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MINORS IN THE BUNDESWEHR:
WHAT NEEDS TO BE CHANGED

by

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Biography

LtCol (GS) Lars Bamberger is assigned to the Air War College, Air University, Maxwell AFB, AL. He joined the German Air Force in 1994 and became a fighter controller and air battle manager. He graduated with a diploma (Dipl.-Ing. univ) in 2000 from the University of the Federal Armed Forces of Germany in Munich as an aerospace engineer. He participated in the 5th Joint National General/Admiral Staff Officer Course at the Military Academy of the German Armed Forces in Hamburg. His past assignments include positions in operations and planning at NATO Allied Joint Force Command Naples, the Bundeswehr Operations Command, the German Ministry of Defense, and a combat tour to Afghanistan.



Abstract

International law generally prohibits the recruitment of persons under the age of 18 years into military service. It considers those persons to be children. As an exception, states may recruit persons as young as 15 years of age, provided special protection of those children's rights against abuse is guaranteed. This includes, as a minimum, specific safeguards to be implemented, namely: (1) genuinely voluntary recruitment, (2) informed consent of the person's parents or legal guardians, (3) full disclosure of the duties involved in military service, and (4) provision of reliable proof of age.

Yet the German Federal Armed Forces (in German, Bundeswehr) recruits persons as young as 17 years. This recruitment practice is criticized by the United Nations and a number of human rights organizations because in their view, the young recruits' rights are not adequately protected and it sets a bad example to others.

This essay analyzes that critique. It finds that little of the critique merits a change to Germany's recruitment practice. However, one point of critique is well-founded and exposes a shortcoming in the implementation of the internationally mandated safeguards into German law. Germany should therefore amend its law so that 17-year-olds can freely end their military service at any time without consequences. In addition to the already genuinely voluntary recruitment, this will also ensure a genuinely voluntary military service for 17-year-olds.

Introduction

A series of media reports, the most recent one of 30 January 2018, highlights the all-time record high of 17-year-olds in the armed forces of Germany (in German, Bundeswehr).¹ Refueling criticism about Germany's conduct with respect to human rights, these reports have spawned a series of inquiries to the government, and incited the political opposition to call for a debate in the German parliament regarding the recruitment of under 18-year-olds.² The criticism contrasts the self-perception of the German government as an outspoken advocate for human rights. Combined with a historical German public distrust of its military, any perception of misconduct towards young recruits may have detrimental effects on overall recruitment in a time when the Bundeswehr is struggling to achieve personnel goals, attempting to increase its military capabilities, all while facing an aging force requiring young recruits. Ensuring strict adherence to internationally recognized rules concerning young soldiers contributes to a stronger standing and credibility within the international community. Adequately staffed armed forces provide feasible military options to the government and promote Germany's capability to act in the international arena. This paper will argue that in order to further promote the United Nations' and Germany's intent of protecting children from abuse and encouraging the promotion of children's rights worldwide while at the same time providing career opportunities for young people in the armed forces, Germany should change its existing law on the legal status of soldiers (in German, Soldatengesetz) so that it will be possible for 17-year-olds to end their service at any time by means of a one-sided written declaration. This essay will describe current recruitment efforts, their importance to the Bundeswehr in the current security policy environment, and critiques of recruitment of minors in the Bundeswehr. It will examine the merit of the critiques.

Minors in the Bundeswehr

In his 2016 annual report, Dr. Hans-Peter Bartels (Social Democratic Party of Germany), the German Parliamentary Commissioner for the Armed Forces described the challenge of increasing Germany's military capabilities with the resources available. The number of missions and tasks for the Bundeswehr is expanding and Germany's military capabilities will grow in significance. According to him, this is due to the European Union's goal of strategic autonomy, European nations' commitments to NATO operations and activities, and for Germany, the re-establishment of the ability to participate in the collective defense in Europe and in the area of the Alliance.³ Bartels' report specifically addresses the insufficient number of personnel. The Bundeswehr's numbers have declined from a peak of over 500,000 military personnel in 1990 to an all-time low of 176,000 in June 2016, while at the same time confronted with the most multifaceted requirements to date.⁴ In his 2017 report, he tallies 21,000 vacancies within higher ranks (apart from enlisted) and identifies unsatisfactory fill rates as low as 19 percent in some specialized lines of work.⁵

Recruitment Requirements of the Bundeswehr

Dr. Ursula von der Leyen (Christian Democratic Union of Germany), Germany's Minister of Defense, has increased recruitment efforts, including the recruitment of 17-year-olds. Already in 2014, she stated her intent to recruit the best young men and women and noted that, as with any occupation requiring formal training, young people can join the Bundeswehr at the age of 17 years.⁶ In Germany, any person younger than 18 years of age can be referred to as a minor because the age of majority is set legally at 18 years.⁷ In 2016, von der Leyen officially announced a stop to the 25-year-long continuous reduction of military personnel, the so-called Trendwende Personal.⁸

The goal is an increase of the Bundeswehr's size to 198,000 soldiers (including reserves) by 2024.⁹ Consequently, the Bundeswehr is investing heavily in modernizing its appearance and increasing its appeal to a younger age group. This includes for example a complete relaunch of the Bundeswehr's websites starting in March 2018 and more importantly advertisement for recruitment, costing about €34 million in 2016.¹⁰ Of note is the relatively large investment (€6.8 million) in Internet promotion which comprises the production of a web-series named *Die Rekruten* that was published on *YouTube* from November 2016 to January 2017. It is intended specifically for recruitment purposes and has reached 40 percent of the 17 – 35-year-olds according to an official government reply to an inquiry.¹¹ The series is thus successful and Bartels positively appraised it in his 2017 report.¹² Other web-series including *Mit Olli, Auf Stube* and *MALI*, more focused on information than recruitment, supplement *Die Rekruten*.¹³

Additionally, there is a trend in Germany towards finishing school at an earlier age, before reaching the age of majority.¹⁴ This, in combination with the intensified recruitment efforts make it possible, and highly likely, for the number of 17-year-olds serving in the Bundeswehr to increase.

Empirical data on recruitment in the Bundeswehr confirms this increase of 17-year-olds, especially after the compulsory draft was suspended in 2011. During the compulsory draft in Germany, recruits could voluntarily begin their service at 17 years of age. Even before the recent recruitment efforts, the number of minor conscripts showed an increasing trend.¹⁵ The data is depicted in table 1 in the appendix. Since 2011, the Bundeswehr increasingly had to rely on its advertising effort for recruitment and the number of recruits under the age of 18 years more than tripled, reaching a record high of 2,128 in 2017.¹⁶ Not only are the absolute numbers of minors increasing, but also the proportion of minors. In 2017, it was over nine percent.¹⁷ See table 2 in

the appendix for detailed data extracted from official government replies. Empirical analysis and extrapolation of the data suggest a continued increase in the number of minors serving in the Bundeswehr in the future. These growing numbers have prompted critique and political reactions.

Critique of Recruitment of Minors in the Bundeswehr

The phenomenon of 17-year-olds in the Bundeswehr has induced multiple inquiries by opposition parties such as the Green Party and the political left party *Die Linke*. Some of these inquiries, the so-called *Kleine Anfragen* can be very detailed and must be answered by the government within 14 days.¹⁸ This makes them a political tool to put pressure on the government and pursue a political agenda but they also promote transparency because the questions (and answers) are usually made publicly available. At least one inquiry was directly prompted by publications of human rights organizations, as they are mentioned in the preface of the inquiry.¹⁹ Because it is specific to Germany, the most thorough study in this context is the *Schattenbericht Kindersoldaten 2013* by Dr. Hendrik Cremer. His report was written on behalf of the United Nations International Children's Emergency Fund (UNICEF) and a number of non-governmental organizations, most notably the *Deutsches Bündnis Kindersoldaten* which itself comprises a handful of non-governmental human rights organizations.²⁰ The *Deutsches Bündnis Kindersoldaten* explicitly demands an unconditional stop to recruitment and a stop to any and all interaction of minors with the military, including promotional activities; the so-called Straight 18 position.²¹ While Straight 18 may be the predominant position held by human rights organizations, recruitment of persons under the age of 18 years is permissible in international law, provided specific safeguards are implemented.

In international law, the legal definition of a child and a child soldier is outlined by the United Nations' *Convention on the Rights of the Child* and both of the optional protocols thereof, in particular the *Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*. In the convention, "a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier."²² Because in Germany, majority is attained at 18 years of age, in this essay the terms *minor*, *under the age of 18* and *child* can be used interchangeably. The convention demands that "States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour [sic] to give priority to those who are oldest."²³ The optional protocol further mandates special protection of persons under 18 years of age and requires states to maintain, as a minimum, the following safeguards: (1) genuinely voluntary recruitment, (2) informed consent of the person's parents or legal guardians, (3) the persons be fully informed of the duties involved in military service, and (4) provision of reliable proof of age.²⁴ Since 2007, according to the *Paris principles and guidelines on children associated with armed forces or armed groups*:

A child associated with an armed force or armed group refers to any person below 18 years of age who is, or who has been, recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys and girls, used as fighters, cooks, porters, spies or for sexual purposes. It does not only refer to a child who is taking, or has taken, a direct part in hostilities.²⁵

According to this definition, any person under 18 that is a military or civilian member of the Bundeswehr (a soldier or an employee) is considered to be a child soldier. For further discussion, the civilian employees under 18 will be ignored because that group is never mentioned in any of the critique. Germany has ratified both the convention and the optional

protocol thus making the provisions therein legally binding.²⁶ This is where some of the critique against recruitment of minors comes into play, but to fully comprehend the argument, some background knowledge on German law with respect to the legal significance of the age of a person is required.

Legal definitions for a child vary in German law. German civil code defines majority at 18 years of age.²⁷ Depending on the field of law however, a child is a person under the age of either 14, 15, 16, or 18,²⁸ and one field of law distinguishes persons up to 27 from adults.²⁹ Hence the legal system recognizes phases in the development of young humans from childhood to full adulthood. Specifically, the youth penal code (in German, Jugendgerichtsgesetz) differentiates between *youths* (14 to 18) and *adolescents* (18 to 21).³⁰ A 17-year-old offender may face significantly less severe consequences than an 18-year-old committing the identical felony under otherwise the same circumstances. Felonies associated with not performing military duty however are prosecuted according to the military penal code (in German, Wehrstrafgesetz).³¹ It is applicable to *any* soldier of the Bundeswehr and could be used to prosecute minors, as Cremer explains.³² His and others' main points of critique fall into one of four notions: (1) military service is not completely voluntary, (2) consent is not fully informed, (3) Germany's human rights reputation is damaged, and (4) the military environment is unsuitable for minors.

Military service is not completely voluntary because minors can be prosecuted under German law for wanting to end their service. Cremer picks up on recommendations made to Germany by the United Nations Committee on the Rights of the Child (UNCRC) in 2008.³³ In 2014, one year after Cremer's report, the committee reiterated its previous recommendation to raise "the minimum age for recruitment into the armed forces to 18 years"³⁴

because the committee is concerned that initially voluntarily recruited minors may “bear the danger of becoming liable to prosecution if they decide to leave the armed forces after expiry of their trial period.”³⁵ This requires an explanation of the trial period for recruits in Germany. By law, any recruit for the voluntary military service (up to 17 months in duration) is entitled to a trial period of six months, regardless of age.³⁶ Within that trial period, the Bundeswehr can end the military service with a prior notification of two weeks, but more importantly, the recruit can end his or her service *anytime*, that is without prior notification, by means of a one-sided written declaration without justification.³⁷ Recruits that apply for a term of service longer than 17 months may also nullify their commitment within six months on the same terms, although not by law but by decree.³⁸

The UNCRC and Cremer share the concern that minors, after having changed their minds about military service after the end of their trial period *might* be prosecuted but come to different conclusions. The committee adheres to the Straight 18 position which effectively excludes the possibility of legal prosecution of minors for no longer freely wanting to serve because they would not be recruited in the first place. Cremer comes to a more nuanced recommendation. Germany should amend its laws so that it will be possible for minors to end their term of service in the Bundeswehr at any time by means of a one-sided written declaration.³⁹ This is the recommendation Cremer synthesizes in his report. He argues that the mere possibility of criminal prosecution is detrimental to the intent of the *Optional Protocol* to protect minors from any kind of involuntary military duty.⁴⁰ According to him, this situation is a result of the literal interpretation of the *Optional Protocol* into German law because it addresses only genuinely voluntary recruitment (i.e., consent at the time of recruitment), but not a voluntary term of service after recruitment.⁴¹

The probability of prosecuting a minor for wanting to end his or her service prematurely is low. For this to be possible, a recruit must (1) still be a minor at the end of the trial period and (2) want to end his or her service prematurely while still a minor. Government data shows that the numbers of recruits that still were minors at the end of their trial period has increased since 2011 but after peaking at 212 in 2015, dropped to 90 in 2017. (See row ⁱ in table 2.) From 2011 to 2015, the number of minors that ended their term of service prematurely after the end of their trial period has grown each year from two to over 200, totaling 442.⁴² (See row ^j in table 2.) In relation to the total number of minors recruited in the same timeframe (6,021), this is a modest number of about seven percent. While these would be the recruits that could potentially come in conflict with the military penal code, as of March 2016, not a single military justice case regarding absence without leave or desertion against a minor has been initiated after 2011.⁴³ This means that in practice, the Bundeswehr has implemented a process for prematurely ending terms of service after the trial period without having to prosecute 17-year-olds by the military penal code, but theoretically, it could. Cremer and the committee move on to criticize perceived advertisement biases.

The consent to recruitment is not fully informed because of biased information provided by the Bundeswehr which does not adequately illustrate the risks of becoming a soldier. The UNCRC is concerned with “advertising campaigns for the armed forces, specifically targeting children as well as the presence of representatives of the armed forces within the school context.”⁴⁴ This essentially amounts to criticism of the effectiveness of the safeguards (2) and (3) for the special protection of children as demanded for by international law. The argument is that the risks involved with recruitment are not adequately portrayed and thus truly informed decisions cannot be made by the recruited or by their legal guardians. Human

rights organizations, like the *Deutsches Bündnis Kindersoldaten* claim that Germany promotes a one-sided and escapist promotional campaign removed from reality in favor of the Bundeswehr. This is based on the assertion that during the conduct of an Adventure Camp in August 2014, themes such as injury, death, traumatization, or the killing of humans that are typically associated with deployments would not be addressed.⁴⁵ While clearly not the main theme of Adventure Camp, a video report of the camp shows that deployments abroad were indeed addressed.⁴⁶ The question remains whether they were addressed adequately and sufficiently. In their argument, they make it seem that the youth officers (in German, Jugendoffiziere) would be part of the recruitment scheme by asserting that the youth officers would not adequately educate on the risks of the military profession.⁴⁷ Cremer goes into more detail concerning the role of the youth officers. He concludes mostly by analyzing the annual reports of the youth officers themselves that they would advocate for Bundeswehr operations abroad (e.g., in Afghanistan) and recommends that youth officers not have access to schools.⁴⁸ I do not agree with this conclusion and recommendation because in his argumentation he has only established that youth officers lecture *about* Bundeswehr operations abroad. To say that they would advocate either *for* or *against* such operations would require evidence gained from the observation of the conduct of some of the lectures but no such evidence is presented. In fact, youth officers have the purpose of (neutral) political education and must not take part in any form of recruitment, advertisement, persuasion, or manipulation. Moreover, they are obligated to present and allow for opposing and conflicting views on controversial topics in their lectures.⁴⁹ Since the Bundeswehr's operation in Afghanistan is controversial, the youth officers are in a way required to argue *for and against* it and enable pupils to develop their own informed opinions.

The critique regarding a biased promotional campaign lies partially within the nature of such a campaign. With respect to the above mentioned web-series *Die Rekruten*, the critique is comprehensible because it follows 12 recruits for 12 weeks during basic training in a reality-TV-format and is made to appeal to a younger audience.⁵⁰ This naturally does not include deployments or much of the duty routine and tasks after basic training. The web-series *Mit Olli* provides more insight into different career fields in the Bundeswehr apart from basic training, but it also does not explicitly address the dangers that may come with being a soldier.⁵¹ The series *MALI* is somewhat more realistic as it depicts the hardships encountered in operations abroad, including the crash of a helicopter on 26 June 2017 that killed the two pilots.⁵² According to an interview with one of the depicted soldiers, everything is totally authentic, nothing was scripted.⁵³ The series *Auf Stube* devoted an entire episode to *death and injury* using the most deadly combat encounter the Bundeswehr has even been involved in, the so-called Karfreitagsgefecht of 2 April 2010 in Afghanistan. This episode shows actual combat footage, wounded and disfigured soldiers and also addresses the difficult task of rehabilitation afterwards.⁵⁴ In summary, the critique of a one-sided and escapist promotional campaign removed from reality cannot fully convince. However, due to the very nature of promotion, the reasons for the critique is entirely comprehensible. Information about the dangers of becoming a soldier is available and is not being ignored by the Bundeswehr's public relations campaign, but maybe it could do a better job of communicating just that.

Germany is setting a bad example and lacks credibility because it will “lend legitimacy to states and armed groups that recruit children for use in hostilities, and which may have no safeguards at all for children.”⁵⁵ This argument is more of a political nature and is used by the Green Party and the *Bündnis Kindersoldaten*.⁵⁶ It is true that Germany is a strong

advocate for human rights including and emphasizing the protection of children from abuse by forceful or non-voluntary drafting into military service. The German Ministry of Foreign Affairs underpins this aspiration by supporting the *Red Hand Day* every February 12th, an annual day to bolster awareness for child soldiers and children abused in violent conflicts.⁵⁷ In accordance with international law, the German government criticizes and does not condone abuse of children as child soldiers anywhere in the world. Likewise, involuntary recruitment under the age of 18 is regarded as a severe violation of human rights. Concerning the voluntary recruitment of 17-year-olds into the Bundeswehr, the government has established more than once that its recruitment practice is not a violation of international law.⁵⁸

The claim is that armed groups refuse to end their recruitment of minors, pointing to Germany's (and other countries') recruitment of 17-year-olds thus undermining Germany's international role in advocating for human rights.⁵⁹ While this claim could not be verified, Bartels, the parliamentary commissioner, concedes that with Germany's obligation to uphold the protection of children, it does not seem to be easily reconcilable if Germany's recruitment of 17-year-olds should become the norm rather than the exception.⁶⁰ He restates his assessment that this must remain the exception in his 2017 report.⁶¹ Since conforming to international law, this is not a striking argument that should inhibit Germany from recruiting 17-year-olds. Further criticism of the unsuitability of the military environment for minors is based on two assertions. One, the possible abuse in an otherwise all adult environment and, two, the lack of provision of life skills.

Minors are more prone to abuse and trauma in the Bundeswehr than in civil society. Critique by the *Bündnis Kindersoldaten* that is not reflected in the recommendations made by the UNCRC or in Cremer's *Schattenbericht* includes the higher susceptibility of minors to (sexual)

abuse and to psychological trauma (e.g., posttraumatic stress disorder, bullying, suicide, or self-inflicted injury).⁶² These claims are not substantiated, as they are based on (sensible) assumptions and on studies conducted in the British army. The *Bündnis Kindersoldaten* acknowledges that figures on abuse of minors in the Bundeswehr are not available. The government's empirical data shows that there is no correlation between sexual abuse cases and the presence of minors in the Bundeswehr nor are there any indications or empirical data that would suggest an appropriate investigation.⁶³

Systematically, special protection of 17-year-olds in the Bundeswehr include restrictions so that they may not, with the exception of training, perform any duty or function that may oblige them to utilize a weapon. Without exceptions, minors may not participate in deployments abroad. The use of a weapon by minors is restricted to training only and is subject to rigorous supervision.⁶⁴ This greatly reduces the exposure of minors to situations that could cause psychological trauma.

The military hinders long term economic performance, individual growth and development. Like other employers in the civilian world, the Bundeswehr provides vocational training opportunities for its recruits, including 17-year-olds. An argument made with regards to educational and vocational training is that “that military service primarily hinders long-term economic performance because it is a poor substitute for civilian education and work experience.”⁶⁵ Although this conclusion was drawn from a study in Uganda based on persons abducted for the purposes of military duty between the ages of five and 29 years,⁶⁶ *Child Soldiers International* brought a similar argument to the attention of the United Kingdom Ministry of Defence.⁶⁷ In a response to this, Penny Mordaunt, the British Minister of State for the Armed Forces 2016-2017, pointed out potential and general benefits of vocational training

received while serving in the armed forces and hinted at “the wider benefits to society that come from the opportunity for those under the age of 18 [years] to join the Armed Forces.”⁶⁸ While not going into detail, she asserted that young people learn life skills that serve them for the rest of their lives and that she would not want to deny young people this opportunity.⁶⁹

In the German context, concrete data on vocational training of 17-year-olds in the Bundeswehr is not available, yet as of 2011, the Bundeswehr offered civilian recognized vocational training for more than 50 distinct professions to its recruits, including minors.⁷⁰ As to Mordaut, it does not occur to me why, after having finished school, a young person should have to wait until their 18th birthday before he or she can begin vocational training in the Bundeswehr, if he or she chooses to do so. While it is true that the essence of the military is to apply and be subject to the application of military force, usually lethal in nature, the Bundeswehr has installed numerous safeguards to shield 17-year-olds from such exposure. Likewise, access to firearms cannot be a striking argument because legal access to firearms within a shooting club can start as early as 14 years of, and firearms training by 17-year-olds in police service is not criticized by human rights organizations.⁷¹

Three interviews with young people conducted by *Bento*, an online magazine for 18 – 30-year-olds, shed some light on perceived benefits of serving under the age of 18 years by the affected. Although non-representative, the interviewed represent a good mix: a 20-year-old that had served at the age of 17 and wants to re-enlist, a 17-year-old currently in basic training, and a 16-year-old who applied for military service. All three interviewees explain that in the Bundeswehr, minors are taken seriously. In essence, they are treated as adults and agree that this is a positive factor. Other benefits mentioned are the possibility to get out of a dysfunctional family environment, bridge the time between graduation from school and the beginning of

vocational training, and learn life skills. All three also expressed their own views on operations abroad, showing them cognizant of potential dangers associated with being a soldier.⁷²

The life skills that come with military life may include a greater self-reliance, self-discipline, critical thinking and the sense of camaraderie unique to the armed forces. No data on possible benefits of recruitment in those terms could be found during research for this essay, but it is safe to say that no other employer in Germany promotes the values of camaraderie to the extent that the Bundeswehr does. This principle of camaraderie is inscribed in German law and parts of it are further detailed in the concept of leadership development and civic education (in German, *Innere Führung*).⁷³ This is truly unique to the Bundeswehr.

Recommendations and Conclusion

Based on the main points of critique discussed, I come to the following recommendations. Adoption of the Straight 18 position would immediately silence critics, but it would deny youths a chance to pursue an occupation of their choosing, at least until their 18th birthday. They might never pursue a career in the military, which could have second order effects on overall recruitment. It is assumed that once civil vocational training has started, the likelihood of joining the Bundeswehr is low. Thus, a considerable portion of new recruits (circa five to nine percent) would be lost at a time when the Bundeswehr is struggling to increase its numbers and is unable to fill vacant posts. The question whether or not the percentage of minors recruited represents the exception, as Bartels noted, is political in nature. I would argue that a ratio of ten percent or lower still qualifies as an exception rather than the norm. However, should the current trend continue, the Bundeswehr may recruit ten percent of 17-year-olds or more this year. That would warrant another discussion about recruitment altogether. All in all, Straight 18

has the potential to diminish Germany's military capabilities and its significance as a partner with allies in the long run, and is thus not a recommended course of action.

With respect to the not completely voluntary service due to the possibility of legal action against minors, although not a very likely scenario, I agree with Cremer's line of argumentation. I feel that it exposes a shortcoming in the implementation of the rights of the child into German law. Following Cremer's recommendation, I propose a change to the law on the legal status of soldiers (in German, Soldatengesetz). Alternatively, a new standalone legal norm could be created, or the periods of time within which all recruits can either end their voluntary term of service or withdraw their commitment for a longer term of service could be extended to one full year. This would guarantee that by the end of the trial period all recruits would have reached the age of majority. Pros and cons and higher order effects of either option would have to be examined. Also, the minimum age for recruitment could be raised to 17½ years. The granularity of available data is not sufficient to analyze the effects of this though.

Biases in recruitment and advertisement campaigns cannot be fully averted due to the nature of advertisement. The Bundeswehr does provide information on the dangers that are associated with performing military duty. These could possibly be emphasized more. Currently, the Bundeswehr's promotional campaign targets 17 – 35-year-olds. To counter the critique, this could be changed to 18 – 35-year-olds, but that course of action would be insincere because of only minimal changes to the campaign itself. An age filter could be installed on the Bundeswehr's *YouTube* videos but those filters are easily bypassed. Content in other print media would also only change marginally, if at all.

The task of state controlled political education in schools should be maintained. Its execution could be delegated to civilian parts of the government (e.g. the Ministry of Foreign

Affairs) but that would entail substantial changes to both Bundeswehr and the ministry. To allow non-governmental organizations access to schools, to counterbalance the perceived imbalance would promote desires for the same privileges in other institutions as well and it would take the control of what is taught in school away from the state.

Instead of insisting that Germany sets a bad example for others through recruitment of minors, the safeguards and mechanisms implemented in Germany could be promoted. This could be framed instead as a good example of how recruitment can be conducted in full accordance with international law and to the benefit of all involved. To verify that minors are not disproportionately prone to more abuse and trauma in the Bundeswehr, more statistical data on minors could be routinely collected and analyzed. This would require careful consideration of privacy issues however. The Bundeswehr and its recruitment practice of 17-year-olds remains the subject of political discussion. Ultimately, it will be a political decision for Germany whether to continue, modify, or to stop this practice altogether. Because the current practice is in accordance with international law, no glaring detrimental effects could be identified, and the Bundeswehr's crucial dependency on recruitment, no major changes save one to recruitment are recommended. In order to promote children's rights while at the same time providing career opportunities for young people, Germany should change its law so that minors can end their military service at any time.

Appendix

Table 1. Minor recruits in the Bundeswehr before 2011

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Number of minor recruits for the compulsory draft service	323	319	432	695	570	447	445	590	487	496

Source: Deutscher Bundestag, *Umgang der Bundeswehr mit Minderjährigen*, Drucksache 17/6311, 27 June 2011, accessed 18 December 2017, <http://dipbt.bundestag.de/doc/btd/17/063/1706311.pdf>, 3.

Note: These figures do not include minors that were voluntarily recruited for a longer term of service. Data for those recruits is available only from 2009 to 2011, in which the total number of minors recruited for a longer term of service was 1,305. A yearly breakdown of that data is not available.

Graphical depiction of the data:

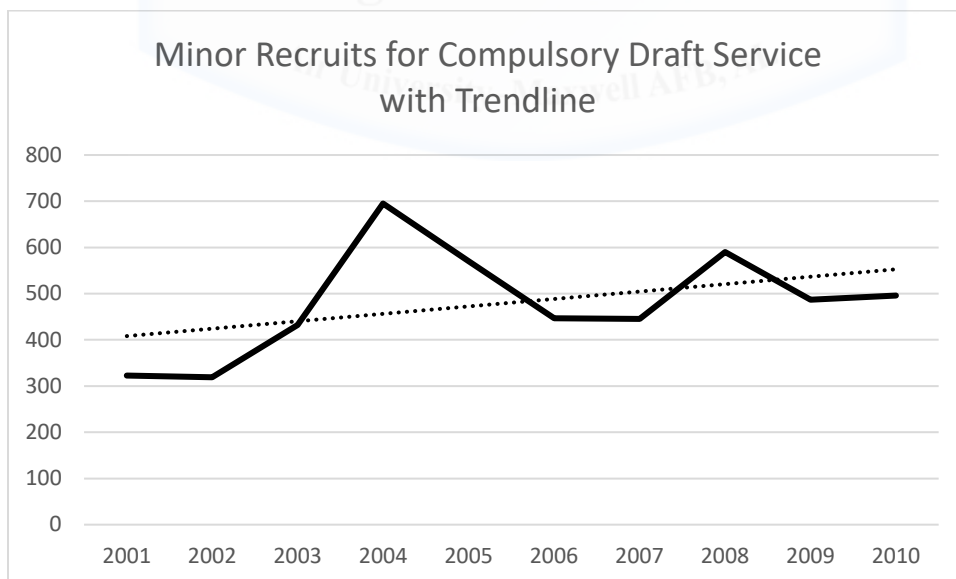


Table 2. Breakdown of minor recruits in the Bundeswehr since 2011

Year	2011	2012	2013	2014	2015	2016	2017
Total number of new recruits ^a	14,668	21,042	19,555	22,061	21,092	approx. 23,580 ^b	approx. 23,385 ^c
Number of minors recruited ^d (percentage of new recruits)	689 (4.7 %)	1,202 (5.7 %)	1,152 (5.9 %)	1,463 (6.6 %)	1,515 (7.2 %)	1,910 ^e (8.1 %) ^g	2,128 ^f (9.1 %) ^h
Number of recruits that still were minors at the end of their trial period, not considering the year of recruitment ⁱ	31	110	139	169	212	89	90
Number of recruits that were minors when they were recruited and that ended their service before the end of their trial period, not considering the year of recruitment	159	359	334	385	281	no data	no data
Number of minors that sought to end their term of service prematurely after the end of their trial period, not considering the year of recruitment ^j	2	37	86	114	203	no data	no data
Number of recruits that were minors when recruited that sought to end their term of service prematurely after the end of their trial period and that were adults at that time, not considering the year of recruitment	2	121	248	264	316	no data	no data

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Notes:

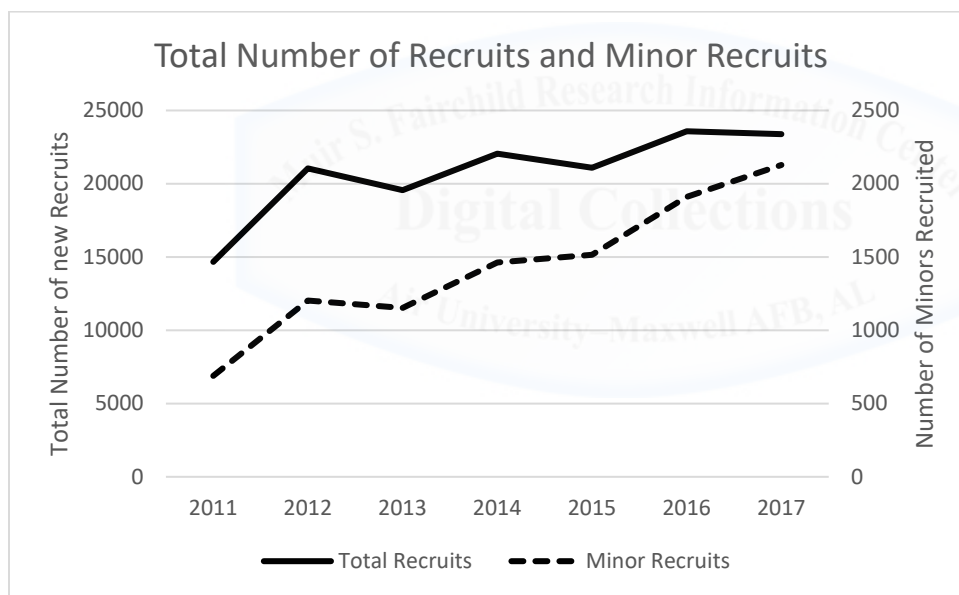
^a and ^d See graphical depiction below.

^b and ^c The total number of new recruits was calculated from the number and percentage of minors recruited. (^b calculated from ^e and ^g, ^c calculated from ^f and ^h.)

^e Sources provide dissimilar figures. 1,907 was the number released to the press, whereas the most recent number is 1,910 which was published by the German Parliamentary Commissioner for the Armed Forces Hans-Peter Bartels.

ⁱ and ^j used for reference in the text.

Graphical depiction of rows ^a and ^d:



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