



The newly elected Parliamentary Commissioner for the Armed Forces of the German Bundestag, Dr. Eva Högl, being sworn in by the President of the Bundestag, Dr. Wolfgang Schäuble, on 28 May 2020.



Field visit to 62 Air Transport Wing in Wunstorf on 1 September 2020. The A400 M is also used for MedEvac operations to recover wounded and sick service personnel from mission areas.



On 8 September 2020 the Parliamentary Commissioner for the Armed Forces visited the 381 Communication and Information Systems Support Battalion in Storkow. At a farewell ceremony around 100 service personnel were deployed on their mission to Mali.

The Parliamentary Commissioner for the Armed Forces of the German Bundestag enjoys a special status within Germany's parliamentary system. She acts as an advocate for service personnel and assists the Bundestag in exercising parliamentary oversight over the armed forces. The German Basic Law entrusts the Parliamentary Commissioner with the task of safeguarding the basic rights of service personnel. She scrutinises the services' compliance with the principles of leadership development and civic education, and reports to Parliament on conditions within the Bundeswehr.

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“During my field visits I meet highly-motivated service personnel who serve with a great deal of responsibility, along with deeply committed commanders who lead their units well and who do their job. As Parliamentary Commissioner for the Armed Forces, I want to do my part to ensure that we don’t speak only of errors, failures and deficits. These exist and they need to be remedied. They are documented in the annual report. In my time in office, I also want to emphasise the positive things: what we can be proud of, what we have achieved and what is on the right track.”



Dr Eva Högl,
Parliamentary Commissioner
for the Armed Forces
of the German Bundestag.

Protecting basic rights

The office and functions of the Parliamentary Commissioner for the Armed Forces were anchored in the German Basic Law and the Act on the Parliamentary Commissioner for the Armed Forces in the 1950s: she is tasked with safeguarding the basic rights of servicewomen and men, investigating violations of the principles of *Innere Führung* (‘Internal Leadership’ or leadership development and civic education) and reporting to the Bundestag on conditions within the armed forces. The Parliamentary Commissioner therefore enjoys a special status when it comes to the parliamentary oversight of the armed forces. She is neither a Member of the Bundestag nor a civil servant. A single seat is also reserved for the Parliamentary Commissioner for the Armed Forces in the plenary chamber – she does not sit with the Bundestag’s Members, nor on the government bench, but to one side of the President and the Secretaries. This visibly emphasises the non-partisan nature of her office.

The Bundestag and the Defence Committee are able to instruct the Parliamentary Commissioner for the Armed Forces to examine particular incidents in the services and the agencies that are subordinated to the Federal Ministry of Defence. In the majority of cases, however, she takes action on her own initiative – particularly when she becomes aware of shortcomings in the Bundeswehr. She compiles evidence from the submissions she is sent by service personnel, her contacts with parliamentarians and the material she gathers on field visits. The Parliamentary Commissioner’s office also evaluates what are referred to as “reportable events” from Bundeswehr locations. She has about 60 staff of the Bundestag Administration at her disposal to assist her in the performance of her duties. The Parliamentary Commissioner for the Armed Forces is able to gain an unvarnished view of internal conditions in the

Bundeswehr during the personal discussions she holds with service personnel of all ranks on field visits in Germany and abroad. Above all, these visits offer opportunities for confidential meetings with rank-and-file soldiers, non-commissioned officers and officers in the Bundeswehr. Whether her visit has been arranged in advance or she arrives unannounced, the Parliamentary Commissioner for the Armed Forces learns at first hand from service personnel how, for example, the reorientation of the Bundeswehr is impacting on their daily duties, whether they are well trained when they embark upon deployments abroad, whether they are appropriately equipped and whether everything is being done to protect them from dangers during operations. The Parliamentary Commissioner for the Armed Forces informs the Bundestag and the public regularly about her findings in her annual reports. In addition to this, she is also able to alert Parliament and the Defence

Committee to shortcomings at any time by submitting reports to them on individual incidents. The Parliamentary Commissioner for the Armed Forces is elected for five years by the Bundestag in a secret ballot without prior debate. This ensures their independence should there be a change in the parliamentary majority following new elections. It is possible for them to be re-elected. The Defence Committee and the parliamentary groups put forward candidates for the office. Any German citizen who is eligible to vote in elections to the Bundestag and is at least 35 years old may stand for election. A candidate does not need to hold a seat in the Bundestag to stand for the office of the Parliamentary Commissioner for the Armed Forces – indeed, once elected, the Parliamentary Commissioner must lay down any parliamentary mandate they held upon taking up their post. Since 1990, it has not been necessary for Parliamentary Commissioners to have served in the forces themselves.

Advocate for service personnel

Alongside the parliamentary oversight of the Bundeswehr, the Parliamentary Commissioner for the Armed Forces has another important function. She is the ombudsman for the armed forces and therefore a civilian point of contact for all service personnel, who are able to contact the Parliamentary Commissioner directly – and to do so without going through official channels, which means their submissions do not have to be passed on by superiors who have often contributed to the difficulties brought to the Parliamentary Commissioner’s notice. No member of the services may be discriminated against because they have contacted the Parliamentary Commissioner. That is the legal position under the Act on the Parliamentary Commissioner for the Armed Forces.

The submissions received cover all the kinds of issues confronted in everyday military life. These may be operational, social or even personal problems. Submissions about leadership conduct, the balance between family life and military duties, and the position of women in the armed forces are dealt with regularly in the Parliamentary Commissioner’s annual reports. Since the 1990s, other prominent topics have been those relating to the Bundeswehr’s foreign missions, their psychological consequences for service personnel and questions about equipment. Usually, the Parliamentary Commissioner for the Armed Forces and her administration ask higher-ranking superiors to comment on the submissions received.

Powers and rights to information

The Parliamentary Commissioner for the Armed Forces has extensive rights that allow her to perform her duties. They are set out in the Act on the Parliamentary Commissioner for the Armed Forces of the German Bundestag. For instance, the Defence Minister and the agencies subordinated to her are obliged to provide the Parliamentary Commissioner with information and grant her access to records on request. This enables the Parliamentary Commissioner to demand that agencies of the Bundeswehr examine the incidents and issues she has decided to investigate, comment on them and supply her with important documents. The Parliamentary Commissioner is able to hear petitioners, as well as witnesses and experts when submissions from service personnel are being considered.

The Parliamentary Commissioner for the Armed Forces has the right to request reports about the exercise of disciplinary power in the armed forces and to attend criminal or disciplinary proceedings in court. Courts and administrative bodies of the Federation, the *Länder* and the local authorities are obliged to render the Parliamentary Commissioner administrative assistance. The Parliamentary Commissioner’s right to visit the troops at any time unannounced is a central instrument in the parliamentary oversight of the armed forces. The work done by the Parliamentary Commissioner for the Armed Forces, her special status, her rights and her duties have an impact on the leadership behaviour of many military superiors. Not least for this reason, it is impossible to imagine military life in Germany without the Office of the Parliamentary Commissioner for the Armed Forces.

The Parliamentary Commissioner’s work in Parliament

The Parliamentary Commissioner for the Armed Forces receives numerous submissions from the troops every day – about 4,000 a year. All of these are carefully examined by the Parliamentary Commissioner and her office staff. These staff also support the Parliamentary Commissioner on her regular visits to the armed forces in Germany and abroad. Each visit is prepared and followed up, in order for the Parliamentary Commissioner to gain an impression of the actual conditions in the Bundeswehr and take targeted action to aid service personnel.

As part of her parliamentary oversight role, the Commissioner also meets with Members of the Bundestag, and the Bundeswehr’s political and military leaders. The meetings of the Defence Committee and debates on the Bundeswehr in the plenary of the Bundestag, for instance on the granting of mandates for missions abroad, are important dates in her diary. Furthermore, she maintains close contact with the military chaplaincy services and the associations that represent service personnel. Media news items and court decisions concerning the Bundeswehr are also drawn on in the Parliamentary Commissioner’s day-to-day work.

Eva Högl

Legal expert Dr Eva Högl is the 13th Parliamentary Commissioner for the Armed Forces of the German Bundestag, and the second woman to hold this office. From 2009 until 2020 she was a Member of the German Bundestag, elected directly to represent the constituency of Berlin-Mitte. From 2013 until 2020 she was responsible for internal affairs and legal affairs as Deputy Chairwoman of the SPD parliamentary group.

Born in Lower Saxony, she studied law at universities in Osnabrück and Leiden in the Netherlands. From 1999 until 2009 she worked in the Federal Ministry of Labour and Social Affairs, focussing on European employment and social policy. Eva Högl was elected by a large majority on 7 May 2020 and sworn in on 28 May 2020 in the German Bundestag.

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Published by: German Bundestag, Public Relations Division
Written and edited by: Georgia Rauer; revised by: Dr Jörg Krämer, Irene Etzkorn
Translated by: Language Service of the German Bundestag, in cooperation with Martin Pearce
Design: Regelindis Westphal Grafik-Design / Berno Buff, Berlin;
Revised by Nolte Kommunikation, Berlin
Bundestag eagle: Created by Professor Ludwig Gies; revised in 2008 by büro uebele
Photos: Deutscher Bundestag (DBT) / Inga Haar (portrait);
DBT / Thomas Köhler / photothek.net (left); Bundeswehr / Oberstabsgefreiter Simon Otte (centre); Bundeswehr / Oberstabsgefreiter Jakscht (right)
Printed by: Druckhaus Waiblingen Remstal-Bote GmbH, Waiblingen

Last updated: February 2021
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Link to the homepage of the Parliamentary Commissioner for the Armed Forces:
www.bundestag.de/en/parliament/commissioner

Link to further information about the Parliamentary Commissioner for the Armed Forces:
<https://www.btg-bestellservice.de/index.php?navi=1&subnavi=68&anr=80150000>

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