



European
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DE L'EUROPE

23/08/2012

RAP/Cha/GER/XIX(2012)Add

1961 EUROPEAN SOCIAL CHARTER

REPLY TO SUPPLEMENTARY QUESTIONS

29th National Report on the implementation of
the 1961 European Social Charter

submitted by

THE GOVERNMENT OF GERMANY

(Article 1§2
for the period 01/01/2007 - 31/12/2010)

Report registered by the Secretariat on 26 July 2012

CYCLE XX-1(2012)

Career soldiers (serving in the German Bundeswehr) may at any time request to be discharged from the Bundeswehr (section 46, paragraph 3, sentence 1 of the Legal Status of Military Personnel Act - SG). In the case where a career soldier's military training was combined with university education or professional training, discharge is possible only after a subsequent period of service of at least three times the duration of the soldier's university studies or professional training, but not later than after a period of ten years (Stehzeitverpflichtung - obligatory period of service). Career soldiers shall, upon their request, be discharged before the end of their obligatory period of service, if the continuation of service were to constitute a special hardship for personal, in particular domestic, professional or economic reasons (section 46, paragraph 6 of the Legal Status of Military Personnel Act).

SECRETARIAT GENERAL

DIRECTORATE GENERAL
HUMAN RIGHTS AND RULE OF LAW

DIRECTORATE OF HUMAN RIGHTS

*HEAD OF THE DEPARTMENT
OF THE EUROPEAN SOCIAL CHARTER
AND THE EUROPEAN CODE OF SOCIAL SECURITY,
EXECUTIVE SECRETARY
OF THE EUROPEAN COMMITTEE OF SOCIAL RIGHTS*

ESC 170
HK/CT



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Mr Jürgen Thomas
Deputy Head of Division VI b 4
"OECD, OSCE" Council of Europe
ESF-Certifying Authority
Federal Ministry of Labour and
Social Affairs
Villemombler Strasse 76
D-53125 Bonn Germany

Strasbourg, 14 June 2012

Dear Mr Thomas,

The European Committee of Social Rights is currently examining the States' reports on the European Social Charter with respect to the thematic group on "employment, training and equal opportunities" and has instructed me to forward to you the enclosed questions.

The Committee would be grateful if you could reply to these questions before 27 July 2012 in order to allow the information to be taken into account in Conclusions 2012.

Yours sincerely,

Régis Brillat



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EUROPEAN COMMITTEE OF SOCIAL RIGHTS

COMITE EUROPEEN DES DROITS SOCIAUX

14 June 2012

Questions addressed to Germany

Article 1§2 (prohibition of discrimination in employment/ forced labour/ right to earn one's living in an occupation freely entered upon):

- *What is the length of, if any, compulsory minimum period of service required of those serving in the professional armed forces?*
- *Are there circumstances, such as specialised training or specific operational requirements, which entail a different compulsory minimum term of service in the professional armed forces and under what conditions may the persons concerned leave the service before the expiry of this term?*