isolation and lockdowns, however, support by telephone or e-mail cannot be a substitute.*

The introduction of **Jewish military chaplaincy** is proceeding somewhat sluggishly. After the national treaty on which it is based was signed in 2019, the accompanying law, which the German Bundestag passed unanimously, did come into force in the reporting year, but contrary to the original intention – including due to the Covid-19 pandemic – the first military rabbis were no longer able to start work in 2020. Nevertheless, it is to be welcomed that both sides are working to implement the national treaty. Whilst the Central Council of Jews in Germany is busy with the appointment of the Chief Rabbi for the Armed Forces and the selection of suitable rabbis, the Ministry of Defence has initiated the internal procedures for the organisational, infrastructural, personnel and budgetary establishment of the Military Rabbinate as the higher federal authority. The Ministry could not give any information on how long this process would take in the current Covid-19 situation. Furthermore, this

depends in part on the cooperation of other remits such as the Federal Ministry of the Interior. All authorities involved should pull in the same direction here to enable the first posts to be filled as soon as possible.

There is also a need for action with regard to the approximately 3,000 Muslim servicewomen and men in the Bundeswehr. They are now the only representatives of a numerically large religious community without direct access to military chaplaincy based on their faith. It is good that the Ministry of Defence is continuing to examine the possibility of establishing an **Islamic military chaplaincy**. But, as already urged in last year's report, it should also come to a decision in the foreseeable future, especially since this demand has been voiced for years now. At the same time, the Muslim organisations are also called upon to continue to seek dialogue with the Ministry of Defence in the interest of the servicewomen and men of their faith in order to make progress together.

The Ministry is now also liaising with the **Russian Orthodox Church** on how military chaplaincy could be expanded for members of its religious community. This is very much to be welcomed and shows that the Bundeswehr takes the issue of religious diversity very seriously.

The Central Point of Contact for Servicemembers of **Other Faiths** was dissolved on 31 March 2020 and transferred to the Central Point of Contact for Diversity Policy which supports all members of the Bundeswehr in questions of greater sensitivity and awareness in dealing with diversity. In principle, this merger is very welcome, but those responsible should ensure that it does not lead to the core tasks of the former Central Point of Contact for Servicemembers of Other Faiths being neglected.

The drafting of the new central service regulation on **ethics education** in the Bundeswehr, which the last two annual reports already voiced concerns about, continues to be a point of criticism. In contrast to what was said last year, the intention to add this instruction as an additional duty for disciplinary superiors is unfortunately still on the table. This is despite the fact that they have long suffered an increasing catalogue of duties, are responsible for civic education and often lack the time to be able to take proper care of their servicewomen and men. Moreover, it is questionable whether the Bundeswehr's teaching facilities would even have the capacity to comprehensively train disciplinary superiors to be sufficiently equipped to deal intensively with the ethical and moral foundations of the occupation of soldier. Given the current expansion of military chaplaincy in particular, it is hard to understand why the Ministry of Defence does not make use of chaplains for this important task as available and qualified personnel.

This is already well-established practice in **character guidance classes**. This is the key foundation for service personnel in developing ethics skills for their occupation and has been a compulsory qualification measure since 2010. The practice of character guidance classes usually being given by military chaplains has proven a successful approach in all respects, as they are not within the military hierarchy and yet are often not strangers to the soldiers. These circumstances enable a free and trusting exchange of ideas on all questions of ethics and morality, which is the purpose of character guidance classes. The neutrality of the teachers in particular should make it easier for young military personnel to hone their own moral compass and, if necessary, to critically question the actions, decisions and behaviour of fellow soldiers or superiors. The aim is to guide the servicewomen and men to act responsibly as tolerant, morally discerning and robust citizens in uniform and to bolster their commitment to peace, freedom, democracy and the rule of law.

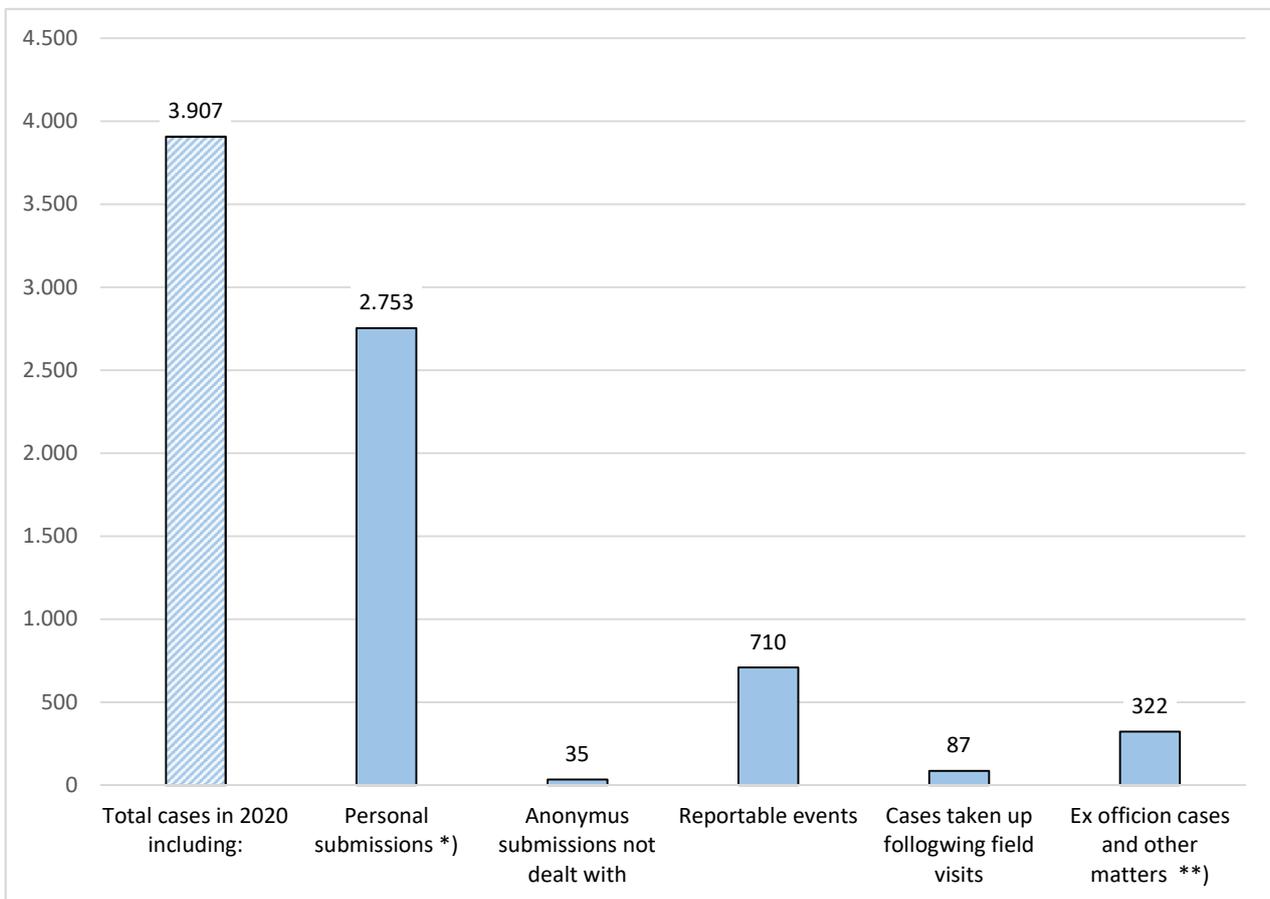
Dr Eva Högl

Parliamentary Commissioner for the Armed Forces

14. Cases and petitions: Statistical overviews

A total of 3,907 cases were recorded in the period under review. Cases are all matters processed to which a file reference number has been attached. Apart from submissions from servicewomen and men, their family members and other individuals, they 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 to the Petitions Committee of the German Bundestag and general enquiries from private individuals are recorded as ‘other matters’.

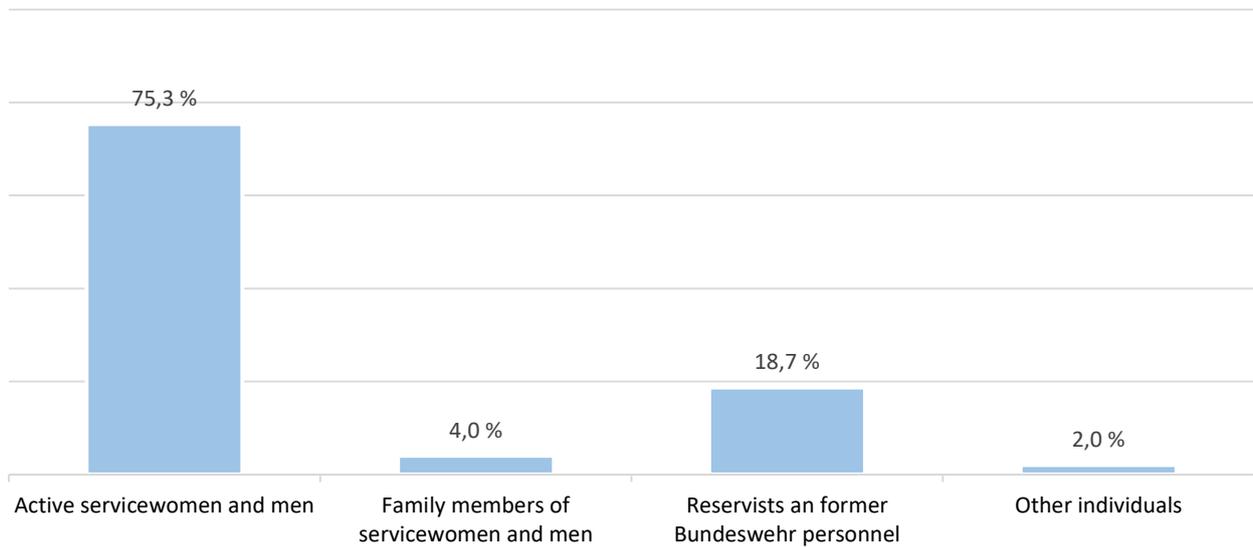
Breakdown – absolute figures



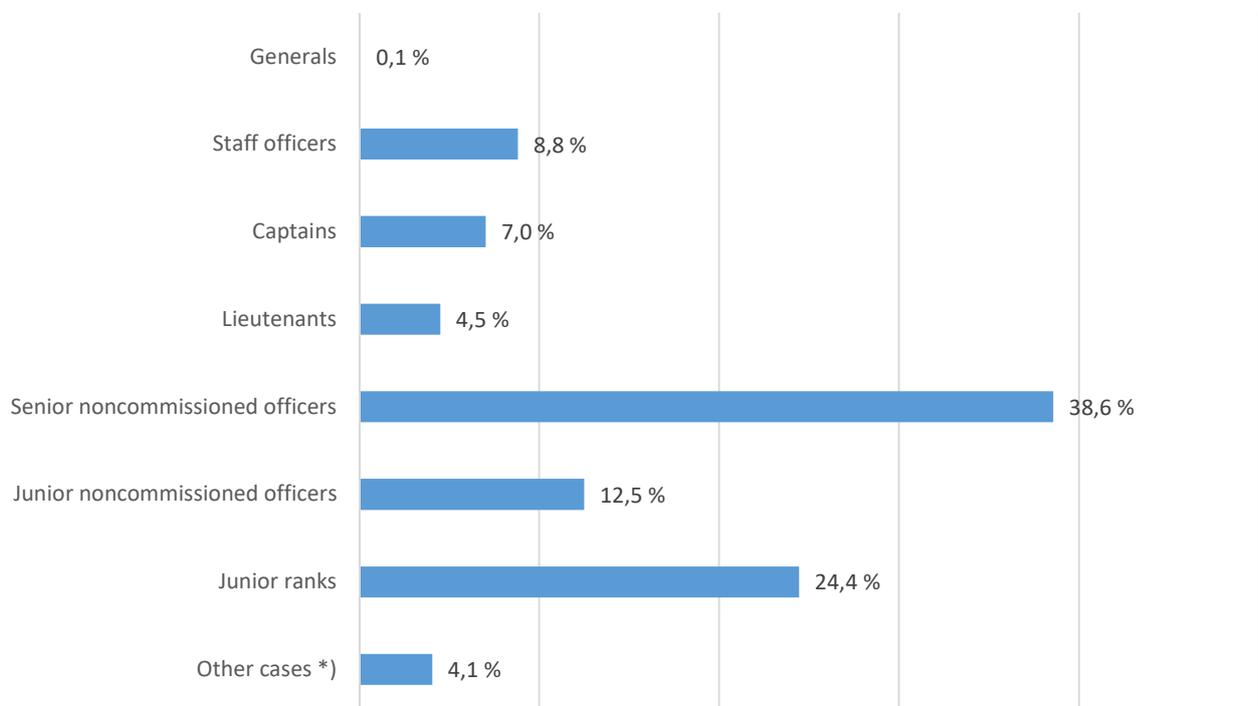
*) Petitions from service personnel and their family members, 487 of these related to the Covid-19 issue

***) Information from press reports and discussions, letters from civilian employees, general enquiries from private persons

Breakdown of personal petitions (2,753) by petitioners in per cent



Breakdown by rank in per cent



*) including by family members

Breakdown of cases (3,907) by requests (6,682) *)

	Number
Personnel matters relating to active servicewomen and men	2,160
<u>including:</u>	
Establishment and termination of service statuses	477
Assignment planning, appraisal, promotion	470
Processing of personnel matters and personnel management	422
Pay and subsidiary areas of pay law	447
Personnel structure	21
Matters relating to reservists	85
Leadership, comradeship	581
Disciplinary law, law violations	885
<u>Including:</u>	
Violation of the free-democratic basic order	325
Offences against sexual self-determination	282
Behaviour and conduct of servicewomen and men on and off duty	87
Training, equipment for training	248
Deployments abroad, equipment for deployments	277
Safety issues, accidents	74
Work-life balance	351
<u>Including:</u>	
Matters relating to commuters	175
Health, Medical Service, free medical care	478
Infrastructure, accommodation	169
Catering, clothing, welfare	106
Pensions and benefits, social affairs	680
Working hours	58
Diversity	122
<u>Including:</u>	
Women in the Armed Forces (equality issues)	104
Service personnel with migration backgrounds	2
Sexual diversity	14
Suicides, attempted suicides	79
Other matters **)	327

*) Up to three requests are brought together in one case, which is why the number of requests is higher than the number of cases.

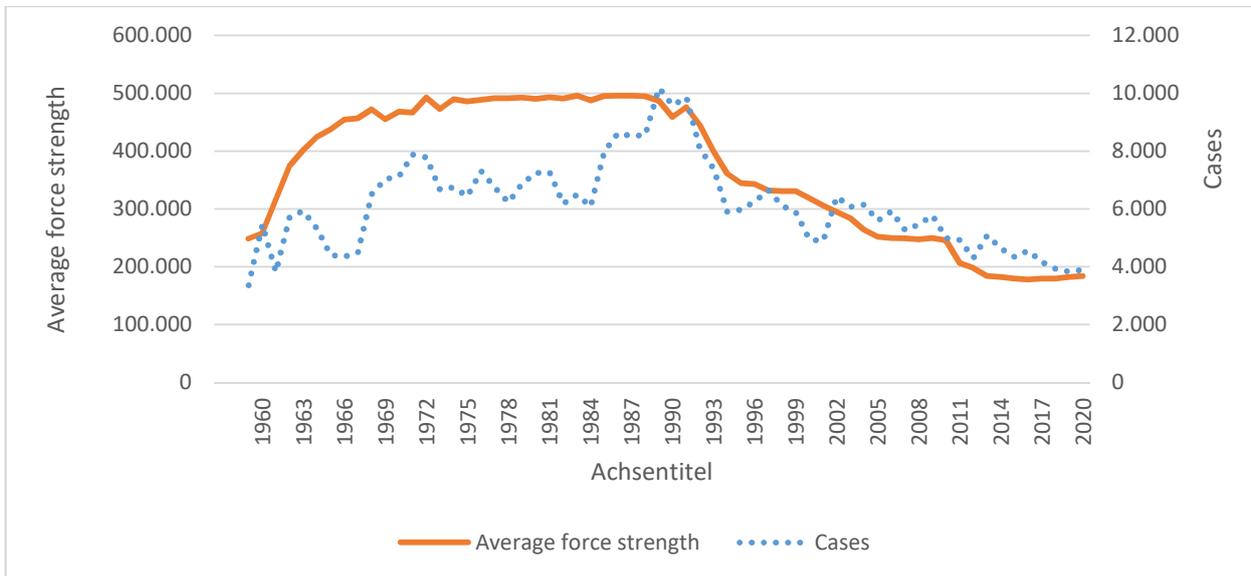
***) Does not fall within remit, referral to Petitions Committee, requests for access to records, responses to annual report

Development in the number of cases between 1959 and 2020

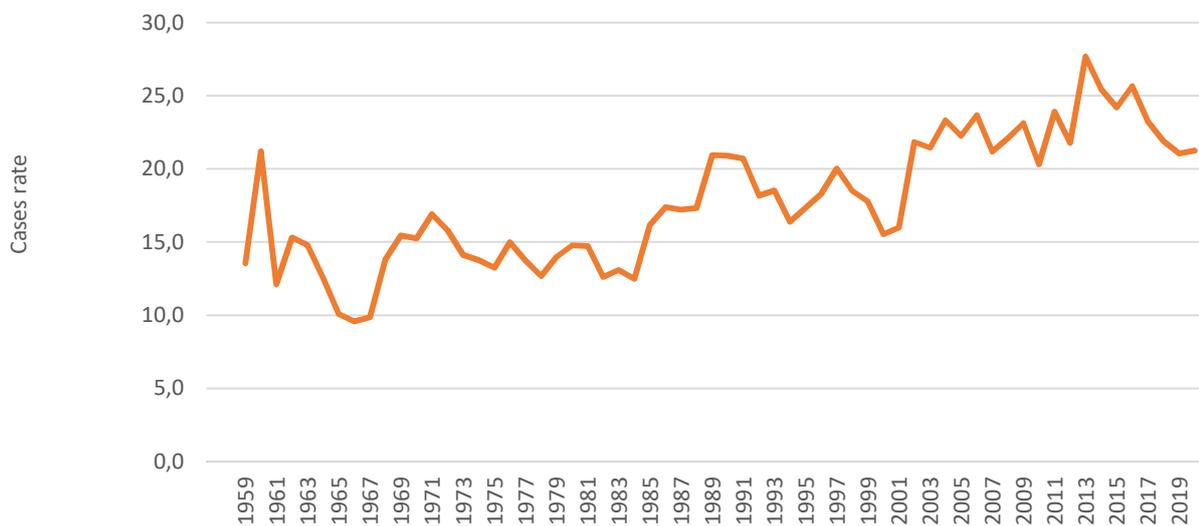
Year under review	Total number of cases recorded	Average Bundeswehr force strength (active servicewomen and men)	Case rate per thousand active servicewomen and men
1959	3,368	248,800	13.5
1960	5,471	258,080	21.2
1961	3,829	316,090	12.1
1962	5,736	374,766	15.3
1963	5,938	401,337	14.8
1964	5,322	424,869	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
1994	5,916	361,177	16.4

Year under review	Total number of cases recorded	Average Bundeswehr force strength (active servicewomen and men)	Case rate per thousand active servicewomen and men
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
Total	380,558		

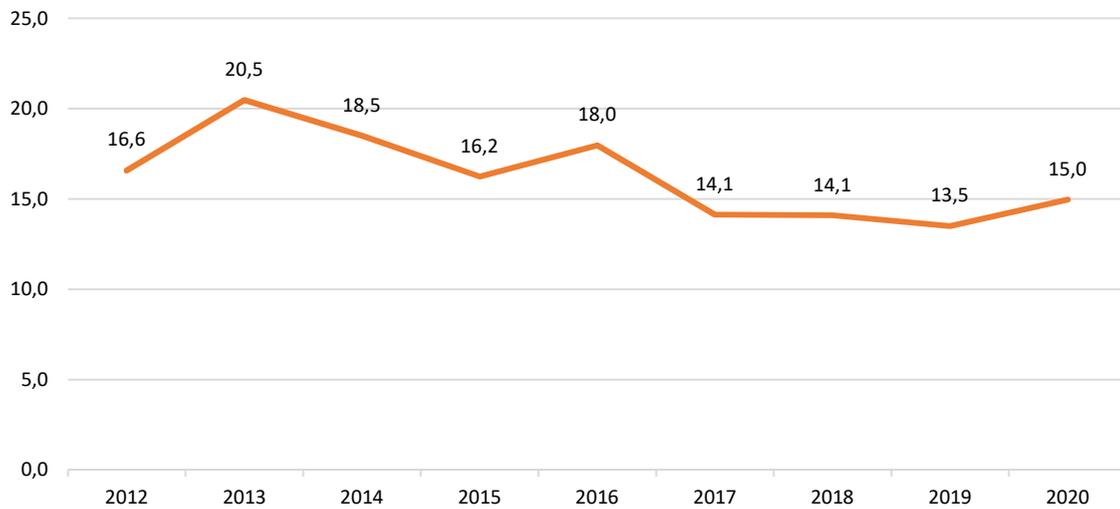
Development of cases relative to average force strength since 1959



Case rate per thousand active servicewomen and men since 1959



Petition rate per thousand active servicewomen and men since 2012



Development in personal petitions relative to average force strength since 2012 *)

Year under review	Average Bundeswehr force strength (active servicewomen and men)	Total number of personal petitions	Rate of personal petitions per thousand servicewomen and men
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

*) Statistics on personal petitions have only been able to be recorded since the introduction of a new data recording system at the Office of the Parliamentary Commissioner for the Armed Forces in 2012.

15. Visits, meetings, discussions of the Parliamentary Commissioners for the Armed Forces**Field visits**

06.02.	Laage	73 Tactical Air Wing
19.02.	Erding	Weapon System Support Centre 1 Maintenance Centre 1
20.02.	Ingolstadt	Engineers Training Centre
26.02.	Lüneburg	3 Reconnaissance Demonstration Battalion
27.02.	Marienberg	37 Armoured Infantry Brigade 371 Armoured Infantry Brigade

Many other planned field visits had to be cancelled due to the restrictions arising from the Covid-19 pandemic. The following visits were possible in compliance with the hygiene requirements and in an adapted format:

01.04.	Berlin	Federal Ministry of Defence Guard Battalion
07.04.	Berlin	Bundeswehr Hospital
09.04.	Berlin	Air Force Headquarters Regional Staff of the Bundeswehr 3 East
16.04.	Kiel	Flotilla 1 Naval Base
27.04.	Calw	Special Forces Command
30.04.	Veitshöchheim	10 Armoured Division Regional Staff of the Bundeswehr 4 South

Office changes hands from Dr Hans-Peter Bartels to Dr Eva Högl

04.06.	Strausberg	Army Headquarters
09.06.	Berlin	Bundeswehr Territorial Command
10.06.	Wilhelmshaven	Flotilla 2 Naval Base Commissioning F125 NORDRHEIN-WESTFALEN
11.06.	Nordholz	Naval Aviation Command
22.06.	Calw	Special Forces Command
24.06.	Cologne	Federal Office of Military Counter-Intelligence

		Bundeswehr Joint Forces Operations Command
08.07.	Schwielowsee	During the visit video conferences were held with the Bundeswehr contingents: MINUSMA (Mali), EUTM (Mali) RESOLUTE SUPPORT (Afghanistan) COUNTER DAESH / CAPACITY BUILDING IRAQ (Jordan) NATO ENHANCED FORWARD PRESENCE (Lithuania)
14.07.	Berlin	Air Force Headquarters
28.07.	Rostock Warnemünde	Navy Headquarters Naval Base
29.07.	Laage	73 Tactical Air Wing
30.07.	Torgelow	413 Light Infantry Battalion
03.08.	Bonn	Cyber and Information Domain Service Headquarters
04.08.	Coblenz	Bundeswehr Medical Service Command Bundeswehr Central Hospital
05.08.	Coblenz	Civic Education and Leadership Development Centre
05.08.	Mayen	Bundeswehr Operational Communication Centre
06.08.	Zweibrücken	26 Paratroop Regiment
01.09.	Wunstorf	62 Air Transport Wing
08.09.	Storkow (Mark)	381 Communication and Information Systems Support Battalion
10.09.	Nienburg (Weser)	912 Electronic Warfare Battalion
23.-24.09.	Calw	Special Forces Command
01.10.	Leipzig	Disciplinary Attorney General for the Armed Forces at the Federal Administrative Court
06.10.	Berlin	Bundeswehr Support, Berlin-Mitte Public Health Authority Corona Treatment Centre at Berlin Exhibition Centre
27.10.	Hagenow	401 Armoured Infantry Battalion
10.11.	Video conference	Federal Office of Bundeswehr Personnel Management (Cologne)
23.-24.11.	Coblenz	Leadership Development and Civic Education Centre, basic SOFCOM course
30.11.-01.12.	Calw	Special Forces Command

07.12.	Video conference/conference call/video message	Bundeswehr contingents: MINUSMA (Mali), EUTM (Mali) RESOLUTE SUPPORT (Afghanistan) COUNTER DAESH / CAPACITY BUILDING IRAQ (Jordan) UNIFIL (Lebanon/Cyprus) NATO ENHANCED FORWARD PRESENCE (Lithuania) MINURSO (Western Sahara) UNMISS (South Sudan) KFOR (Kosovo) NATO Support Mission in the Aegean (frigate BRANDENBURG) EUNAFOR MED IRINI (frigate HAMBURG)
10.12.	Hamburg	Bundeswehr Command and Staff College
11.12.	Hamburg	Bundeswehr University Hamburg
14.12.	Berlin	Bundeswehr Cyber Innovation Hub

Meetings and discussions of the Parliamentary Commissioners and their staff

In addition to the field visits, the Parliamentary Commissioners also attended other appointments away from their Office in connection with their statutory mandate. These included international and national conferences and meetings such as the Munich Security Conference and the 12th International Conference of Ombuds Institutions for the Armed Forces (online conference). The Parliamentary Commissioners also attended other events such as commemorative ceremonies, a pledge ceremony, a deployment muster as well as events organised by associations and political foundations. The Parliamentary Commissioners held talks with numerous and all associations, societies, foundations, offices, committees and individuals of importance to the Bundeswehr – including the Bundeswehr Association and the Reservists' Association, the General Spokespersons' Committee and the Spokespersons' Committees of various major military organisational elements, those responsible at the Federal Ministry of Defence and the heads of the highest federal authorities as well as the major military organisational elements, members of the Bundestag and federal state parliaments as well as municipal central associations, academia, trade unions, the media, diplomats and military chaplains.

In the year under review, the staff of the Parliamentary Commissioners attended appointments for meetings and discussions with units, staffs, offices and authorities of the branches and major organisational elements. Due to the pandemic, this was mostly done by telephone or online.

Visitor groups

18 visitor groups were hosted at the Office of the Parliamentary Commissioner for the Armed Forces by the Parliamentary Commissioners or their staff – essentially before the restrictions as a result of the Covid-19 pandemic. Five of these were international groups with servicewomen and men from the partnership seminars of the Leadership Development and Civic Education Centre and various international armed forces seminars from Georgia, Slovenia, the Czech Republic, Kosovo and Armenia. 13 visitor groups came from the Bundeswehr's branches and major organisational elements.

16. 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 S. 1), most recently amended by Article 1 and 2 Sentence 2
of the Act of 29 September 2020 (Federal Law Gazette I p. 2048)

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

Act on the Parliamentary Commissioner for the Armed Forces

(Act pursuant to Article 45b of the Basic Law – WBeauftrG) in the version of the Announcement of 16 June 1982 (Federal Law Gazette I, p. 677), most recently amended by Article 15 (68) of the Act to Restructure Civil Service Law of 5 February 2009 (Federal Law Gazette I, p. 160)

Section 1

Constitutional Status; Tasks

- (1) In the exercise of parliamentary oversight, the Commissioner shall perform his or her duties as an auxiliary organ of the Bundestag.
- (2) The Commissioner shall investigate specific matters upon instructions from the Bundestag or the Defence Committee. Instructions can only be issued if the Defence Committee does not make the matter a subject of its own deliberations. The Commissioner may request that the Defence Committee issue instructions to investigate specific matters.
- (3) The Commissioner shall, on his or her own initiative and at his or her due discretion, take action when, in the exercise of his or her right pursuant to Section 3(4), through information received from Members of the Bundestag, through petitions pursuant to Section 7 or in any other way, circumstances come to his or her attention that suggest a violation of the basic rights of service personnel or of the principles of leadership development and civic education. The Commissioner shall not take action under the first sentence of this paragraph if the Defence Committee has made the matter the subject of its own deliberations.

Section 2

Reporting Duties

- (1) The Commissioner shall submit to the Bundestag a written overall report for the calendar year (annual report).
- (2) He or she may, at any time, submit individual reports to the Bundestag or the Defence Committee.

(3) When the Commissioner acts upon instructions, he or she shall, upon request, submit an individual report on the results of his or her investigation.

Section 3

Official Powers

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

(2) 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. These persons shall be reimbursed pursuant to the Judicial Remuneration and Compensation Act.

(3) He or she may give the agencies concerned the opportunity to settle a matter.

(4) He or she may refer a matter to the authority competent for the institution of criminal or disciplinary proceedings.

(5) He or she may, at any time, visit any units, headquarters, agencies and authorities of the Federal Armed Forces, and their installations even without prior announcement. This right shall be vested exclusively in the person of the Commissioner. The second and third sentences of paragraph (1) of this section shall apply *mutatis mutandis*.

(6) 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.

(7) In the case of criminal or disciplinary proceedings, he or she may attend court proceedings even when the public is excluded. He or she shall be given access to records to the same extent as the public prosecutor or the representative of the initiating authority. The right pursuant to the first sentence of this paragraph shall also apply in matters of request and complaint proceedings under the Military Discipline Code and the Military Complaints Regulations before courts that have jurisdiction over military disciplinary offences and in proceedings before administrative courts that relate to his or her area of responsibility; in such proceedings, he or she shall have the same right of access to records as a party to the proceedings.

Section 4

Administrative Assistance

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

Section 5

General Guidelines; Exemption from Instructions

(1) The Bundestag and the Defence Committee may issue general guidelines for the work of the Commissioner.

(2) Notwithstanding Section 1(2), the Commissioner shall not be subject to instructions.

Section 6

Obligation of Presence

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

Section 7

Service Personnel's Right of Petition

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

Section 8

Anonymous Petitions

Anonymous petitions shall not be dealt with.

Section 9

Confidentiality of Petitions

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

Section 10

Obligation of Secrecy

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

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

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

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

Section 11

(Repealed)

Section 12

Obligation of Federal and Land Authorities to Inform the Commissioner

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

Section 13

Election of the Commissioner

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

Section 14

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

(1) Every German who is entitled to be elected to the Bundestag and has attained the age of 35 shall be eligible for the office of Commissioner.

- (2) The term of office of the Commissioner shall be five years. Re-election shall be admissible.
- (3) The Commissioner may not hold any other salaried office, engage in any trade, practise any profession, belong to the management or the supervisory board of any enterprise carried on for profit, or be a member of a government or a legislative body of the Federation or a Land.
- (4) On assuming office, the Commissioner shall take the oath of office as laid down in Article 56 of the Basic Law.
- (5) For the duration of his 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 personnel shall assist the Commissioner in the execution of his or her duties. The civil servants attached to the Commissioner shall be civil servants of the Bundestag pursuant to Section 176 of the Act on Federal Civil Servants of 3 January 1977 (Federal Law Gazette I pp. 1, 795, 842), most recently amended by Section 27 of the Act of 26 June 1981 (Federal Law Gazette I p. 553). The Commissioner shall be the superior of the personnel assigned to him or her.
- (3) The necessary personnel and equipment made available to the Commissioner for the performance of his or her functions shall be detailed in a separate section of the Bundestag budget.

Section 17

Representation of the Commissioner

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

Section 18

Official Emoluments; Other Payments

- (1) From the beginning of the calendar month in which he or she takes office to the end of the calendar month in which his or her term of office ends, the Commissioner shall be paid official emoluments. Section 11(1)(a) and (b) of the Federal Ministers Act shall apply *mutatis mutandis* with the proviso that the Commissioner's

salary and local allowance shall be 75 per cent of the salary and local allowance of a Federal Minister. The emoluments shall be paid monthly in advance.

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

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

Section 19

(Repealed)

Section 20

(Entry into Force)

Excerpt from the Rules of Procedure of the German Bundestag

in the version of the Announcement of 2 July 1980 (Federal Law Gazette I p. 1237),
most recently amended by the Announcement of 7 October 2020 (Federal Law Gazette I p. 2563)

Rule 113

Election of the Commissioner

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

Rule 114

Reports of the Parliamentary Commissioner for the Armed Forces

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

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

Rule 115

Debates on reports of the Parliamentary Commissioner for the Armed Forces

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

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

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

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

If the Petitions Committee takes action, it shall notify the Parliamentary Commissioner for the Armed Forces of such.

The Parliamentary Commissioner for the Armed Forces and the Petitions Committee shall regularly notify each other in writing of the progress of processing and its outcome.

Excerpt from Type A General Publication 2600/2 Matters concerning the Parliamentary Commissioner for the Armed Forces

Contents

- 1 Constitutional position of the Parliamentary Commissioner for the Armed Forces
- 2 Tasks and powers of the Parliamentary Commissioner for the Armed Forces
 - 2.1 Tasks
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 - 3.4 Processing of requests when a complaint has been made concurrently
 - 3.5 Processing within the jurisdiction of the agency concerned
- 3.6 Visits conducted by the Parliamentary Commissioner for the Armed Forces
- 4 Notification of servicewomen and men
- 5 Data protection
- 6 Cooperation in a spirit of trust

1 Constitutional position of the Parliamentary Commissioner for the Armed Forces

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

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

2.1 Tasks

201. The Parliamentary Commissioner for the Armed Forces shall take action
 - upon instructions from the Bundestag or the Defence Committee to examine certain matters,
 - on 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 German Bundestag,
- as a result of petitions pursuant to Section 7 of the Act on the Parliamentary Commissioner for the Armed Forces
- or in any other way, circumstances come to his or her attention that suggest a violation of the basic rights of service personnel or the principles of *Innere Führung*.

2.2 Powers

202. In performing the tasks assigned to her or him, the Parliamentary Commissioner for the Armed Forces shall have the following powers:
- 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.
 - 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. This right shall also be held by the Chief Administrator if she or he is authorised to do so by the Defence Committee. The exercise of this right may only be denied for compelling reasons of secrecy. To this end, the decision of the Federal Minister of Defence is to be obtained immediately through Branch III 2, Directorate General for Forces Policy (FüSK III 2).
 - d) She or he may also attend closed sessions of criminal courts or administrative courts that are concerned with her or his area of jurisdiction and military service courts. During such proceedings, she or he shall have the same right of access to records as the parties 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 shall be dealt with as matters of urgency. Should an extended period of time be required to deal with such matters, the Parliamentary Commissioner for the Armed Forces shall be informed of the progress made at appropriate intervals by the agency that has to comment on the matter. Should doubts arise as to whether compelling reasons of secrecy demand the denial of a request when the Parliamentary Commissioner for the Armed Forces requests information or access to records, or during a visit, a decision of the Federal Minister of Defence is to be obtained immediately through Branch FüSK III 2. 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, the head of the agency shall reply. As a matter of principle, final comments shall be signed by the agency management.

303. Investigations that are required shall be conducted by the disciplinary superior competent to do so in each case. Any deficiencies identified shall be remedied. The same shall apply if an agency of the Federal Armed Forces is tasked by the Federal Ministry of Defence (FMoD) with answering a request from the Parliamentary Commissioner for the Armed Forces.
304. The processing of matters concerning the Parliamentary Commissioner for the Armed Forces within the Federal Ministry of Defence shall be guided by the relevant provisions of the Supplementary Rules of Procedure of the Federal Ministry of Defence (GO-BMVg).
305. Should higher superiors be asked to comment, they shall arrange for the facts of the matter to be reviewed and shall convey the results of the investigation, together with their own comments, to the Parliamentary Commissioner for the Armed Forces.
306. Should agencies subordinate to the Federal Ministry of Defence be immediately concerned with cases raised by the Parliamentary Commissioner, 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 as a matter of principle. 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 2 is to be notified for information only in both cases.
307. Comments from agencies of the Federal Armed Forces that have been submitted following requests from the Parliamentary Commissioner for the Armed Forces made in response to reports pursuant to Type A General Publication 2640/34 'Estimate of Bundeswehr Morale and Incident Reporting', or pursuant to Type A General Publication 200/5, 'Bundeswehr Reporting Systems', in the cases specified below or in response to petitions, shall be forwarded immediately to Branch FüSK III 2, with the main case files that have been compiled, following their dispatch via the Leadership Development and Civic Education Centre, Internal and Social Affairs Unit.

This applies to

- petitions or reports concerning 'suspicions of criminal acts under the Military Penal Code' pursuant to paragraphs 321 to 325 of Type A General Publication 2640/34,
 - petitions or reports concerning 'suspicions of offences against sexual self-determination and sexual harassment by or against members of the Bundeswehr' (paras. 341 und 342 of Type A General Publication 2640/34)
 - petitions or reports concerning 'suspicions of espionage, extremism or violation of the free democratic basic order, committed by or against members of the Bundeswehr' (paras. 361 to 363 of Type A General Publication 2640/34).
308. In addition to this, upon request, all comments submitted by agencies of the Bundeswehr 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.
 309. In so far as servicewomen or men 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.
 310. Comments addressed to the Parliamentary Commissioner for the Armed Forces shall, where applicable, be drafted in such a way that statements subject to medical confidentiality are summarised in a separate annex and shall be conveyed only to the Commissioner directly together with the original copy of the letter.
 311. With regard to petitions, their contents and the comments on them, all concerned shall also have a duty to observe confidentiality in their dealings with one another pursuant to the provisions of the

relevant legislation and/or collective agreements (e.g. Section 14 of the Legal Status of Military Personnel Act, Section 67 of the Federal Civil Service Act, Section 37 of the Act on the Status of Civil Servants and Section 3(1) of the Collective Agreement for the Public Service), in so far as they do not concern the immediate processing of the petition.

312. It shall only be permissible to evaluate the case to examine whether advice should be issued following the conclusion of the proceedings. The names of the individuals concerned may not be published when this is done. In particular, when servicewomen and men or witnesses are interviewed, they shall only be given knowledge of the part of a petition that relates to themselves or concerning which they are being interviewed.
313. As a matter of principle, proceedings shall be concluded by a letter from the Parliamentary Commissioner for the Armed Forces. Should the Parliamentary Commissioner give notification of the conclusion of proceedings, this is to be made known to the agencies involved and the individuals affected by the petition along with their outcome.
314. Petitions that the Parliamentary Commissioner for the Armed Forces forwards to agencies of the Federal Armed Forces for them to comment on may only be dealt with as complaints under the Military Complaints Regulations (WBO) when construing them in this fashion is consistent with the express will of the petitioner.

3.3 Hearings

315. Should the Parliamentary Commissioner for the Armed Forces exercise her or his rights to information and access to records (para. 202 (a)), this is to be supported in every respect. In so far as this is required, administrative or special leave shall be granted for a hearing pursuant to Section 9 of the Leave Regulations for Military Personnel (SUV) in conjunction with paragraph 307 of Type A General Publication 1420/12, 'Implementation of the Leave Regulations for Military Personnel'.
316. In so far as matters are to be dealt with at a hearing that are subject to mandatory confidentiality, persons to be heard may give evidence on matters up to the classification level 'restricted' (VS-NfD). In the case of matters with a higher security classification, the person to be heard shall have to obtain permission to give evidence through the competent disciplinary superior. Should the persons to be heard be employees, the regulations set out in civil service law are to be applied *mutatis mutandis*.
317. Should the competent disciplinary superiors not be able to grant permission, they shall obtain a decision from their superiors. The right to refuse permission shall remain reserved to Branch FÜSK III 2.
318. The persons heard shall be reimbursed in accordance with the Judicial Remuneration and Compensation Act of 5 May 2004 (Federal Law Gazette I, pp. 718, 776), most recently amended by Article 13 of the Act of 5 December 2012 (Federal Law Gazette I pp. 718, 776), most recently amended by Article 13 of the Act of 5 December 2012 (Federal Law Gazette I p. 2418). This shall be done upon application by the Office of the Parliamentary Commissioner for the Armed Forces.

3.4 Processing of requests when a complaint has been made concurrently

319. Should a complaint have been submitted under the Military Complaints Regulation (WBO), including a disciplinary complaint under Section 42 of the Military Discipline 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 decision shall be forwarded to her or him immediately. She or he shall be informed separately of any recourse to legal remedies or of the non-appealability of the ruling delivered on 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. Should disciplinary investigations be instituted on account of the matters raised in a petition, the Parliamentary Commissioner for the Armed Forces shall be informed of this. Following the completion of the proceedings, the Commissioner shall be informed of the decision reached. Should judicial disciplinary proceedings be conducted, she or he shall be informed of any significant interim rulings by the authority that instituted the proceedings or the disciplinary attorney's office that is acting on its behalf.

322. The legal remedies available under the Military Complaints Regulations and the 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 such a complaint or application within these time limits.

3.5 Processing within the jurisdiction of the agency concerned

323. 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 authority that has to judge on the subject matter of the case.
324. The authority referred to in paragraph 323(b) shall have to deliver a decision to the petitioner through official channels, but it may also be communicated orally by the competent disciplinary superiors.

3.6 Visits conducted by the Parliamentary Commissioner for the Armed Forces

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

Branch FüSK III 2

Stauffenbergstraße 18

10785 Berlin

(Email: BMVg FüSK III 2/BMVg/BUND/DE)

for information only through official channels:

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

Subject:

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

- Date and time
- Agency
- Location and living quarters
- Grounds

4 Notification of servicewomen and men

401. All servicewomen and men shall be notified of the functions and powers of the Parliamentary Commissioner for the Armed Forces by their disciplinary superior at the beginning of their basic training and, once again, following their posting to their parent unit.
402. Every servicewoman and man 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:
Parliamentary Commissioner for the Armed Forces
Platz der Republik 1
11011 Berlin
(Email: wehrbeauftragte@bundestag.de)
Pursuant to paragraph 329 of Type A2 General Publication 2630/0-0-2, 'Life in the Military Community', this address shall be displayed on the 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 agency.
404. Servicewomen and men may only contact the Parliamentary Commissioner for the Armed Forces individually.
405. Anonymous petitions shall not be dealt with (Section 8 of the WBeauftrG).
406. Should a servicewoman or man contact her or his disciplinary superior before writing a petition, she or he shall be given advice and assistance. It shall be a disciplinary offence and simultaneously a criminal offence under Section 35 of the Military Penal Code 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. No servicewoman or man may be officially disciplined or discriminated against because she or he has submitted a petition to the Parliamentary Commissioner for the Armed Forces. Compliance with the prohibition of discrimination pursuant to the second sentence of Section 7 of the Act on the Parliamentary Commissioner for the Armed Forces is to be ensured. Should the petition contain breaches of official duties or criminal acts, for example insulting or libellous remarks, this may be punished through disciplinary channels or prosecuted in the criminal courts as a disciplinary offence (cf. para. 3323 of Type A General Publication 2160/6, 'Military Discipline Code and Military Complaints Regulations').
408. Servicewomen and men may not enclose documents with security classifications higher than 'restricted' with their petitions to the Parliamentary Commissioner for the Armed Forces. This prohibition also extends to the detailing of individual facts that, to their knowledge, are subject to security classifications higher than 'restricted'. Should the communication of such circumstances seem necessary from the point of view of the petitioner, a reference to this may be included in the petition, or the petitioner shall make contact directly with the Office of the Parliamentary Commissioner for the Armed Forces in order to present her or his concerns while abiding by the provisions on confidentiality.
409. On request, the Parliamentary Commissioner for the Armed Forces shall, as a matter of principle, be provided with information about the documents and facts specified in paragraph 408, and allowed to consult documents that have security classifications higher than 'restricted'. A request to this effect may only be denied for compelling reasons of secrecy by the Federal Minister of Defence in person, or her or his permanent official deputy (cf. Section 3(1) of the WBeauftrG). Enquiries from agencies concerning the decision reached shall be submitted through Branch FüSK III 2. In this respect, the instructions given in paragraphs 202(a) and (c), 301, 316 and 317 are to be complied with.

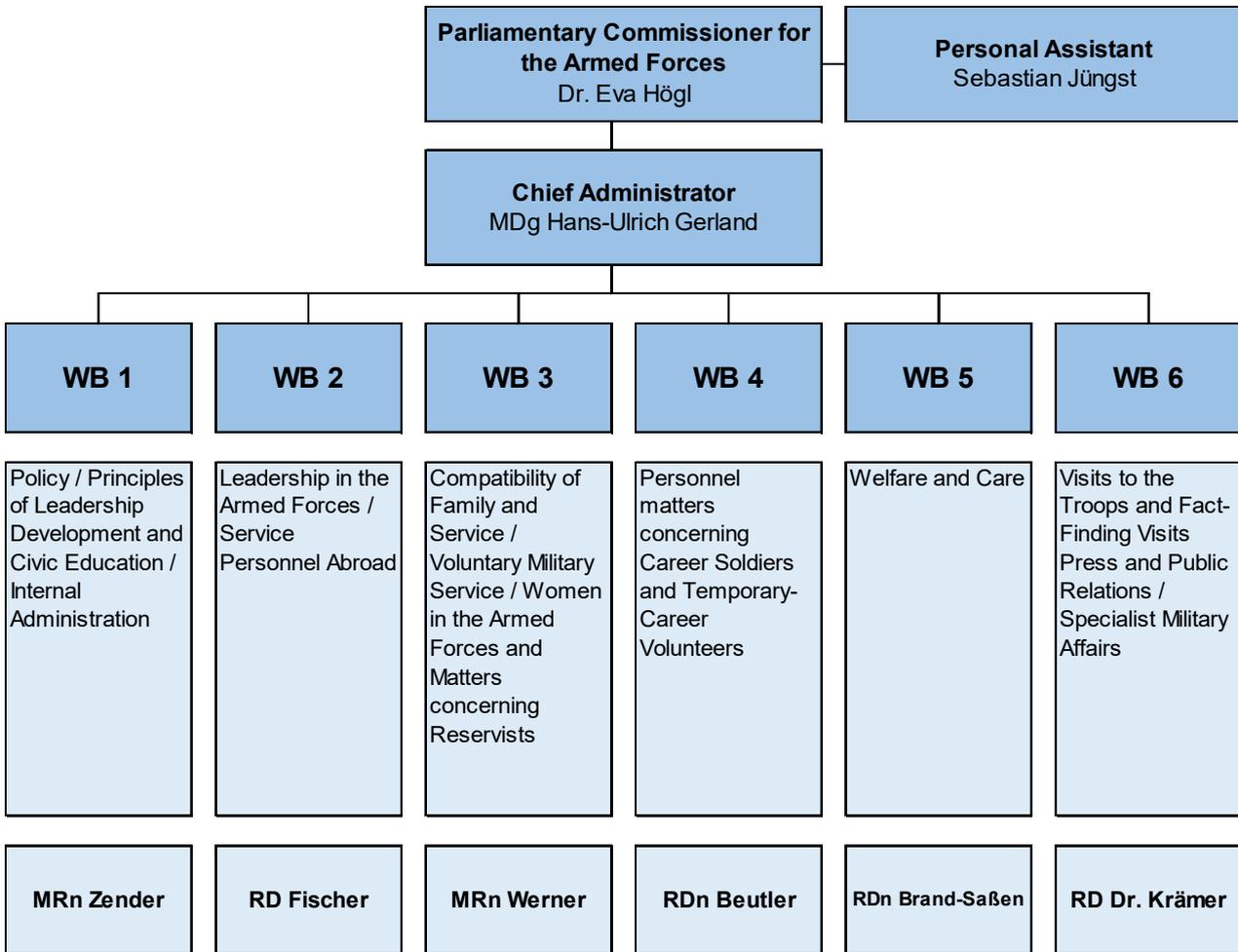
5 Data protection

501. The Federal Data Protection Act (BDSG) and Type A General Publication 2122/4, 'Data Protection', shall be complied with when matters concerning the Parliamentary Commissioner for the Armed Forces (obtaining of comments, drafting of reports/briefing notes, forwarding of reply letters etc.) are dealt with. In this respect, the safeguards foreseen in Type A General Publication 2122/4 shall be taken into consideration – up to level 3 data (personal data).

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 servicewomen and men's understanding of our country's constitutional system and legal order, as well as their confidence both in democracy and in the Bundeswehr.
602. All disciplinary superiors are called upon to report their experience of the application of this General Publication through official channels to Branch FüSK III 2.

17. Organisational chart of the Office of the Parliamentary Commissioner for the Armed Forces



Postal address

Platz der Republik 1
11011 Berlin

Adress for visitors:

Neustädtische Kirchstraße 15
10117 Berlin
Telefon: +49 30 227-38100
Fax: +49 30 227-38283
VBB-Rufnummer: +49 30 1818-38100

wehrbeauftragte@bundestag.de

www.bundestag.de/parlament/wehrbeauftragte

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