

REPUBLIK ÖSTERREICH Parlamentarische Bundesheerkommission

ANNUAL REPORT 2020

Austrian Parliamentary Commission for the Federal Armed Forces



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AUSTRIAN PARLIAMENTARY COMMISSION FOR THE FEDERAL ARMED FORCES

ANNUAL REPORT 2020

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Preface by the Presidium

In the last year of the Commission's six-year term of office from 2015 to 2020, the volume of complaints was twice as high as in the previous year. This large amount is due in particular to the increased number of complaints in connection with the COVID-19 assistance operation. The two most striking causes for complaints were the different pay brackets of the deployed soldiers and the restrictive approach towards service and free time regulations.

The government programme 2020 to 2024 determines that the financial situation and the condition of the Austrian Armed Forces require new concepts to ensure that the forces are future-oriented and modern. Therefore, the tasks, structures and means of national defence must be developed further and updated.

Particularly in 2020, the COVID-19 pandemic made it necessary for the Austrian Armed Forces to provide new types of support and assistance operations; in this way a partial mobilisation of units was effected, showing – albeit not surprisingly – that there is a high potential for improvement.

The Commission has been in regular exchange with comparable international institutions for more than a decade. This year, the 12ICOAF took place, not as a personal meeting as usual, but virtually, with 50 states participating and reporting how the pandemic affects their activities.

The Austrian Parliamentary Commission for the Federal Armed Forces supports the plan to adjust the legal basis that governs the pay of soldiers serving on assistance operations and welcomes the planned modernisation measures for the Armed Forces, because only forces that are fit for the future can guarantee comprehensive national defence in the years to come.

We thank our servicewomen and servicemen for their commitment!

Vienna, 31 December 2020 The Presidium of the Austrian Parliamentary Commission for the Federal Armed Forces

> Former MP Otto Pendl Chairman

MP Reinhard Bösch Executive Chairman MP Michael Hammer Chairman



I. Presidium of the Austrian Parliamentary Commission for the Federal Armed Forces 2020

Term of office from 1 January 2015 to 31 December 2020



Chairman MP Reinhard Bösch

Executive Chairman of the Austrian Parliamentary Commission for the Federal Armed Forces from 01 January 2019 to 31 December 2020

Chairman of the Austrian Parliamentary Commission for the Federal Armed Forces from 21 January 2015 to 31 December 2018



Chairman former MP Otto Pendl

Executive Chairman of the Austrian Parliamentary Commission for the Federal Armed Forces from 21 January 2015 to 31 December 2016

Chairman of the Austrian Parliamentary Commission for the Federal Armed Forces from 01 January 2017 to 31 December 2020



Chairman MP Michael Hammer

Executive Chairman of the Austrian Parliamentary Commission for the Federal Armed Forces from 01 January 2017 to 31 December 2018

Chairman of the Austrian Parliamentary Commission for the Federal Armed Forces from 21 January 2015 to 31 December 2016 and from 01 January 2019 to 31 December 2020

II. Austrian Parliamentary Commission for the Federal Armed Forces 2020

Presidium:

MP Reinhard Bösch, Executive Chairman	Freedom Party
Former MP Otto Pendl, Chairman	Social Democratic Party
MP Michael Hammer, Chairman	People's Party

Members:

Former MP Gisela Wurm Secretary to the Parliamentary Party Christian Schiesser Former MP Bernd Schönegger (until 06 October 2020) Secretary to the Parliamentary Party Helmut Brandl	.Social Democratic Party
(from 07 October to 08 December 2020)	.People's Party
MP Friedrich Ofenauer (since 09 December 2020)	• •
Former MP Oswald Klikovits	People's Party
Former Member of Provincial Parliament Manfred Haidinger	
(until 16 October 2020)	.Freedom Party
MP Volker Reifenberger (since 17 October 2020)	.Freedom Party
Member of Provincial Parliament Nikolaus Kunrath	The Greens
Sonja Stiller	
Former Federal Minister of Defence Friedhelm Frischenschlager	.NEOS

Substitute members:

Former MP Rudolf Plessl (until 11 February 2020) MP Robert Laimer (since 12 February 2020) Member of Provincial Parliament Hannes Weninger Member of Provincial Parliament Marcus Schober MP Norbert Sieber Franz Pietsch Former MP Asdin El Habbassi (until 06 October 2020) MP Manfred Hofinger (since 07 October 2020)	Social Democratic Party Social Democratic Party Social Democratic Party People's Party People's Party People's Party People's Party
MP Manfred Hofinger (since 07 October 2020) Former MP Christian Schandor	
MP Gerhard Kaniak Former MP Tanja Windbüchler-Souschill	Freedom Party
Former MP Christoph Hagen Erwin Gartler	former Team Stronach

Advisors:

General Robert Brieger, Chief of Defence Staff Christian Kemperle, Head of Directorate General I (until 30 September 2020) Eduard Hauser, Head of Directorate General I (since 01 October 2020) BrigGen Sylvia Sperandio, Head of the Military Health System

Office of the Austrian Parliamentary Commission for the Federal Armed Forces:

Karl Schneemann, Head of the Office of the Parliamentary Commission Siegfried Zörnpfenning (until 30 November 2020) Petra Neuhauser Sabine Gsaxner Larissa Pollak Ernst Kiesel Georg Buchberger (since 03 February 2020)

III. Tasks

The Austrian Parliamentary Commission for the Federal Armed Forces was founded in 1955, together with the Austrian Armed Forces, as a democratically legitimised monitoring body within the National Council. The Commission is legally based upon sections 4 and 21 para 3, 2001 Defence Act and

Sections 20a, 29 para 2 (k) and 87, para 4, National Council Rules of Procedure Act.

For further information on the Austrian Parliamentary Commission for the Federal Armed Forces see the Parliament's webpage:

www.parlament.gv.at/ Parlamentarische Bundesheerkommission

III. 1. Term of office

Under section 4, 2001 Defence Act, a term of office of the Austrian Parliamentary Commission for the Federal Armed Forces is six years.

The current term of office started on 01 January 2015, with the Commission being made up of the following parties:

Social Democratic Party (3 members), People's Party (3 members), Freedom Party (2 members), The Greens (1 member), Team Stronach (1 member), NEOS (1 member), and ended on 31 December 2020.

The Austrian Parliamentary Commission for the Federal Armed Forces is made up of three alternating executive chairpersons, as well as eight further members. The chairpersons are elected by the National Council, the other members are nominated by the political parties, in proportion to their number of seats on the Main Committee of the National Council. Every political party represented on the Main Committee of the National Council at the time of the Austrian Parliamentary Commission for the Federal Armed Forces' constitutive sitting has the right to be represented on this Commission.

In the 59th session of the National Council/25th legislative period on 21 January 2015, MP Otto Pendl (Social Democratic Party), MP Michael Hammer (People's Party) and MP Reinhard Bösch (Freedom Party) were elected chairpersons of the Austrian Parliamentary Commission for the Federal Armed Forces for the term of office until 31 December 2020.

In the year under review, MP Reinhard Bösch held the function of Executive Chairman.

The Federal Minister of Defence in the reporting period until 07 January 2020 was

Thomas Starlinger. On 07 January 2020, Klaudia Tanner took office as Federal Minister of Defence.

Advice to the Austrian Parliamentary Commission for the Federal Armed Forces is also rendered at its sittings by most senior officials of the Federal Ministry of Defence so that there is a permanent exchange of opinions with those bearing responsibility in the Ministry.

On the international level the Austrian Parliamentary Commission for the Federal Armed Forces' task setting may be compared to those of the Defence Representative of the German Bundestag and of further parliamentary ombuds institutions for the Armed Forces, e.g. in Ireland, Norway, Bosnia and Hercegovina or South Africa.

III. 2. Who may lodge a complaint?

The Austrian Parliamentary Commission for the Federal Armed Forces accepts complaints that are lodged either directly or indirectly

- by persons who have volunteered for pre-enlistment fitness examination or trainee service,
- by persons liable to induction,
- by soldiers of either sex,
- by soldiers' representatives,
- by conscripts in the ready reserve or in the reserve,
- by persons who have undergone trainee service

and – unless the Commission finds the alleged reason for the complaint negligible – to examine it and decide upon recommendations pertaining to its settlement.

The persons listed above can lodge complaints concerning shortcomings or deficiencies within the military, especially regarding personal injustices or encroachments upon professional competencies.

The right to lodge a complaint expires one year after the issue giving rise to the complaint has become known to the complainant, in any case two years after the issue giving rise to the complaint has become void.

In addition, the Austrian Parliamentary Commission for the Federal Armed Forces is entitled to investigate ex officio shortcomings or grievances within the military, suspected by the Commission.

A complaint to the Austrian Parliamentary Commission for the Federal Armed Forces is



completely independent of official channels and ensures that an independent third party, i.e. the Commission, charges a grievance.

III. 3. How to contact the Austrian Parliamentary Commission for the Federal Armed Forces

In person:

- 1090 Vienna
- Roßauer Lände 1

By telephone: +43 50201 10 21050 +43 1/3198089,

90 12 30100 + extension

In writing:

- 1090 Vienna, Roßauer Lände 1
- bundesheer.beschwerden@parlament.gv.at

III. 4. Annual report

The annual report of the Austrian Parliamentary Commission for the Federal Armed Forces is published once a year, as per section 11 para 4, Rules of Procedure, and in conjunction with section 4, para 5, 2001 Defence Act, and is to be forwarded immediately by the Federal Minister of Defence, together with a statement, to the National Council. The Chairpersons of the Austrian Parliamentary Commission for the Federal Armed Forces shall have the right to take part in the hearings concerning these reports in the committees of the National Council, and to be heard whenever they so request.

IV. Activities

The Austrian Parliamentary Commission for the Federal Armed Forces dealt with the enquiries brought forward during the year under review, investigated all filed complaints, arranged for ex officio investigations, carried out on-site inspections, put an end to shortcomings and deficiencies within the military in close cooperation with the Federal Minister of Defence and the advisors, and presented suggestions for improvements in routine duty and in carrying out training.

The Presidium of the Austrian Parliamentary Commission for the Federal Armed Forces prepared the Commission's plenary meetings, so as to make possible the adoption of complaints and ex officio investigations, and to give recommendations to the Federal Minister of Defence.

Information events of the Presidium of the Commission on the Austrian Armed Forces in the Federal Ministry of Defence, as well as work meetings with representatives of the political scene, the church, religious denominations and the economy fulfilled the purpose by strengthening the understanding of independent, objective and comprehensive control of the military.

In co-operation with the Federal Minister of Defence and the advisors, problems connected with complaints lodged were often already resolved in the course of the investigation in a manner that was satisfactory to the complainant. The intervention by the Austrian Parliamentary Commission for the Federal Armed Forces often quickly remedied aired grievances and thus in many cases contributed to an improvement of the work climate.

Concerning justified complaints, the Minister of Defence took the supervisory measures deemed necessary (ranging from instructions, rebukes and disciplinary measures to bringing forward charges).

IV. 1. Fundamental data

In 2020 the Austrian Parliamentary Commission for the Federal Armed Forces initiated 580 complaints proceedings. Compared to the previous year, the number of complaints doubled, primarily due to the pandemic-related assistance operations (pay brackets and free time regulations).

The grounds for complaint mainly related to matters of training and duty, matters of service and pay law, equipment deficiencies and accommodation.

IV. 2. Ex officio investigations

In the year under review, the Austrian Parliamentary Commission for the Federal Armed Forces decided on six ex officio investigations. Alleged shortcomings and grievances in the scope of military service were investigated.

IV. 3. Activities pursuant to Section 21 (3) of the 2001 Defence Act

In the year under review there was no request for issuing a statement regarding an appeal against an administrative selection decision concerning the obligation to attend key personnel recalls.

V. Examples of complaints/ex officio investigations

V. 1. Inappropriate language

An NCO was heard making remarks to corporals such as: "Pepper spray doesn't work on niggers!" and "...two nigger boys...". (GZ 10/13-2020)

During the roll call of a company an NCO made fun of a Private's slip of the tongue. When the Private asked to be dismissed to visit the infirmary the NCO said: "It is better for you to visit the doctor, otherwise you would have been fucked today anyway". (GZ 10/510-2020)

V. 2. Unnecessary harassment

A company commander extended the duty hours in the assistance operation by six hours on short notice because soldiers could only poorly describe their mission and did not wear their uniforms correctly. (GZ 10/154-2020)

V. 3. Organisational shortcomings

At the beginning of a law enforcement assistance operation there was no change of clothes for a corporal for more than two weeks. (GZ 10/57-2020)

V. 4. Incomprehensible measures

A person suspected to be sick with COVID-19 had been transported in a military vehicle. During the subsequent journey on that vehicle, the company commander placated the recruits travelling with him with the words: "Don't worry about that nonsense...". Subsequently, he refrained from informing the soldiers about the suspected case, which was ultimately not confirmed. (GZ 10/155-2020)

V. 5. Evaluation of legal provisions

Soldiers doing operation-related military service deployed on the assistance operation expressed total lack of understanding about the high differences in pay compared to soldiers doing voluntary service in the same operation and with comparable functions.

Ready reserve units were deployed on the COVID-19 assistance operation. This was the first time in the Second Republic that such units were mobilised. Those doing operation-related military service were fully compensated for loss of earnings and received various benefits, such as the monthly operation allowance, the rank bonus and the appreciation award. The discrepancy in monetary payments and inequalities in pay are due to a



development that over the years has sought to make voluntary military services, such as the service of women without conscription, voluntary recalls or functional services, more attractive, while operation-related military service has not been questioned or amended in terms of pay law.

The Austrian Parliamentary Commission for the Federal Armed Forces supports the legislative initiatives to improve the structure of pay for the various types of operation-related military service.

VI. Inspection visits of the Austrian Parliamentary Commission for the Federal Armed Forces

VI. 1. Inspection visits on the accommodation situation for services

The Commission initiated an ex-officio investigation procedure based on allegations in the social media concerning alleged gross deficiencies in the accommodation of service personnel who were deployed at the Hagenbrunn postal logistics centre.

On 22 May 2020, an on-site inspection at the Dabsch Barracks in Korneuburg revealed the following:

The Austrian Armed Forces' task was to temporarily support the Austrian postal service at the parcel distribution centre in Hagenbrunn until 30 May 2020 within the context of the nationwide measures following the COVID-19 situation. The services performed by the soldiers was invoiced to the Austrian national postal service.

After orders were issued on 15 May 2020 at 8:15 p.m., the first work shift was taken over at the postal distribution centre on 16 May 2020. The standard 3-shift operation started on Sunday, 17 May 2020.

<u>Personnel</u>

A total of 397 servicewomen and servicemen were assigned in three work shifts. Two work shifts of 90 persons each were accommodated in the Dabsch Barracks. The third shift was accommodated in greater Vienna, mainly in the military residence of Breitensee in Vienna.

Accommodation

The two deployed units were accommodated and supplied separately in the Dabsch Barracks. Special relevance was attached to providing as much distance as possible in the accommodations. In a total of 4 halls sized between approx. 800 and 950 m², appropriate sleeping and resting quarters were set in the form of compartments, analogous to the work areas in the parcel distribution centre and with the lowest possible



occupancy, for 180 persons.

Dividers were put up between the compartments/bunks.

To ensure sanitation, three Mammut Module 3 units with hot water and showers with two shower heads per cabin were provided during the first days of deployment at the weekend. The three shower and three toilet containers with five cabins each, delivered on 18 May 2020, replaced the three makeshift Mammut sanitary systems. The heaters, the lighting and the sockets were in place as of the beginning of the week.

Food

Meals ready to eat/cold provisions were issued for the deployment of the company at the weekend. Catering by the mess hall at the Dabsch Barracks commenced on Monday, 18 May 2020.

COVID-19 testing

On 21 May 2020, two national servicemen who were not accommodated at Dabsch Barracks, but were deployed at the Hagenbrunn postal distribution centre, tested positive for COVID-19. Due to the modular accommodation in small groups, quarantine was necessary for nine soldiers. From 25 May 2020 onwards, the personnel of the three shifts was tested for COVID-19 not only at Hagenbrunn postal distribution centre, but also in their accommodations. There were no further positive COVID-19 test cases until the end of the support operation.

Summary

The makeshift accommodation of the soldiers in heated halls and with sufficient sanitary containers made it possible to separate the service personnel into small groups, so that in the event of infection with COVID-19 only few persons would be affected by a quarantine. The high room capacity ensured that the different groups that worked three shifts at Hagenbrunn postal distribution centre until the end of May 2020 were accommodated separately.

Based on years of experience and the CBRN Defence Centre's high level of competence, it was possible to provide adequate accommodation within a short period of time and in accordance with the hygiene requirements applying to COVID-19.

VI. 2. Training Objective Inspection visit with soldiers doing operation-related military service at the Vienna Provincial Military Command

On 19 June 2020, the Austrian Parliamentary Commission for the Federal Armed Forces paid an inspection visit to the soldiers doing operation-related military service in Vienna.

Deployment

Operation-related military service started on 04 May 2020. A majority of the requests by companies to exempt concerned employees and a majority of the requests for exemption for personal reasons by called-up conscripts were taken into account by the military commands and the Federal Ministry of Defence. The commanders of the deployed ready reserve units were not involved in the assessment of military considerations. The large number of exemptions from operation-related military service meant that not only the personnel reserve among the called-up troops was exhausted, but some functions could not be filled at all.

Additional initial difficulties arose from the brief recalls in recent years (only one week every two years) and from the integration of soldiers who were temporarily assigned to the ready reserve and who were under no obligation to heed reserve recalls. In addition, necessary key personnel (commanders in officer and NCO functions) had to be called up in good time in order to be able to optimise operations preparation.

Soldiers doing operation-related military service deployed on the assistance operation raised the following issues:

Food

At the beginning of the operation-related military service, only cold meals were provided.

Accommodation

The accommodation capacity of the Vienna Provincial Military Command is limited. In Starhemberg Barracks, separators with a height of about two metres were put up to divide the large rooms into individual areas, so that acceptable accommodation was guaranteed during the assistance operation until the end of July 2020. The Headquarters Building General Körner is worn-out and in need of being renovated. In order to accommodate the mobilised forces, individual floors were adapted temporarily and provisionally.

Uniform, equipment

In the opinion of some soldiers, the superiors did not react and adjust the uniform quickly enough when the outside temperatures rose (e.g. short-sleeved shirts) – in contrast to the police. Hot weather/summer uniforms were not available. The intervals for changing and cleaning the clothes, including the stab protection vests, were too long, because the uniform got excessively sweaty every day.

A sleeping bag was not available.

Mobility

The ready reserve company was issued additional motor vehicles to increase their mobility; in this way the soldiers could be transported from the barracks to their assigned place of duty at the respective embassy and back again with military vehicles. Other routes, especially from the respective embassy to the recreation room and back, had to be covered on foot and were a strain for the deployed soldiers.

Operations preparation

Long periods of waiting and standing during operations preparation were perceived as "artificially dragging out" the duty time.

A prior call-up of all commander functions, especially officers and NCOs, is considered necessary for general preparation and refreshing basic military knowledge.

Medical officer of the Vienna Provincial Military Command

The function of the chief medical officer at the Vienna Provincial Military Command was deleted with the latest reorganisation of the provincial military commands; now a medical officer of the Joint Forces Command in Graz is responsible for these tasks both for the Vienna and the Carinthia Provincial Military Commands, with his place of service being Klagenfurt. As a result, there was no chief medical officer present in Vienna, and the Vienna Provincial Military Command was unable to send a chief medical officer as a technical expert to the COVID-19 crisis management staff in Vienna during the COVID-19 possible.

It should be noted that the chief medical officer was indispensable in Carinthia.

Garrison officer Vienna

A few years ago, the garrison officer function of the Vienna Provincial Military Command was deleted and replaced by a duty officer. The comprehensive tasks in the capital require a garrison officer, who is always available and authorised to issue orders, to be present in the garrison of Vienna, even when there is no crisis. The commander of the Vienna Provincial Military Command is available as a point of contact around the clock and thus also when he is off-duty. However, this is not a substitute for 24/7 crisis management, where rapid initial reactions can be initiated in the event of an incident.

Identity provider login of the Federal Ministry of Defence

Soldiers doing national service do not have access to the identity provider login of the Federal Ministry of Defence, via which they can take a look at their payslip. The delivery of payslips on paper is not provided for. The bank account statement only shows the payer and the total sum of pay. The gross and net pay is not broken down into its individual components.

Summary

- The commanders of the called-up ready reserve units were not involved in the assessment of the exemption requests.
- The numerous exemptions from operation-related military service counteracted the purpose of structured mobilisation.
- Because exercise activities were kept short in recent years, the skills necessary for this operation had to be acquired when the operation began.
- Some soldiers felt that protecting embassies was an emergency solution and questioned whether the Austrian Armed Forces should continue the COVID-19 assistance operation in Vienna in view of the changed situation.
- The Headquarters Building General Körner is worn-out and in need of being renovated.
- Hot weather or summer uniforms were not available. The intervals for changing and cleaning the clothes, including the stab protection vests, were too long.
- There is a huge difference in pay for the assistance operation, when comparing soldiers who do operation-related military service and those who do voluntary reserve recalls.
- In order to increase mobility, the company was equipped with additional military vehicles.
- A prior call-up of key personnel is advisable.
- The Vienna Provincial Military Command was unable to provide a chief medical officer as an expert for the city of Vienna's COVID-19 crisis management staff, as he was indispensable in Klagenfurt.
- Since there is no garrison officer at the Vienna Provincial Military Command,



24/7 crisis management and rapid initial reactions are not ensured in the event of an incident.

- Soldiers doing national service do not have access to the MoD's identity provider login and thus cannot check their salary components.

VI. 3. Inspection visit with the 3rd Infantry Brigade (Rapid Forces Brigade)

On 09 September 2020 the Austrian Parliamentary Commission for the Federal Armed Forces paid an inspection visit to the 3rd Infantry Brigade (Rapid Forces Brigade) in Mautern.

General remarks

The 3rd Infantry Brigade (Rapid Forces Brigade) is one of the four land brigades of the Austrian Armed Forces earmarked for operational tasks in Austria and abroad. It is equipped with armoured personnel carriers and highly trained for operations in an urban environment. The designation "Rapid Forces Brigade" refers to its special capability as a first-response force of the Armed Forces.

Training, provision of forces, operations preparation and command and control are among the brigade's central tasks, and by coordinating the branches and their capabilities, it ensures that the deployed forces act in a coordinated manner.

In order to be able to respond to current and future threats, the legal and financial framework must be adapted in such a manner that it can ensure the maintenance of capabilities on the one hand and exercise hybrid scenarios and more complex military tasks on the other. In the past, it became apparent that comprehensive changes of the structure of the Armed Forces only brought limited progress. A coherent revision in individual areas could contribute to individual benefits and, in the longer term, to the sustainable strengthening of the Armed Forces.

Personnel

In the past years, there has been a good increase of personnel on average, especially in terms of non-commissioned officers. When it comes to officers, there is a noticeable pull towards higher-rated jobs in the Ministry of Defence and in higher Commands, which is why not all officer positions can be filled.

Equipment and uniform

The 3rd Infantry Brigade (Rapid Forces Brigade) has not been issued the "Camouflage" battle dress uniform.

The pressure reducer for the oxygen apparatus missing in the medics' backpack has not been supplied in months.

Ready reserve

Because of the distinct shortage of key personnel in the officers and NCOs sphere, the readiness of the ready reserve is limited. The readiness of the personnel of the other ranks is given thanks to temporary assignment to the ready reserve.

The military equipment earmarked for ready reserve units is either deployed abroad or kept at academies and branch schools, which requires time-consuming administrational procedures in order to get hold of it for exercises and operations.

Infrastructure

In the past years, the premises of the Raab Barracks have been renovated.

The accommodations in blocks M4 and M5 are in need of renovation, as is the building of the battalion outpatient clinic. Some of the rooms' furnishings are very outdated. Some key personnel only have a locker.

Merging the "cross-sectional matter" infrastructure has not been possible so far, although it is opposed to the principle of "unity of command" by involving various headquarters and offices that are responsible for accommodation, welfare facilities, construction activities, workshops, outpatient clinics, etc. Responsibilities are divided between the provincial military commands, the Military Real Estate Management Centre and the brigades themselves, with the brigades playing only a minor role. This leads to delays and complications in routine duty.

Summary

- The soldiers of the 3rd Infantry Brigade (Rapid Forces Brigade) are motivated and provide services that are highly appreciated both nationally and internationally.
- In order to continue to be able to respond to current and future threats, the legal and financial framework must be adapted so as to ensure that capabilities are maintained on the one hand and hybrid scenarios and more complex military tasks are exercised on the other.
- Concerning officer positions, there is a noticeable pull towards better-valued jobs in the Ministry of Defence and to higher Commands, which is why not all officer positions can be filled.
- The 3rd Infantry Brigade (Rapid Forces Brigade) has not been issued the camouflage battle dress uniform.
- The pressure reducer for the oxygen apparatus missing in the medics' backpack has not been supplied in months.
- Exercises and operations of the ready reserve require time-consuming administrational procedures because the military equipment is either deployed abroad or kept at academies and branch schools.



- The accommodations in blocks M4 and M5 in the Raab Barracks are in need of renovation, as is the building of the battalion outpatient clinic. Some of the rooms' furnishings are very outdated.
- Responsibilities concerning the maintenance of infrastructure are divided between the provincial military commands, the Military Real Estate Management Centre and the brigade itself, with the brigade itself playing only a minor role. This leads to delays and complications in routine duty.

VI. 4. Inspection visit at a Key Personnel Training Course1

On 20 October 2020, the Austrian Parliamentary Commission for the Federal Armed Forces paid an inspection visit to the soldiers of the Key Personnel Training Course 1 at the Aviation and Air Defence School. The course was deployed at the military training area in Bruckneudorf in the 43rd calendar week of 2020, undergoing combat training "survival in the field". Combat training during the field week was dealt with topic by topic (survival in the field, observation, etc.)

General remarks

The Aviation and Air Defence School was established in 2007 by merging the former Aviation School in Zeltweg, the former Air Defence School in Langenlebarn, a large part of the former Air Force Command and parts of five other offices and units in Langenlebarn.

Today, the school with its two locations in Langenlebarn and Zeltweg covers most of the relevant training and continued training requirements for key personnel of the air force.

In addition, the school significantly contributes to the fulfilment of operational tasks of the Air Force, such as airspace security operations, assistance operations or international operations.

The Key Personnel Training Course 1 lasts five months and started in September 2020 at seven training locations nationwide. The Key Personnel Training Course 1 is the prerequisite for the subsequent Key Personnel Training Course 2 and the Key Personnel Training Course 3, which are all the basis for NCO or officer training.

According to the Implementing Instructions for Key Personnel Training 2016; version 2019, the training objective of the Key Personnel Training Course 1 is (extract) as follows:

"The graduates of the Key Personnel Training Course 1 are qualified to lead a team within the framework of a squad according to the reference model of the infantry, also when repeating tasks and under long-term physical strain and exertion. They have a matured ability to assess themselves and still continue to develop their ability to assess others. In questions of leadership behaviour as well as individual learning, they appear as competent, physically capable soldiers, and aspiring leaders..."

Note: Military training area Bruckneudorf

The Bruckneudorf military training area covers 4,480 hectares and is thus the second largest of its kind, but due to its favourable accessibility and location, it is by far the most used military training area of the Austrian Armed Forces.

There were some deadwood trees in the area of the tent camp. The risk potential was not taken into account. The Commander of the Bruckneudorf Military Training Area assured that safety measures at the tent camp would be taken up immediately.

Five forestry workers of the military training area are responsible for forestry work in the military training area covering 4,480 ha. Due to the high proportion of damaged wood caused by the ash dieback, outsourcing should be considered for capacity reasons in order to ensure safety everywhere in the military training area.

The following topics were addressed during discussions with soldiers doing the Key Personnel Training Course 1:

• Early deregistering or dropping out

59 soldiers took up the Key Personnel Training Course 1 at the Training Company/Aviation and Air Defence School at the beginning of September 2020. The number of participants increased to 66 due to further participants. At the time of the inspection visit, 3 female soldiers (out of 7) and 35 male soldiers (out of 59) were present at the training. This means that the drop-out rate is over 42% (7 persons were discharged early because they were unfit for duty, 3 had their aptitude rating lowered, 3 did not pass their aptitude test, 1 did not pass the reliability test, 4 left in order to study at the university, 9 left for personal reasons). In comparison, the drop-out rate for other Key Personnel Training Courses 1 is around 25%.

The premature termination of the training was also based on the following factors, among others:

- Lack of information

There were complaints about insufficient or missing information before and during the course regarding future challenges and strain during the training.

In individual cases, there was a completely unrealistic approach and attitude towards key personnel training (parents' wishes, passing the time until the start of university studies, higher pay than for basic national service, etc.)

In this regard, practical information is necessary, especially when it comes to recruiting personnel.

- Time pressure

In general, the pace set during the first week of training was felt to be too fast. The time allotted for lunch break, but also the number and duration of other breaks, is still considered short. Female soldiers stated that not enough time is scheduled for taking showers and going to the toilet.

- Use of language

The way of speaking during duty was correct.

The remaining key personnel candidates attested to the correctness of the instructors' use of language. The course participants felt that the key personnel generally appreciated them. The high level of professional knowledge, the exemplary demeanour and the commitment were emphasised.

Not very motivating was the statement often heard from the key personnel during and after several hours of physically challenging and stressful packing and falling-in exercises: "You can always quit!"

- Military medical reasons

To date, seven persons were discharged early because the military medical assessment rated them unfit for service.

- Aptitude for key personnel

Due to capacity restrictions caused by the COVID-19 pandemic, eleven persons could not be submitted to regular key personnel aptitude testing before the start of the course. Of these eleven persons, ten had to be dismissed later on because they were unfit as key personnel.

These ten persons should not have been admitted to the Key Personnel Training Course 1. This means that the overall drop-out rate would be at 25% rather than 42%.

• Food

Breakfast and lunch were complimented. There was criticism that from the beginning of the course only cold meals and almost always the same food were offered for dinner: Sausage, cheese spread and bread. Due to the intensive training phases, which often lasted into the night, the wish for additional snacks was expressed.



Accommodation

The accommodations in the Training Company at Brumowski Airbase in Langenlebarn were cramped. When the lockers were open, it was hardly possible to move around the accommodations reasonably freely.

Combat boots

The lack of comfort of the standard combat boot was criticised. Several blisters from marching were attributed to this footwear. The key personnel wore private, higher-quality footwear on duty, which made the trainees feel disadvantaged.

• Disciplinary measures

In individual cases, complaints were made that disciplinary measures were too harsh. Despite admittance that misconduct during service, such as non-compliance with safety regulations with blank ammunition, is to be punished, mitigating circumstances were allegedly not taken into account.

<u>The following topics were addressed during discussions with the NCO training personnel</u> of the Key Personnel Training Course 1:

• Support by superiors

Disciplinary measures for the misconduct of course participants by superiors were, in the opinion of the NCOs, inappropriate and consistent.

Training material

During the training, only one pair of binoculars and one compass were available for two to three soldiers. In general, there was not enough training material, such as various dummies, blank ammunition, etc.

• Food

Since February 2020, only cold dinner had been served in the mess hall of Brumowski Air Base, and it is also not well-balanced. Muesli bars and fruit should also be a fixed component of the cold meals.

• Training procedure

Frequently, individual course participants were called off their training on different occasions and often for several days for specialist aptitude testing. This made it very difficult to achieve a consistent level of training and to conduct some training programmes, such as machine gun training.

At least one common time slot for various aptitude tests is to be aimed at so that the training processes are affected as little as possible.

During the five-month training, further participants, who had sufficient prior knowledge in

theory but extremely poor prior military knowledge in practice, repeatedly joined the course, which considerably affected the training and team building processes.

Summary

The Austrian Parliamentary Commission for the Federal Armed Forces noted:

- There was unanimous praise for the training. The alternation between phases of stress and easier periods were okay.
- Both the instructors and the soldiers of the Key Personnel Training Course 1 in the Training Company of the Aviation and Air Defence School were extremely motivated.
- The drop-out rate of 42% is above average. However, a closer look at the reasons for dropping out (previous medical conditions, injuries during training, decrease in the aptitude rating, unfitness for duty, fundamentally wrong conceptions about the career, poorly prepared additional participants joining later) reveals that the Aviation and Air Defence School is not directly responsible for many of the reasons.
- The physical and psychological stress in the first week of training caused early dropouts. Establishing an accompanying mentoring programme is suggested.
- Breakfast and lunch were complimented. The cold meals offered for dinner on a daily basis were very unbalanced and insufficient. Additional food should be provided for extended duty hours lasting into the evening.
- The use of language during duty was correct.
- In general, the pace set during the first training week was felt to be too high. The time scheduled for lunch break, but also the number and duration of other breaks, is considered short, particularly for taking showers and going to the toilet.
- Due to the high proportion of dead and damaged trees in the Bruckneudorf Military Training Area, outsourcing should be considered for capacity reasons in order to ensure safety in all areas of the military training area.
- Practical information about training at a future stage is necessary, especially when it comes to recruiting personnel.
- The accommodations in the Training Company at Brumowski Air Base was cramped.
- The standard combat boots are found to be uncomfortable.
- There was insufficient training and exercise equipment, i.e. binoculars, compasses, etc.

VII. Further topics

VII. 1. Consequences of the COVID-19 pandemic

On 16 March 2020, the first lockdown was issued because of the COVID-19 pandemic. Soldiers of the Austrian Armed Forces were increasingly deployed on assistance operations in support of civilian institutions.

During this period, complaints occurred much more frequently. The main points were: Due to the demanding operations and the risk of infection with COVID-19, soldiers on assistance operations were significantly restricted in going out for the purpose of leisure. The soldiers doing operation-related military service who were deployed on the assistance operation did by no means understand the differences in pay they received for comparable functions and services as compared to the regular service personnel. Another issue was the closed welfare facilities in one barracks.

The Austrian Parliamentary Commission for the Federal Armed Forces conducted inspection visits within Austria. On-site inspection visits could not be made to Austrian contingents serving on international operations.

VII. 2. Annual Report 2019

After submitting the Annual Report 2019 to the President of the National Council, MP Wolfgang Sobotka, and to the Federal Minister of Defence, Klaudia Tanner, the Austrian Parliamentary Commission for the Federal Armed Forces published the report in a press release on 15 May 2020.

The Austrian Armed Forces are weakened by their insufficient budgetary resources, which impedes task accomplishment as the strategic reserve of the Republic.

The Annual Report 2019 was discussed at the meeting of the National Defence Committee on 05 October 2020 and unanimously acknowledged.

VII. 3. Conference of the Austrian Parliamentary Commission for the Federal Armed Forces

In the course of the Conference of the Austrian Parliamentary Commission for the Federal Armed Forces at Palais Epstein on 13 October 2020, the Federal Minister of Defence, Klaudia Tanner, gave a speech on the topic of the perspectives of national defence, which was followed by a discussion.

The Federal Minister of Defence emphasised that the intervention of the Austrian Parliamentary Commission for the Federal Armed Forces usually leads to the correction of grievances and often contributes to improving the working atmosphere. The Austrian Armed Forces investigate every complaint and take measures to remedy any grievances. The Austrian Parliamentary Commission for the Federal Armed Forces is – as a democratically legitimised control body of the National Council – also a symbol of the state's sense of responsibility towards its citizens – especially towards those who serve in the Armed Forces.

The speech by the Federal Minister of Defence, Klaudia Tanner, on the perspectives of national defence is attached in extracts.

VII. 4. Ready reserve

In continuation of the series of talks between the Austrian Parliamentary Commission for the Federal Armed Forces and the Ready Reserve Commissioner of the Austrian Armed Forces, the following is stated on the situation of the ready reserve:

<u>Budget</u>

In 2019, the Ready Reserve Commissioner agreed with the then Minister of Finance on a special investment for the ready reserve amounting to \in 200 million. With this package, four infantry battalions should have been fully equipped. Instead, only 200 trucks were procured.

In accordance with the government programme, further funds are indispensable to equip the soldiers of the ready reserve with the necessary state-of-the-art equipment.

<u>Personnel</u>

The personal readiness of the ready reserve is clearly limited when it comes to key personnel functions, i.e. officers and NCOs. When comparing the ACTUAL numbers with the intended TARGET numbers of 110%, for officers in the ready reserve this number falls short by 1,862, and for NCOs in the ready reserve by 4,646.

The personal readiness of the other ranks is given as a result of temporary assignment.

Improved access to active reserve training is necessary, especially for soldiers who have completed their national service.

Payment **Payment**

There is a considerable difference in pay for the assistance operation between soldiers doing operation-related military service and those doing voluntary recalls.

In the period from 04 May 2020 to 31 July 2020, differences in salary were as follows, based on the example of a sergeant: The salary for a voluntary recall/functional service is \in 9,508.80 as compared to the salary for operation-related military service of \in 5,207.30.

Example of a captain: The salary for a voluntary recall/functional service is \in 11,313.70 as compared to the salary for operation-related military service of \in 5,671.00.

Soldiers of all ranks doing operation-related military service cannot understand these high differences in pay for comparable functions and services.

Equipment

The investment requirement for the ready reserve was calculated at \in 688 million to cover the material shortfall according to the table of organisation and equipment for the independently structured ready reserve.

Of the ten ready reserve infantry battalions, only a maximum of four infantry battalions can be equipped with the existing equipment – and only after extensive administrational procedures – in the event that this is required for all of them simultaneously.

The military equipment earmarked for the ready reserve is either deployed abroad or kept at academies and schools. Therefore, time-consuming administrational procedures are required for exercises or operations.

The ready reserve and the economy

In coordination with the Chamber of Commerce and other social partners, the awareness of the added value that the activities of the ready reserve have for the economy is to be increased through activities at the provincial level, involving provincial military commanders.

The goal is to further expand the possibilities of mutual accreditation of acquired civilian and military qualifications.

Aspects of pension, social and defence law

- Soldiers in the ready reserve who receive more than the fixed payment during their national service are "disadvantaged" in that their pension accounts are not credited with the higher payment, but only with the lump-sum payment.

- Under the Childcare Allowance Act and the Family Time Bonus Act, there is only an entitlement to income-related childcare allowance and to the Family Time Bonus if the requester has been in continuous gainful employment subject to social insurance contributions in the last six months before the birth of the child. Periods of national service do not count as gainful employment. An interruption of no more than 14 calendar days in total is permissible, but there are soldiers in the ready reserve who lose their entitlement to income-related childcare allowance and the family time bonus entirely as a result of recalls that last more than 14 days. This is completely incomprehensible for those affected, as the recalls are obligatory due to a legal mandate.
- In some cases of the General Pension Act, periods of national service are not considered as gainful employment covered by contributions, which has an impact on the entitlement to a pension and the pension amount.
- The holiday entitlement of employed persons doing national service for more than 30 days per year is reduced pro rata.

Mobilisation

With the global spread of COVID-19, the task spectrum of the Austrian Armed Forces has increased, so that on 18 March 2020, the Federal Government decided to call up soldiers for operation-related military service. The legal basis and the "calling up of conscripts in the ready reserve or in the reserve" for the operation are laid down in particular in the provisions of Section 23a of the 2001 Defence Act. Throughout Austria, 13 infantry companies were called up.

Operation-related military service started on 04 May 2020. As the COVID-19 situation in Austria has increasingly improved since April 2020, the size of the assistance forces was significantly reduced from 2,400 to approximately 1,300 soldiers in line with the situation. The provincial military commands or the Federal Ministry of Defence approved the majority of the requests for exemption made by the enterprises of the respective employees or of those for personal reasons made by the called up conscripts themselves. The commanders of the deployed ready reserve units were not involved in the assessment of military considerations. The large number of exemptions from operation-related military service meant that not only the personnel reserve among the called-up troops was exhausted, but some functions could not be filled at all. With short-term assignments from within the battalion, the missing functions could then be filled to some extent.

As a result, a motley troop entered into the assistance operation. The undifferentiated exemptions from operation-related military service defied the purpose of a structured deployment.

Additional initial difficulties arose when, due to years of insufficient exercise activities, the military capabilities as a coherent battalion had to be built up at the beginning of the operation.

In addition, necessary key personnel (commanders in officer and NCO functions) had to be called up in good time so as to be able to optimise operations preparation.

Exemption from operation-related military service

Some soldiers liable to operation-related military service did not request to be exempted because they were convinced of the necessity of the deployment and that such a request was futile. Only when all servicemen had assembled did the officers and non-commissioned officers obtain an overview of the large number of exemptions that had been approved.

Some soldiers noted that if they had been informed about the generous exemption policy in time, they would have submitted an exemption request themselves.

Summary

- For the most part, motivation is great, especially among the officers.
- There is a severe shortage of officers and NCOs in the ready reserve.
- The duration and flexibility of NCO training in the ready reserve should be organised in modules (each one lasting for a maximum of three weeks instead of six months at a time).
- There is a dramatic shortage of equipment and assets. The ready reserve lacks mobility.
- The undifferentiated exemptions from operation-related military service defied the purpose of a structured deployment.
- The difference in pay for the assistance operation between soldiers doing operationrelated military service and those doing voluntary recalls is considerable.

VIII. International cooperation

VIII. 1. Preparatory meeting for the 12ICOAF

In the run-up to the 12ICOAF - International Conference of Ombuds Institutions for the Armed Forces, scheduled to be held in Vienna in 2020, a preparatory meeting was held in Parliament on 27 February 2020 on the topic of International Missions – Contribution to Security and Development and the Role of Ombuds Institutions for the Armed Forces.

VIII. 2. Training objective International Conference of Ombuds Institutions for the Armed Forces (ICOAF)

As a platform for promoting the democratic control of armed forces and preventing maladministration and violations of human rights, the ICOAF supports and enables the international exchange of experiences and enhanced cooperation between more than 50 ombuds institutions for the armed forces in Africa, America, Asia, Australia and Europe.

12ICOAF

As the International Conference of Ombuds Institutions for the Armed Forces enters its twelfth year, the conference continues to promote the exchange of experiences and enhanced cooperation among ombuds institutions. Originally planned as a joint event between the Austrian Parliamentary Commission for the Federal Armed Forces and DCAF – the Geneva Centre for Security Sector Governance – in Vienna, 12ICOAF was held online and hosted by DCAF from 26 to 30 October 2020, due to the COVID-19 restrictions. The focus of the 12ICOAF was the impact of COVID-19 on ombuds institutions.

The Outcome Document on the 12ICOAF is annexed.

Annex

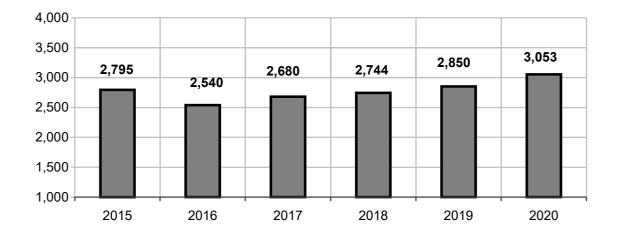
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Statistical overview of complaints

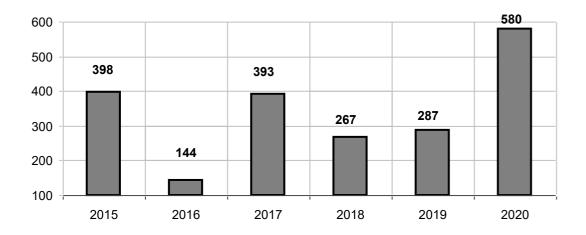
In the reporting period, 3,053 persons resorted to the Austrian Parliamentary Commission for the Federal Armed Forces for help. In numerous cases help was rendered fast and in an efficient manner by way of providing advice and legal counsel as well as by mediating solutions.

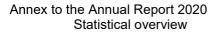
In 580 cases complaints proceedings had to be initiated as per the stipulations of Defence Act 2001, section 4.



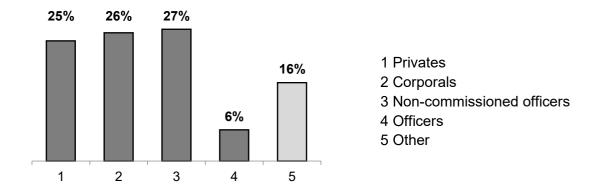
Requests for information and legal advice 2015 to 2020

Number of complaints 2015 to 2020

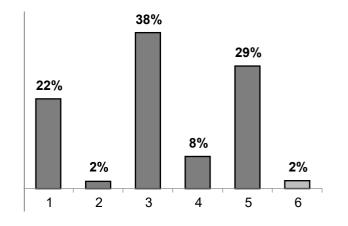




Who complained?

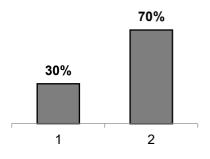


Causes for Complaints



- Personnel matters
 Matters of discipline and complaints
 Training, routine duty
 Supplies
 Infrastructure
- 6 Other

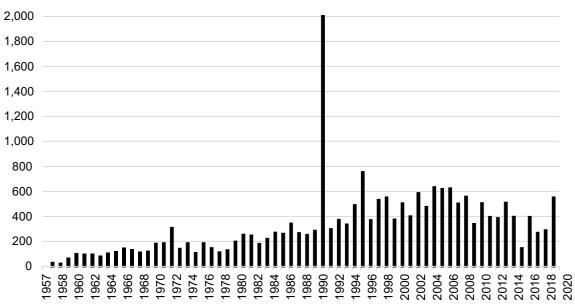
Complaints of national servicemen and key personnel



1 National servicemen 2 Key personnel



Statistics total/extract



Number of complaints 1957 to 2020



Legal references

2001 Defence Act	34
National Council Rules of Procedure Act	37
Rules of Procedure of the Austrian Parliamentary Commission for the Federal Arm	ied
Forces	38



Extract from the 2001 Defence Act

2001 Defence Act Federal Law Gazette I No. 146, last amended by Federal Act, Federal Law Gazette No. I 102/2019

Austrian Parliamentary Commission for the Federal Armed Forces

Sect. 4. (1) (Constitutional stipulation) A complaints commission for military matters (Austrian Parliamentary Commission for the Federal Armed Forces) shall be collocated with the Federal Minister of Defence. The Austrian Parliamentary Commission for the Federal Armed Forces shall consist of three chairpersons, each of whom, pursuant to para 10, shall become the executive chairperson by rotation, as well as initially of six further members. The chairpersons shall be appointed by the National Council pursuant to para 9, the other six members shall be nominated by the political parties in accordance with d'Hondt in proportion to their numbers of seats on the Main Committee of the National Council. Every party represented on the Main Committee of the National Council shall have the right to be represented in the Austrian Parliamentary Commission for the Federal Armed Forces. Should, by way of this calculation, not every such party be able to provide a member, this party shall be entitled to appoint an additional member. The political parties shall nominate a substitute member for each member and each Chairperson proposed by them. The chairpersons shall jointly constitute the Presidium of the Austrian Parliamentary Commission for the Federal Armed Forces. The term of office of the Austrian Parliamentary Commission for the Federal Armed Forces shall be six years. Only members of the National Council shall be eligible to be nominated as chairpersons, and moreover experts from the sphere of national defence and human rights shall be eligible to be nominated as members and substitute members.

(2) The Parliamentary Austrian Armed Forces Complaints Commission shall have the quorum if at least two Chairpersons and three further members are present. Decisions shall be taken by majority. In the event of a tie, the Executive Chairperson shall have the casting vote.

(3) The Chief of Defence Staff and a suitable member of the Armed Forces, nominated by the Federal Minister of Defence and Sports, shall serve as advisors to the Austrian Parliamentary Commission for the Federal Armed Forces.

(4) The Austrian Parliamentary Commission for the Federal Armed Forces shall accept complaints lodged, directly or indirectly, by persons who have volunteered for pre-enlistment fitness examination or trainee service, by persons liable to pre-enlistment fitness examination, by soldiers, as well as by conscripts in the militia or reserve following national service, by former trainee service personnel, and – unless the Austrian Parliamentary Commission for the Federal Armed Forces finds the alleged grounds for the complaint negligible – examine them and decide upon recommendations pertaining to their settlement. This shall also pertain to complaints lodged by soldiers' representatives. If such a complaint has only been lodged on account of a single soldier, her/his consent shall be required. The right to file a complaint expires one year after the issue giving rise to the complaint has become known to the complainant, in any case two years after the issue giving rise to the complaint has become void. In addition, the Austrian Parliamentary Commission for the Federal Armed Forces is entitled to conduct ex officio investigations into suspected shortcomings or grievances in the scope of military service. If necessary, the Austrian Parliamentary Commission for the Federal Armed Forces may carry out the investigations necessary for its work on site, and obtain all necessary information from those concerned.

(5) **(Constitutional stipulation)** By 01 March of every year, the Austrian Parliamentary Commission for the Federal Armed Forces shall submit a report on its work and the recommendations it made in the past year. This report shall be presented without delay by the



Federal Minister of Defence to the National Council, together with a statement concerning the recommendations made by the Austrian Parliamentary Commission for the Federal Armed Forces.



The Chairpersons of the Austrian Parliamentary Commission for the Federal Armed Forces shall have the right to take part in the hearings concerning these reports in the committees of the National Council, and to be heard whenever they so request. Further details are laid down in the National Council Rules of Procedure Act.

(6) Necessary expenditures which arise from the work of the Austrian Parliamentary Commission for the Federal Armed Forces, including necessary travel costs, shall be reimbursed to the Chairpersons and the other members of the Austrian Parliamentary Commission for the Federal Armed Forces. These expenditures shall be reimbursed in accordance with the provisions of the 1955 Travel Fee Act, Federal Law Gazette No. 133, as would civil servants at service-grade VIII level in the general administration. For his/her work in the Austrian Parliamentary Commission for the Federal Armed Forces the executive chairperson shall be paid an additional compensation of 20% of the salary of a federal civil servant in the general administration at the highest salary-grade level of service-grade IX, the other chairpersons shall be paid this compensation to the extent of 10% of the described salary. The Chairpersons shall not be paid this compensation if they are Members of Parliament (National Council, Federal Council, or a provincial parliament), or members of the federal or a provincial government.

(7) **(Constitutional stipulation)** The Federal Minister of Defence shall provide the Austrian Parliamentary Commission for the Federal Armed Forces with the necessary personnel and bear the necessary material costs. In the discharge of tasks related to the Austrian Parliamentary Commission for the Federal Armed Forces, the personnel provided shall only follow the instructions of the executive chairperson.

(8) The Austrian Parliamentary Commission for the Federal Armed Forces shall lay down its own rules of procedure and vote them into effect by two-third majority.

(9) **(Constitutional stipulation)** The Chairpersons of the Austrian Parliamentary Commission for the Federal Armed Forces shall be elected by the National Council on the basis of a comprehensive proposal by the Principal Committee thereof. In drafting this proposal, each of the three strongest parliamentary parties in the National Council shall have the right to nominate one candidate. In case of an equal number of seats, the number of votes passed in the last National Council election shall decide. Should a chairperson retire early, the party which nominated her or him in the first place shall name a new member. On the basis of this nomination, he/she will be elected by the National Council for the remaining term of office.

(10) The Executive Chairpersons change by rotation every two years, the sequence of said rotation reflecting the number of seats held by their respective nominating party. In case of an equal number of seats, the number of votes passed in the last National Council election shall decide. The Executive Chairperson of the Austrian Parliamentary Commission for the Federal Armed Forces shall direct its work, the other Chairpersons shall hold the office of her or his deputy in the sequence previously described.

Militia recalls and preparatory militia training

Section 21(3) Conscripts who have not volunteered for reserve recalls but have successfully completed preparatory reserve training during national service may be rendered liable to reserve recalls, provided the required functions cannot be sufficiently staffed with conscripts having volunteered for reserve recalls. To this end the conscripts shall be selected by administrative selection decision within two years of their release from national service, according to the prevalent military requirements, all the while taking personal circumstances into consideration. Such a liability may only affect at most 12% of those conscripts who have completed their national service in the respective calendar year.



This percentage shall include those conscripts who have volunteered for reserve recalls. Should the conscript so demand, prior to passing an administrative selection decision, a statement of the Austrian Parliamentary Commission for the Federal Armed Forces shall be obtained. On the basis of an effective administrative selection decision conscripts may be inducted for reserve recalls up to their fiftieth birthday.



Extract from the National Council Rules of Procedure Act

1975 Rules of Procedure Act

Federal Law Gazette I No. 146, last amended by Federal Act, Federal Law Gazette No. I 45/2020

Section 20a (1) The Chairpersons of the Austrian Parliamentary Commission for the Federal Armed Forces are entitled to participate in the negotiations concerning the report pursuant to section 4, para 5, 2001 Defence Act in the respective committee of the National Council.

(2) The Chairpersons of the Austrian Parliamentary Commission for the Federal Armed Forces have the right to speak, also repeatedly, during the debates pursuant to para 1, but without interrupting a speaker.

(3) The respective committee can demand the presence of the Austrian Parliamentary Commission for the Federal Armed Forces' Chairpersons during debates pursuant to para 1.

Section 29 (2) The Principal Committee shall especially be responsible for the following matters:

• • •

k) Submittal of a comprehensive proposal concerning the election of the members of the Austrian Parliamentary Commission for the Federal Armed Forces pursuant to section 4, para 9, 2001 Defence Act.

Section 87 (4) The President of the Court of Audit, the Members of the Ombudsman Board, and the Chairpersons of the Austrian Parliamentary Commission for the Federal Armed Forces are elected at the recommendation of the Main Committee, pursuant to section 4, Defence Act.



Austrian Parliamentary Commission for the Federal Armed Forces

Rules of Procedure

On 16 April 2018 the Austrian Parliamentary Commission for the Federal Armed Forces, in accordance with sect. 4 para 8 of the 2001 Defence Act, Federal Law Gazette No. 146/2001, amended by Federal Law Gazette No. 164/2017, adopted the following rules of procedure:

Equal Treatment in Terms of Language

The terms used in the Rules of Procedure of the Austrian Parliamentary Commission for the Federal Armed Forces referring to persons equally apply, as far as applicable, to men and women.

Composition of the Austrian Parliamentary Commission for the Federal Armed Forces

Sect. 1. (1) The Austrian Parliamentary Commission for the Federal Armed Forces has the following members:

the three Chairpersons appointed by the National Council, each of whom shall become the Executive Chairperson by rotation pursuant to section 4, para 9, 2001 Defence Act, as well as six further members nominated by the political parties in proportion to their numbers of seats on the Main Committee of the National Council. Should, by way of this calculation, not every such party be able to provide a member, this party shall be entitled to appoint an additional member. The chairpersons shall jointly constitute the Presidium of the Austrian Parliamentary Commission for the Federal Armed Forces. The term of office of the Austrian Parliamentary Commission for the Federal Armed Forces shall be six years.

(2) as substitute members:

the substitutes of each member nominated by the political parties for each member and each Chairperson proposed by them, respectively. The substitute members are members of the Austrian Parliamentary Commission for the Federal Armed Forces for the duration of the persons listed in para 1 being prevented from attending.

(3) Advisors to the Austrian Parliamentary Commission for the Federal Armed Forces are:

- the Chief of Defence Staff,
- a qualified official, appointed by the Federal Minister of Defence.

Authorised substitutes acting on behalf of advisors shall be treated on a par with the same. An authorised military medical expert participates in the meetings of the Austrian Parliamentary Commission for the Federal Armed Forces.

(4) Prior to executing their functions for the first time, the persons listed in para 1 and 2 shall be sworn in by the Executive Chairperson, the Executive Chairperson in turn by the member of the Austrian Parliamentary Commission for the Federal Armed Forces most senior by age. The oath is:

"I swear that as a member (chairperson) of the Austrian Parliamentary Commission for the Federal Armed Forces I shall perform my duties impartially and to the best of my knowledge and belief."

(5) The Chairpersons, the further members and the substitute members of the Austrian



Parliamentary Commission for the Federal Armed Forces shall, unless law stipulates otherwise, be bound to official secrecy (section 20, para 3, Federal Constitutional Act).



(6) The Executive Chairperson shall fulfil the tasks wherewith s/he is entrusted under the 2001 Defence Act, especially as regards preparing, convening and chairing meetings, as well as the minutes and the annual reports. If s/he is unable to attend, one of her/his deputies shall act upon her/his behalf. In such a case, the deputy who, pursuant to section 4, para 10, 2001 Defence Act, is to succeed the Executive Chairperson after the end of her/his two-year period in office shall act as Executive Chairperson. If, however, the Executive Chairperson is a member of the third largest party, the Chairperson nominated by the party with the highest number of seats in the National Council shall act as Executive Chairperson in such a case. At the same time the unavailable Chairperson's substitute member is summoned; this substitute member, however, only functions as a member pursuant to section 1, para 1.

Tasks of the Austrian Parliamentary Commission for the Federal Armed Forces

Sect. 2. (1) The Austrian Parliamentary Commission for the Federal Armed Forces shall accept complaints that are filed directly or indirectly

- a) by persons who have volunteered for induction or voluntary national service,
- b) by persons liable to induction,
- c) by soldiers of either sex,
- d) by persons liable to conscription, be they in the militia or reserve, who have completed basic national service, and by former voluntary national service personnel,
- e) by soldiers' representatives on behalf of the soldiers they represent (if the complaint is lodged on behalf of only a single soldier, that soldier's consent is required)

to examine them and decide on recommendations pertaining to their settlement.

(2) In addition, the Austrian Parliamentary Commission for the Federal Armed Forces is entitled to investigate ex officio shortcomings or grievances within the military, suspected by the Commission.

(3) If need be, the Austrian Parliamentary Commission for the Federal Armed Forces may carry out the investigations necessary for its work on site, and obtain all necessary information from those concerned.

(4) The Austrian Parliamentary Commission for the Federal Armed Forces shall furthermore agree on the statements that it makes at the request of the national serviceperson, pursuant to sect. 21, para 3, 2001 Defence Act, prior to taking an administrative decision.

(5) The Austrian Parliamentary Commission for the Federal Armed Forces shall conduct information events concerning its tasks and actions within the sphere of the Federal Ministry of Defence.

(6) The Austrian Parliamentary Commission for the Federal Armed Forces shall cooperate at the bilateral and the multinational levels with internationally comparable institutions, in particular within the context of the International Conference of Ombuds Institutions for the Armed Forces.

Office of the Austrian Parliamentary Commission for the Federal Armed Forces

Sect. 3. (1) The Office of the Austrian Parliamentary Commission for the Federal Armed Forces is established to attend to the affairs of the Austrian Parliamentary Commission for the Federal Armed Forces. Pursuant to section 4, para 7, 2001 Defence Act, the Federal Minister of Defence shall provide the Austrian Parliamentary Commission for the Federal Armed Forces



with the necessary personnel and bear the necessary material costs.



Only the Executive Chairperson is entitled to give directives to the personnel. The Executive Chairperson shall decide on all personnel matters that have a direct and immediate organisational bearing upon the discharge of duties within the office of the Austrian Parliamentary Commission for the Federal Armed Forces (especially direction and authorisation of overtime, regulation of overtime compensation, leaves, taking holidays, training and continuation training). In all other personnel matters, the Federal Minster of Defence shall, prior to taking a decision, approach the Executive Chairperson.

(2) The Head of the Office of the Austrian Parliamentary Commission for the Federal Armed Forces and her/his staff discharge of their duties pursuant to the regulations of these Rules of Procedure. The Head of the Office and her/his staff especially shall

- a) support the Chairpersons and other members and substitute members of the Austrian Parliamentary Commission for the Federal Armed Forces in the discharge of their duties;
- b) take care of the administration and clerical organisation of the Austrian Parliamentary Commission for the Federal Armed Forces;
- c) liaise with the Presidium of the National Council, the Office of the Parliamentary Director, the Office of the Federal President, the offices of the Federal Ministry of Defence, especially the bodies advisory to the Austrian Parliamentary Commission for the Federal Armed Forces, and to other federal ministries within the competence of the Austrian Parliamentary Commission for the Federal Armed Forces;
- d) prepare and support the meetings of the Presidium and the plenum of the Austrian Parliamentary Commission for the Federal Armed Forces as well as on-site hearings, investigations following extraordinary complaints and investigations of suspected deficiencies and grievances in the Armed Forces;
- e) ascertain facts relevant to lodged extraordinary complaints and ex officio procedures;
- f) obtain statements of the Federal Ministry of Defence and other offices in preparation of the settlement of extraordinary complaints and ex officio investigations;
- g) prepare draft proposals for the meetings of the Presidium and plenum of the Austrian Parliamentary Commission for the Federal Armed Forces;
- h) implement decisions taken by the Austrian Parliamentary Commission for the Federal Armed Forces;
- i) process questions directed at the Austrian Parliamentary Commission for the Federal Armed Forces or the Office of the Austrian Parliamentary Commission for the Federal Armed Forces;
- j) receive extraordinary complaints lodged directly with the Austrian Parliamentary Commission for the Federal Armed Forces and information potentially entailing ex officio investigations;
- k) provide archival work, documentation and evaluation pertaining to lodged extraordinary complaints and ex officio investigations including pertinent statistics for the Austrian Parliamentary Commission for the Federal Armed Forces;
- prepare the annual report of the Austrian Parliamentary Commission for the Federal Armed Forces and process statements made thereupon by the Federal Minister of Defence;

- m) take care of matters of the Rules of Procedure and the allocation of responsibilities within the Austrian Parliamentary Commission for the Federal Armed Forces;
- n) prepare statements to be made by the Austrian Parliamentary Commission for the Federal Armed Forces pursuant to section 21, para 3, 2001 Defence Act;

(3) The Head of the Office of the Austrian Parliamentary Commission for the Federal Armed Forces shall be entitled to authorise activities serving the accomplishment of the above tasks. She/he shall process (including signature), on the Executive Chairperson's behalf, such other matters as she/he has authorised her/him to process independently. The Executive Chairperson may declare her/himself responsible for any matter, or reserve the right of decision for her/himself.

Passage of decisions of the Austrian Parliamentary Commission for the Federal Armed Forces

Sect. 4. (1) The Parliamentary Austrian Armed Forces Complaints Commission shall have the quorum if at least two Chairpersons and at least half of the further members are present.

(2) Decisions shall be taken by majority. In the event of a tie, the Executive Chairperson shall have the casting vote.

Chairpersons' tasks

Sect. 5. (1) Meetings of the Austrian Parliamentary Commission for the Federal Armed Forces shall be prepared by the Executive Chairperson together with her/his two deputies (Presidium) with the support of the Head of the Office of the Austrian Parliamentary Commission for the Federal Armed Forces.

(2) Any complaint lodged either directly at the Austrian Parliamentary Commission for the Federal Armed Forces or through channels shall immediately be submitted to the Executive Chairperson. For any case of complaint, one of the three Chairpersons shall be appointed rapporteur. At the beginning of each calendar year the three chairpersons shall agree on an allocation of duties which clearly sets out the aspects on the basis of which the rapporteurs are assigned their respective cases of complaint.

(3) In case of the Austrian Parliamentary Commission for the Federal Armed Forces being obviously not competent, in cases already decided on by the Austrian Parliamentary Commission for the Federal Armed Forces and in case of a lack of legitimacy to raise a complaint, the Executive Chairperson shall inform the complainant that the complaint will, in all probability, not be dealt with by the Austrian Parliamentary Commission for the Federal Armed Forces.

(4) Complaints entered anonymously shall be received by the Executive Chairperson. The Austrian Parliamentary Commission for the Federal Armed Forces shall receive reports thereupon, as well as on reports and statements made by the Federal Minister of Defence concerning those complaints.

(5) If a complaint is directed against a decision, which may be appealed by means of a remedy, the complainant shall immediately be made aware of her/his right to the above remedies.

(6) The Executive Chairperson shall notify the complainant of the receipt and ensuing processing of the complaint.

(7) The Executive Chairperson shall initiate or conduct the ascertainment of facts or an investigation of the complaint by the Austrian Parliamentary Commission for the Federal Armed Forces on site (section 8, para 9), determine the type of investigation to be carried out and, if



need be, order the investigation report, including the statement of the Federal Minister of Defence, to be submitted.

(8) The Executive Chairperson shall ensure that information and documents required for the Austrian Parliamentary Commission for the Federal Armed Forces to take a decision on a complaint be available immediately, at least no later than six weeks after the complaint has been received. Should this deadline not be met, reasons as to why shall be reported to the Austrian Parliamentary Commission for the Federal Armed Forces at the following meeting.

(9) The request pursuant to section 21, para 3, 2001 Defence Act, by the conscript to obtain a statement shall immediately, at least no later than when documents for the following meeting are transmitted, be forwarded to the members of the Austrian Parliamentary Commission for the Federal Armed Forces.

3 Should a member of the Austrian Parliamentary Commission for the Federal Armed Forces be of the opinion that the evaluation of a case requires further investigations, the Executive Chairperson shall immediately ensure the same.

(10) The Chairpersons of the Austrian Parliamentary Commission for the Federal Armed Forces are entitled to participate in the negotiations concerning the report pursuant to section 4, para 5, 2001 Defence Act in the respective committee of the National Council. The Chairpersons of the Austrian Parliamentary Commission for the Federal Armed Forces have the right to speak, also repeatedly, during the debates, but without interrupting a speaker. The respective committee can demand the presence of the Austrian Parliamentary Commission for the Federal Armed Forces' Chairpersons during debates.

Data Processing

Sect. 6. In the course of processing complaints and inquiries, personal data may be processed pursuant to section 55a, 2001 Defence Act.

Ex officio investigation of deficiencies and shortcomings as well as complaints on site

Sect. 7. (1) The ex officio investigation of deficiencies and grievances in the armed forces or of complaints on site shall require a respective decision taken by the Austrian Parliamentary Commission for the Federal Armed Forces.

(2) In especially pressing cases, the Austrian Parliamentary Commission for the Federal Armed Forces unconvened, the Presidium may take a pertinent decision and investigate ex officio deficiencies and grievances on site. Sections 4 and 5 paras 2, 7 and 8 shall apply analogously.

(3) The members of the Austrian Parliamentary Commission for the Federal Armed Forces shall immediately be notified of a decision of the Presidium pursuant to para 2. In case of an onsite investigation any member may participate in the same.

(4) In case of a decision of the Presidium pursuant to para 2, the Austrian Parliamentary Commission for the Federal Armed Forces shall receive a report on the outcome of the investigation as well as investigations performed and measures taken.

Convening meetings

Sect. 8. (1) The Austrian Parliamentary Commission for the Federal Armed Forces shall be convened by the executive chairperson at least once a month as a rule after agreeing on the date with the deputy chairpersons and the members.

(2) Should at least two members so demand, the Executive Chairperson shall convene the Austrian Parliamentary Commission for the Federal Armed Forces within a fortnight.



(3) The meeting shall be convened in written form, include the agenda and be delivered to the members of the Austrian Parliamentary Commission for the Federal Armed Forces, as well as its advisors, by registered post, if possible eight days in advance of the meeting.

(4) The notice shall include the documents necessary for a decision, any measures that may already have been taken, as well as a proposal by the rapporteur to be decided on by the Austrian Parliamentary Commission for the Federal Armed Forces.

(5) Requests pursuant to section 21, para 3, 2001 Defence Act, by the conscript to obtain a statement require a separate item on the agenda. The Executive Chairperson's proposed statement for the Austrian Parliamentary Commission for the Federal Armed Forces shall include the respective documents.

(6) If a member's inability to attend is already established at the time the meeting is convened, the respective substitute member shall be sent the necessary documents by the Office of the Austrian Parliamentary Commission for the Federal Armed Forces. Should an inability to attend develop at a later date, the respective member shall be required to forward the invitation and documents to the substitute member and to inform the Executive Chairperson or the Office of the Austrian Parliamentary Commission for the Federal Armed Forces of her/his inability to attend.

Meetings

Sect. 9. (1) The executive chairperson shall open, chair and then close the meeting once the agenda has been completed. The executive chairperson may suspend the meeting for a short time or adjourn it; the new date shall be established immediately or communicated separately to the members of the Austrian Parliamentary Commission for the Federal Armed Forces by the Office.

(2) In case she/he is prevented from attending at short notice, the Executive Chairperson may entrust the deputy stipulated in section 1, para 6 with the tasks listed in para 1.

(3) The Austrian Parliamentary Commission for the Federal Armed Forces may agree on changing or amending the agenda.

(4) In the following cases a complaint – except for an ex officio investigation – shall not be dealt with and the procedure shall be closed:

- a) If a person ineligible for a complaint (section 2, para 1) has lodged a complaint,
- b) if personal involvement (section 12, para 1, General Duty Regulations) cannot be proved,
- c) if no military, work-related grievances are alleged. This is also the case if the complaint exclusively concerns civil service law-related matters of tenured or contractual civil servants (and no other military work-related grievances are alleged).
- d) if the complaint is retracted of the complainant's free will,
- e) if in the case of complaint a recommendation has already been decided and there is no reason for reopening the same,
- f) if the alleged grounds for complaint are negligible (section 4, para 4, first sentence, 2001 Defence Act),
- g) if the limitation period has been exceeded (section 4, para 4, fourth sentence, 2001 Defence Act).
- (5) In all other cases the complaint has to be dealt with materially. This also includes cases,

- a) in which there is the formal possibility of appealing to the Supreme Courts or the Federal Administrative Court, which, however, do not have material decision-making authority;
- b) in which a deadline has expired so that further disciplinary or court procedures are not permissible.

If in a case of complaint there is also a disciplinary or court case pending, the complaint shall not be dealt with until the case is settled.

(6) If it falls within the Austrian Parliamentary Commission for the Federal Armed Forces' competence, the Austrian Parliamentary Commission for the Federal Armed Forces shall deal with the complaint or the result of an ex officio investigation (examination, hearing, etc.) As regards the settlement thereof, the Austrian Parliamentary Commission for the Federal Armed Forces shall agree on recommendations, or, on the basis of a concrete case, a particular recommendation.

(7) In case of complaints or of ex officio investigations, in which measures have already been taken by the Federal Minister of Defence or offices within her/his purview, an agreement shall be reached as to whether these measures are to be deemed adequate.

(8) All members of the Austrian Parliamentary Commission for the Federal Armed Forces are authorised to submit motions to be agreed on. The advisors shall be given the floor just as the other members, whenever they so wish. The advisors shall furthermore be obliged to provide information if members so wish.

(9) If the respective rapporteur or a member deems necessary an on-site investigation, the hearing of complainants or complainees or the summoning of witnesses or experts, they shall submit a pertinent request to the Presidium or during the meeting of the Austrian Parliamentary Commission for the Federal Armed Forces. In case of such a request having been granted, the Austrian Parliamentary Commission for the Federal Armed Forces are found for the Federal Armed Forces are a deadline for the implementation of the decision.

(10) The decisions taken by the members of the Austrian Parliamentary Commission for the Federal Armed Forces pursuant to para 6 shall be signed by the members present at the meeting and subsequently forwarded to the Federal Minister of Defence.

(11) The stipulations of paras 7, 8 and 10 shall analogously apply to the procedure of agreeing upon a statement to be made by the Austrian Parliamentary Commission for the Federal Armed Forces pursuant to section 21, para 3, 2001 Defence Act.

The meetings of the Austrian Parliamentary Commission for the Federal Armed Forces shall not be public.

Minutes of meetings

Sect. 10. (1) Minutes shall be taken for every meeting of the Austrian Parliamentary Commission for the Federal Armed Forces, containing the names of those present and all decisions taken at the meeting, and shall include a copy of the agenda as an annex.

(2) If decisions are not taken unanimously, ays and nays shall be included in the minutes. Any member may have a detailed description of pros and cons brought forward by her/him for/against a motion entered into the minutes.

(3) The minutes shall be examined for correctness by the Executive Chairperson and signed by her/him, as well as by the Head of the Office of the Austrian Parliamentary Commission for the Federal Armed Forces. It shall be available for inspection at the following meeting.

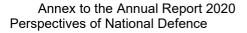
Annual report

Sect. 11. (1) By the end of January of every year, the Executive Chairperson shall have sent a draft version of the report on the previous year's activities and recommendations of the Austrian Parliamentary Commission for the Federal Armed Forces (section 4, para 5, 2001 Defence Act) to the members of the same.

(2) If the processing of complaints results in recommendations or observations with an importance extending beyond the individual case, then these, so as to prepare the annual report, shall be included in a note by the Office of the Austrian Parliamentary Commission for the Federal Armed Forces following a directive by the Executive Chairperson.

(3) The activities of the Austrian Parliamentary Commission for the Federal Armed Forces concerning statements pursuant to section 21, para 3, 2001 Defence Act shall be reported in a separate section.

(4) The final version of the annual report, which takes members' suggestions into consideration, shall, after it has been agreed upon by the Austrian Parliamentary Commission for the Federal Armed Forces, be submitted to the Federal Minister of Defence no later than 1 March.



Speech of Federal Minister Klaudia Tanner on the perspectives of national defence



At the Conference of the Austrian Parliamentary Commission for the Federal Armed Forces on 13 October 2020, the Federal Minister, Klaudia Tanner, gave the following speech (extract).

"Honoured Presidium of the Austrian Parliamentary Commission for the Federal Armed Forces! Honoured Members of the Austrian Parliamentary Commission for the Federal Armed Forces!

Each year, the Commission presents a report on their investigations and recommendations, which is submitted to the National Council.

One thing is clear: every single justified complaint is one too many! However, in professionally run armed forces, it is also good and important for soldiers to have another effective body where they can dare to report unjustified treatment, in addition to the usual military possibilities to complain. The intervention by the Austrian Parliamentary Commission for the Federal Armed Forces often quickly remedies aired grievances and thus in many cases contributes to an improvement of the work climate. As you know, the Armed Forces investigate every complaint and take action to remedy any grievances.

However, the Austrian Parliamentary Commission for the Federal Armed Forces also initiates its own ex officio inspection visits. Thus, in the past reporting year, such investigations of domestic and international operations were adopted.

These ex officio investigations not only serve to examine any suspected deficiencies in military routine duty, but also provide the members of the Commission with a good opportunity to get to know the Armed Forces better. And that ultimately benefits all of us: A better understanding of the working conditions of the soldiers leads to a better overall assessment of the situation or of a case of complaint.

The Parliamentary Commission on the Armed Forces is therefore – as a democratically legitimised control body of the National Council – also a symbol of the state's sense of responsibility towards its citizens – especially towards those who serve in the Armed Forces.

Domestic and international operations

The year 2020 in particular has shown what the Austrian Armed Forces have achieved in terms of operations: This year, the armed forces have already performed more than ten million working hours, and more than 2,500 soldiers are currently deployed in domestic or international operations.

This year, the Covid operations stand out in particular: Since the beginning of the crisis in Austria, our soldiers and civilian staff have been doing a fantastic job and proving their high endurance over weeks or months in order to be able to help the population cope with this crisis. In the period from March to September 2020, an average of about 990 soldiers were on the COVID-19 assistance operation every day throughout Austria. In the process, they worked more than 4.5 million hours. They assisted with health authority controls at the borders and also at the airports, such as in Schwechat, Graz and Salzburg, with contact tracing at district authorities and in many other areas.

And let us think of the various support services during the COVID crisis:

1,061 civilian employees and soldiers of the Austrian Armed Forces spent about 88,700 hours assisting with, among other things, the hotline of the Ministry of Foreign Affairs, the logistics of the postal logistics centres in Hagenbrunn and Inzersdorf; furthermore, the servicewomen and servicemen also supported in the warehouses of various food companies as well as in the warehouse logistics of a pharmaceutical company to ensure the supply of the population.

At the same time the Law Enforcement Assistance Operation/Migration is ongoing: Since the beginning of this year, the Austrian Armed Forces have spent almost six million hours protecting the Austrian border crossings.

Furthermore, soldiers helped the population during various natural disasters. The Austrian Air Force as well frequently conducted other types of assistance operations, for example to combat forest fires.

In addition, the normal operations continue – the surveillance of Austrian airspace, for example, or, as another example, the professionals of the Demining Service of the Austrian Armed Forces, who have been active throughout Austria on numerous occasions in recent weeks. Let us not forget the international operations conducted worldwide.

The COVID situation in particular took the whole world by surprise and showed how quickly something can happen that throws everyday life off course.



This brings me to the future perspectives of national defence and the further development of the Austrian Armed Forces.

"Our Armed Forces" based on the government programme

The Austrian Armed Forces must adapt to the security challenges and threats of the 21st century. The COVID-19 pandemic has already shown as a current example how quickly the situation can change. Other realistic threats are, for example, cyberattacks – we also had an example of this at the beginning of the year, when a cyberattack was launched on the Ministry for Foreign Affairs. Uncontrolled migration, the climate crisis and terrorist attacks are threats that have an impact on the security situation of our country. Classical military national defence is and remains as a matter of course for the Austrian Armed Forces and is the most basic task of our armed forces. It is laid down in the Constitution and is also provided for in the security strategy. Beyond that, however, we have to think ahead and make our armed forces ready to protect us against new threats.

The three priorities in the area of national defence are:

Firstly, to rank the tasks of the Austrian Armed Forces according to the likelihood of their incidence and to improve the necessary structures of the Armed Forces as a matter of priority; secondly, to make national service and the ready reserve more attractive; and thirdly, to develop and implement an all-of-government concept for international operations involving all relevant ministries.

Ad 1. Further development of the Austrian Armed Forces

On the basis of the government programme, the Federal Ministry of Defence has developed a working plan in order to process the further development of the Austrian Armed Forces in a professional and orderly manner. In addition, the commanders were instructed to participate in the process of further developing the Armed Forces. More than 400 proposals from the troops have been submitted, which are now being successively processed in work packages. In addition, there is the development programme "Our Armed Forces", which comprises a large number of projects.

All this is being done with the aim of getting the implementation of the government programme started in the course of the next year. Some measures will presumably be ready as early as next year, other processes will continue over a longer period of time, for example when it comes to restoring the constitutional status of the Austrian Armed Forces according to the principles of a ready reserve system.



One thing is clear: We have to make the Armed Forces ready for the future. Because the security of our country and its population are ultimately at stake.

Ad 2. National service and ready reserve

With regard to the second priority, i.e. "making national service and the ready reserve more attractive", it can be said that we have already defined the partial aptitude criteria and that this will be implemented in the induction centres as of January 2021.

That way, we can ensure that fully fit recruits are actually primarily used for the operational organisation. Apart from that, the induction centres will be continuously upgraded, together with the further development of induction as an important pillar of preventive health care. In addition to military tasks, national service should also be a time of further education and integration into society.

And because in the past years there have been repeatedly complaints in the reports of the Commission about the accommodation situation of the national servicemen: On the occasion of my various troop visits, I inspected such accommodations and instructed the Secretary General to improve the accommodation areas and the sanitary facilities within the framework of the development programme "Our Armed Forces". Because we have to remedy this issue quickly.

The national servicemen are the basis of our Armed Forces. Without national service there is no key personnel, without national servicemen there is no ready reserve.

And as far as the ready reserve is concerned, during the COVID crisis we saw how important the ready reserve is for the protection of our Republic. About 1,400 soldiers of the ready reserve were deployed and did an excellent job. However, through the deployment and the extensive feedback I received from the soldiers during my visits, it became clear to us where the need for change is located.

One issue was the different pay regulated by law for the same operational tasks – we have already taken care of this and a new legal draft has already been elaborated, which will be submitted for review in the next few weeks. Because equal performance should be paid equally! We have also made progress in eliminating various disadvantages concerning social security for soldiers in the ready reserve: In September 2020, two requests for amendments were submitted to the responsible ministries – the Ministry of Social Affairs and the Ministry of Labour.

In addition, the ready reserve has to exercise again, this means the training and exercise activities of the ready reserve are to be improved. And finally, the ready reserve battalions are to be made deployable at the national level.

Ad 3. All-of-government concept for international operations

Regarding the third priority: Together with the relevant ministries, I intend to develop and implement an all-of-government concept for international operations. The international operations range from crisis prevention through conflict resolution and mediation to peace consolidation. The Austrian Armed Forces are to be enabled to provide up to 1,100 soldiers for these international operations on a permanent basis. The Western Balkans will remain the focal region of our international military engagement.

We also want to safeguard the international commitments already entered into – especially within the framework of the EU.

Disaster relief

Disaster relief is and remains an essential task of our Armed Forces. Even if such assistance operations are a secondary task of the Armed Forces, the impact of these services provided by the soldiers for the people in Austria should not be underrated. The population counts on the help of the Armed Forces in emergency situations. Counts on the helpers in their military uniforms.

Procurements

In order to keep the Austrian Armed Forces efficient, procurements are of course necessary, because we need modern and versatile armed forces in order to be able to competently fulfil our mission.

That is why I recently took the decision which state we will cooperate with to procure a successor of the Alouette 3 helicopter, which will be phased out by the end of 2023 after half a century of operation.

The Federal Ministry of Defence will acquire 18 helicopters Leonardo AW169M through a government-to-government deal; the procurement will be effected in cooperation with Italy and amounts to approximately 300 million Euros. The advantage of a government-to-government deal is that negotiations are conducted directly with another government. 12 helicopters will be stationed in Aigen im Ennstal as an operational squadron, and another six helicopters will be transferred to Langenlebarn as a training and operational squadron.

This fleet can also be operated in Tyrol, Carinthia and Vorarlberg through the existing or future helicopter bases there.

The AW169M is a high-performance aircraft and thus highly suitable for operations in mountainous terrain. It can also fly at night or in bad weather conditions. The helicopter can be used for a variety of missions: For transporting people and materiel, extinguishing forest fires, air reconnaissance and many more military tasks. For this purpose, it can, for example, carry twice the amount of water as the Alouette. It is faster, can carry larger loads and up to 10 persons. This helicopter is a highly efficient and state-of-the-art aircraft that will not only ensure the safety of our soldiers, but benefit the entire Austrian population. This is yet another investment in Austria's security.

Furthermore, three additional S70 Black Hawk helicopters are currently being procured, the first will arrive in 2021, the other two in 2022, i.e. the following year. This means that the Austrian Armed Forces will then have 12 helicopters of this type.

Another important area for the Austrian Armed Forces is to ensure the mobility on the ground.

Until a few days ago, only 60% of the demand could be met with the current military fleet of buses, and civilian vehicles often had to be rented. During the COVID operations, criticism was frequent voiced that called-up soldiers of the ready reserve had to travel by train. We want to remedy such conditions by procuring new buses.

A few days ago, I handed over six MAN Lion's Coach R08 buses to the central transportation management section of the Joint Support Command. This will modernise our bus fleet and expand it especially for long-distance transportation. Units can thus be transported over long distances, e.g. to international operations in Bosnia or Kosovo. This is not only cheaper than flying, but also more environmentally friendly.

And for shorter domestic routes, six units of the somewhat smaller R07 model have already been ordered for next year.

These procurements are another important modernisation step for the Armed Forces.

A few weeks ago I also ordered that another 30 wheeled armoured personnel carriers Pandur be procured. They serve primarily to protect the service personnel, for example against terrorist attacks, and we use them in Austria and abroad. At the same time, 70% of the added value of this vehicle is in Austria, which leads to a positive, regional side effect.

In addition, simulators for the Black Hawk, new diving equipment for the engineer branch, radiation detection equipment, stab protection vests, protective mask systems for our pilots, field beds, radios, blood analysis equipment, pistols, camouflage net tarpaulins, multifunctional tents, safety holsters, headsets for Commandos and sniper equipment were procured for the safety of our soldiers.

We also have some other important procurements planned for this year: This principally includes procuring armoured logistics and medical vehicles, radios for the ready reserve and equipment for soldiers. These procurements also include off-road trucks, combat helmets, night vision goggles and medium sniper rifles. In addition, 200 MAN trucks are in the process of being delivered. After several years of trying to bundle a package for the ready reserve, I have succeeded in negotiating a package of 200 million Euros in addition to the regular budget. This is to be used for necessary procurements in the fields of personal equipment and mobility for the ready reserve in the coming years.

Budget

This year we have achieved the largest budget we have ever had, with 2,545.7 million Euros and a 9.9% increase in funds. That is 258 million Euros more. Nevertheless, I have also advocated for special funding packages.

Therefore, in the coming years, we will additionally invest in the areas of assistance operations, the ready reserve, cyber security, NBC defence, the medical service, terrorism and disaster relief.

Dear Presidium! Dear Ladies and Gentlemen!

We need modern, further developed, versatile Armed Forces, because the requirements for comprehensive security provision, together with the comprehensive national defence embedded in it, have changed in our country. Therefore, it must be ensured that the Armed Forces are sufficiently equipped in terms of finances, personnel and material, in order to continue to be able to competently meet the challenges of the present, but also the threats of the future.

I would like to take this opportunity to ask for your continued support in your respective areas of responsibility, because a functioning national defence is in the interest of all of us! We must protect our country and the population. The Austrian Armed Forces are our security guarantee. Finally, I would like to thank the Austrian Parliamentary Commission for the Federal Armed Forces for its many years of work, which is an important part of the functioning of the Armed Forces.



Outcome Document on the 12ICOAF from 26 to 30 October 2020

Conference declaration

As the International Conference of Ombuds Institutions for the Armed Forces (ICOAF) enters its twelfth year, the conference continues to promote the exchange of experiences and increased cooperation among ombuds institutions. Although it was originally planned as a joint event of DCAF (Geneva Centre for Security Sector Governance) and the Austrian Parliamentary Commission for the Federal Armed Forces in Vienna, the 12ICOAF was eventually held online and hosted by DCAF from 26 to 30 October 2020 due to COVID-19 restrictions. The focus of the 12ICOAF was the impact of COVID-19 on ombuds institutions. As in previous years, the conference addressed representatives of ombuds institutions for the armed forces from nearly 50 countries. Throughout the conference, ICOAF continued to strengthen its role as a platform for promoting democratic control of armed forces and preventing maladministration and violations of human rights.

This conference declaration serves as a compilation of the best practices discussed at the conference and does not constitute a commitment to act or implement those practices. Ombuds institutions have specific and unique mandates, and therefore not all practices may be relevant to all participants of the conference.

The conferees declare the following:

Introduction

- Building on the success of the previous eleven International Conferences of Ombuds Institutions for the Armed Forces in Berlin (2009), Vienna (2010), Belgrade (2011), Ottawa (2012), Oslo (2013), Geneva (2014), Prague (2015), Amsterdam (2016), London (2017), Johannesburg (2018), and Sarajevo (2019), the 2020 conference sought to strengthen the resilience of ombuds institutions in the light of COVID-19, as well as to increase cooperation and the exchange of best practices among independent supervisory institutions.
- 2. We recognise that ICOAF has established itself as an important international forum for promoting and ensuring democratic control of armed forces, with participants working together to prevent maladministration and violations of human rights.

3. Recognising that each national context is unique, we underline the importance of an ongoing international dialogue among ombuds institutions to promote and protect human rights and fundamental freedoms within and by the armed forces.

Impact of COVID-19 on the armed forces.

- 4. Although most armed forces are not first responders in the event of health crises and although fighting a pandemic is a new task for many armed forces, the vast majority of ombuds institutions reported that the armed forces have been deployed to assist civilian authorities in fighting COVID-19, primarily to provide medical and logistical support and to help maintain law and order, particularly through the following activities:
 - a. Provision of logistic support (transport capacity, medical equipment, personal protective equipment, beds and storage capacity)
 - b. Distribution of personal protective equipment
 - c. Establishment of field hospitals or reinforcement of military health care capabilities to accommodate civilian patients
 - d. Implementing the military planning system in support of civil authorities, including structure and procedures of operational staffs
 - e. Provision of voluntary blood donations
 - f. Patrols at the borders
 - g. Supporting the police in monitoring compliance of the regulations concerning the lockdown (or curfew) and other security issues
- 5. Participants stated that the number of regular military activities had to be reduced due to COVID-19, including all military operations classified as "non-essential" (e.g., training activities, exercises, general administration), as well as training in most military schools.
- 6. Participants stressed the importance of appropriately equipping and protecting military personnel when they perform tasks related to fighting COVID-19.
- 7. Participants reiterated the importance of maintaining a close relationship with the respective headquarters that has been tasked with conducting the anti-COVID-19 operations.



Impact of COVID-19 measures on the freedoms and rights of the citizens, including those in uniform.

- 8. The conferees stated an abundance of legal and practical measures, including states of emergency, that governments have implemented to fight COVID-19. The following measures were among the most common ones:
 - a. bans on certain types of events and activities
 - b. imposition of hygiene regulations and restrictions of social contacts
 - c. imposition of various forms of self-isolation, partial isolation, and quarantine
 - d. imposition of a curfew
 - e. requirement to wear masks in public closed and/or open spaces
 - f. closure of certain types of stores and restaurants

The participants stated that many of these measures may have human rights implications, including limiting or restricting certain human rights (such as freedom of assembly, freedom of movement, or the right to access information), both for the general population and for members of the armed forces. Regarding the rights of soldiers, these measures may affect their rights related to occupational hazards, health and safety measures, and their right to physical and mental health.

- 9. Participants reiterated that any restrictions or limitations on human rights must be mandated by law, proportionate, and assessed in a timely and regular manner. Furthermore, the authorities must communicate the causes of the restrictions clearly and unambiguously. Any legal restriction must be predictable in its effect, and there must be no arbitrariness.
- 10. As many decisions were made on the basis of emergency powers during the COVID-19 crisis, it remains critical that ombuds institutions continue to monitor their implementation to ensure their efficiency, effectiveness, legitimacy, legality, and respect for human rights and the rule of law.
- 11. The participants recognised the importance of the independence of ombuds institutions to ensure that they can effectively carry out their mandates during the COVID-19 crisis.



Whatever measures governments take to fight COVID-19, they must not impede ombuds institutions from fulfilling their mandates. In addition, COVID-19 must not be used as an excuse to delay the appointment process for ombuds persons if an incumbent's mandate expires during the pandemic.

12. Ombuds institutions should be proactively identifying potential threats and challenges to human rights during the COVID-19 crisis by using their powers to the fullest and developing innovative ways to overcome obstacles caused by COVID-19.

Complaints handling within the framework of COVID-19

- 13. The participants reported mixed trends in the number of complaints received since the outbreak of COVID-19. Half of the participants reported that they recorded the same number of complaints as usual; a quarter of them recorded more complaints than usual, while the other quarter recorded fewer complaints than usual.
- 14. Unlike general ombuds institutions, one-third of which have seen a decrease in complaints since the COVID-19 outbreak, specialised ombuds institutions have not observed a similar trend. In fact, half of the specialised institutions reported an increase in the number of complaints.
- 15. The participants noted that most of the complaints from members of armed forces conducting COVID-19 operations were related to the following topics: the risks/consequences of COVID-19, the working conditions, and the treatment of the personnel/conscripts. To this end, the participants deemed it necessary to ensure that the valuable contribution of members of armed forces in fighting COVID-19 does not lead to a deterioration of their service conditions.
- 16. Although the assistance of military personnel in dealing with the COVID-19 crisis was greatly appreciated, some ombuds institutions have received complaints from civilians about members of armed forces, in which the excessive use of force or the abuse of authority by military personnel was indicated.
- 17. The participants stressed the importance of good relations between the civilian world and the military in situations of crisis, especially when the daily routines of citizens are affected. They expressed the need that all cases of reported excessive use of force or abuse of authority by members of armed forces should be thoroughly investigated.



Ombuds institutions should closely monitor such cases.

- 18. The participants noted that COVID-19 can influence the determination and motivation of citizens to complain. To ensure that ombuds institutions are accessible and visible to all citizens, including those in uniform, during the COVID-19 crisis the following best practices were identified:
 - a. Regardless of how they currently operate, ombuds institutions should ensure that complaints can be filed online, by mail, and/or in person;
 - b. In addition to the existing options of submitting complaints via e-mail or an online form on the ombuds institution's website, ombuds institutions should also explore the possibility of complaints being submitted via social media. Therefore, ombuds institutions can draw on existing experiences of using social media, including the Social Media Guide for Ombuds Institutions by DCAF;
 - c. Depending on their mandate, ombuds institutions should encourage citizens to engage with them and maintain or improve the transparency of their work and their public image as an independent monitoring authority through their presence in the media, especially during periods of heightened public demand, as is currently the case with COVID-19;
 - d. Ombuds institutions can work with other key actors, such as parliaments and judicial authorities, to educate citizens, including those in uniform, about their rights in extraordinary situations;
 - e. Ombuds institutions should anticipate a post-COVID-19 reality and the types of complaints likely to occur in that context (e.g., related to the right to family life, access to family, mental health issues, etc.).

Impact of COVID-19 on on-site investigations by ombuds institutions

19. Conducting planned or unplanned visits to facilities of the armed forces is among the activities most affected by COVID-19. The majority of participants reported that this important activity had to be stopped entirely. Given the possibility that COVID-19 will continue to pose a major public health threat for some time, the participants felt it was necessary to find the most appropriate way to resume their visits to military facilities by taking additional safety measures, such as keeping appropriate distances and wearing protective equipment.

- 20. Even more than on-site visits, the practice of visiting troops stationed abroad (overseas) has been affected by COVID-19, with almost all participants reporting that they no longer do so. Since these visits include international travels, which have declined sharply since the COVID-19 outbreak, the participants agreed that, in view of this fact, there is an urgent need for further discussion on how to do so in the near future:
 - Armed forces personnel stationed abroad should not be left without open and effective channels to raise concerns about their status, service conditions, and other issues;
 - b. These channels should include both internal and external resolution mechanisms;
 - c. COVID-19 should not interfere with the ability of the local population to complain about the conduct of international forces on site;
 - d. There is an urgent need to examine the mechanism of conducting overseas visits remotely.

Ombuds institutions after COVID-19

- 21. The participants noted that while the individual institutions they represent may have different mandates and be in a different position as compared to their counterparts, COVID-19 has impacted them in very similar ways.
- 22. The participants agreed that the biggest challenge COVID-19 posed to ombuds institutions was its impact on the organisation of work, i.e., how to ensure the continuity of their work while ensuring the well-being of the staff.
- 23. While most ombuds institutions have experienced varying degrees of difficulty in implementing measures, they have been successful in adapting to working from home and using online communication tools. However, the importance of personal contact in resolving difficult issues involving one or more parties is emphasised.

- 24. By learning how to work effectively in a digital environment, ombuds institutions increase their ability to work in similar crises in the future.
- 25. The stricter the measures against COVID-19 are, the stricter the oversight regarding their implementation should be. Contributing to the accountability of those responsible remains the cornerstone of the work of ombuds institutions.
- 26. When returning to normality, ombuds institutions will be crucial in ensuring that all security actors, including the armed forces, return to their regular, legally mandated activities with temporarily altered roles and responsibilities.
- 27. Considering the possibility of budget cuts after COVID-19, ombuds institutions can take preventive measures to avoid such cuts by working with those who determine their budgetary requirements and by expanding the institution's staff.

Conclusions

- 28. The participants appreciated and strongly supported the DCAF's efforts to prepare and distribute the COVID-19 survey prior to the conference. ICOAF requests DCAF to publish a report with the main findings of the survey.
- 29. ICOAF is a platform for sharing information, best practices and experiences among ICOAF partner institutions. Recognising that ICOAF is growing and the 12ICOAF conference with more than 100 participants from almost 40 countries is proof of this ICOAF appeals to DCAF to explore future ways to strengthen effective collaboration, for example with ICOAF joint activities and knowledge products to meet the specific needs of each participating institution.
- 30. One area where international cooperation between ICOAF partner institutions is particularly needed is international operations (military operations abroad). Given the serious impact of COVID-19 on the ability of ombuds institutions to conduct visits abroad, the participants request DCAF to explore how to further enhance the international exchange of information and experiences between ombuds institutions to respond to this challenge, while respecting the specifics of national legal and institutional frameworks of ombuds institutions.



- 31. ICOAF continues to be a valuable platform to promote dialogue between ombuds institutions and strengthen their cooperation and networks. Future conferences will further expand and deepen this cooperation.
- 32. ICOAF remains open to relevant institutions from countries that did not participate in the previous conferences.
- 33. The thirteenth ICOAF will be held in Sydney, Australia, in October 2021.

30 October 2020



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Talks between the Presidium of the Austrian Parliamentary Commission for the Federal Armed Forces and the Federal Minister of Defence Klaudia Tanner



On 7 January 2020 Federal Minister Klaudia Tanner assumed the position as Minister of Defence. In this process, she met with the Presidium of the Austrian Parliamentary Commission for the Federal Armed Forces.



At the Conference of the Austrian Parliamentary Commission for the Federal Armed Forces on 13 October 2020 at Palais Epstein, the Federal Minister of Defence, Klaudia Tanner, gave a speech on the perspectives of national defence.





The graduation ceremony for the new sergeants took place on 28 February 2020 in Enns. The Federal Minister of Defence Klaudia Tanner, the Chairman of the Austrian Parliamentary Commission for the Federal Armed Forces MP Michael Hammer, the CHODS General Robert Brieger and the Commandant of the NCO Academy Brigadier General Nikolaus Egger inspected the NCOs.



The Presidium of the Austrian Parliamentary Commission for the Federal Armed Forces met with the Ready Reserve Commissioner of the MoD, Major General Erwin Hameseder, for a discussion on 16 June 2020 in Parliament/the Hofburg.



Inspection visits



In the course of an on-site inspection by the Austrian Parliamentary Commission for the Federal Armed Forces at the Dabsch Barracks on 22 May 2020, discussions were held with soldiers.



The Chairpersons of the Commission, former MP Otto Pendl and MP Michael Hammer, inspected the accommodation situation of soldiers during the COVID-19 support operations.

Inspection visits



On 19 June 2020 the Austrian Parliamentary Commission for the Federal Armed Forces carried out an inspection visit to forces deployed on operation-related military service in the area of the Vienna Provincial Military Command.



The Executive Chairman of the Austrian Parliamentary Commission for the Federal Armed Forces, MP Reinhard Bösch, and Commission members informed themselves about the law enforcement assistance operation at the Starhemberg Barracks.





During the inspection visit to the 3rd Infantry Brigade (Rapid Forces Brigade) in Mautern on 09 September 2020, the Commission posed for a photo with the Brigade Commander, Brigadier General Christian Habersatter.



The Austrian Parliamentary Commission for the Federal Armed Forces on its way to talks with soldiers at the Raab Barracks.

Inspection visits



Inspection visit by the Commission to the Key Personnel Training Course 1 at the Bruckneudorf military training area on 20 October 2020. The Executive Chairman of the Austrian Parliamentary Commission for the Federal Armed Forces welcomed the soldiers.



The challenges for the soldiers undergoing the Key Personnel Training Course 1 were discussed on site.





International cooperation

At the preparatory meeting for the 12ICOAF on 27 February 2020 in Parliament, the Presidium of the Austrian Parliamentary Commission for the Federal Armed Forces welcomed the representatives of DCAF and ombuds institutions from Germany, the Netherlands and South Africa.



The participants of the preparatory meeting for the 12ICOAF posed for a photo in the rooftop foyer of Parliament/the Hofburg.



End of year party of the Austrian Parliamentary Commission for the Federal Armed Forces

At the end of the term of office of the Austrian Parliamentary Commission for the Federal Armed Forces from 2015 to 2020, the 562nd meeting of the Austrian Parliamentary Commission for the Federal Armed Forces took place on 9 December 2020, followed by the end of year party at Palais Epstein.



The President of the National Council, MP Wolfgang Sobotka, thanked the Parliamentary Commission on the Armed Forces for their work over the past six years, which has been a guideline for public discourse on the Austrian Armed Forces.



The Secretary General of the Federal Ministry of Defence, Dieter Kandlhofer, emphasised the strengths of the Austrian Armed Forces and outlined the future prospects for 2021. A contact point like the Austrian Parliamentary Commission for the Federal Armed Forces is indispensable for professionally managed armed forces.



End of year party of the Austrian Parliamentary Commission for the Federal Armed Forces

The Executive Chairman of the Austrian Parliamentary Commission for the Federal Armed Forces, MP Reinhard Bösch, thanked the Commission and the advisors of the Austrian Parliamentary Commission for the Federal Armed Forces for their impeccable cooperation above party lines, with the focus being placed on the welfare of the soldiers.



The Chairman of the Austrian Parliamentary Commission for the Federal Armed Forces, former MP Otto Pendl, noted that in the more than six decades of its existence the Austrian Parliamentary Commission for the Federal Armed Forces has developed into a modern Commission and that it has a very positive reputation internationally.





The Chairman of the Austrian Parliamentary Commission for the Federal Armed Forces, MP Michael Hammer, noted that the work of the Parliamentary Commission on the Armed Forces contributes to continuous improvements in the military service, and thanked the President of the National Council for supporting the Commission.



The Chairman of the Austrian Parliamentary Commission for the Federal Armed Forces MP Michael Hammer, the Secretary General of the Federal Ministry of Defence Dieter Kandlhofer, the Executive Chairman of the Austrian Parliamentary Commission for the Federal Armed Forces MP Reinhard Bösch, the President of the National Council Wolfgang Sobotka, and the Chairman of the Austrian Parliamentary Commission for the Federal Armed Forces former MP Otto Pendl (left to right)

End of year party of the Austrian Parliamentary Commission for the Federal Armed Forces