



NEWS

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Security has a Social Dimension

THE WIND OF CHANGE

In times of painful defence budget cuts the idea of European burden sharing in defence matters seems to be self-evident and could even become evident to the most sceptical critics of a Common Defence and Security Policy (CSDP). Why not take the best components of national armed forces in Europe in order to build up gradually and progressively true “European Armed Forces”? Countries like the Netherlands, giving up their maritime patrol aircraft or Denmark doing now without submarines, thus trusting neighbours and working ever closer together with other European countries, pave the way. It is in EUROMIL’s best interest to speed up this process and take publicly the initiative. Most active military leaders would not support it, but EUROMIL could be an important player in this field. Our soldiers risk indeed their lives. Their protection as well as an increase in efficiency can only be achieved by the closest cooperation among the largest number of European governments. Such a solution born out of economic necessity and the pursuit

of an old ideal amounts at the same time to the realisation of an old pacifist idea: the structural impossibility of a war of aggression - at least in Europe.

In any case this means a step-by-step approach. The establishment of a permanent EU-centre for integrated operational civil-military command could be a good starting point. The



Dr. Gerhard Ahlbrecht, EUROMIL Secretary General

wind of change is blowing everywhere. Most recently, we saw an important personnel change in the military structure with General Ton Van Osch (NL) as newly appointed head of the EU Military Staff, succeeding the British General David Leakey, who stressed again on the occasion of the handover ceremony on 27 May 2010 the uselessness of a permanent

operational European HQ. But does this really hold true? Is the current concept of Battle Group HQ sufficient and viable in the long run? The creation of the European Defence Agency in the field of military procurement and capabilities in 2004 after interminable discussions was already a major step forward to reach the desired synergy, decreasing duplication on the one hand and attaining a higher degree of standardisation on the other hand. It goes without saying that EUROMIL will make sure that SAFE - Synchronised Armed Forces Europe, a concept aiming at the same direction, remains on the public agenda even though it does not feature in this issue.

This issue focuses on the difficult Italian situation. As the chairman of PASTRENGO, Mr. Vincenzo Bonaccorso, put it brilliantly in a nutshell during the Roundtable in Brussels “we have to take the fish out of the aquarium, so that it can see what is going on outside”, i.e. in Europe. The reader will find a whole variety of topics, stretching from the

EU Working Time Directive, a brief presentation of our Slovenian member association ZSČ, an article on the highly controversial Danish film “Armadillo” (Cannes Festival) to the SDA Security Jam. Furthermore, we comment on the “Albright Report”. With NATO’s New Strategic Concept, which will be wrapped up and finalised in Lisbon before the end of the year, another milestone of change will characterise 2010.

Moreover, the first changes brought by the Lisbon Treaty will become visible this year. The European External Action Service (EEAS) should be operational this fall and the establishment of “Permanent Structured Cooperation” (Art. 42.6 and Art. 46) will hopefully shape and deepen EU military structure and CSDP.

Dramatic change is also on the horizon in Germany. The government has planned the introduction of “Conscript 6” (six months of compulsory service). The question remains whether this reduction means an approach to a way out of conscription and whether it really leads to more equity in conscription and an increase in the operational capability of the *Bundeswehr*. According to the latest declarations of the German MoD zu Guttenberg, however, even conscription as such seems now to be under close scrutiny and we get the alarming impression that the ongoing transformation process of the German Federal Armed Forces will be henceforth dictated entirely by short-sighted budgetary policies.

Nevertheless, let us seize the wind of change and open the window of

opportunity we face. Our Presidium Meeting in Brussels (28-30 October 2010) will thus be centred on three different workshops: firstly, we will open the debate on the most recent developments in Humanitarian Law, secondly - as a follow-up to our Presidium Meeting in Berlin - we will go deeper into the question of a European Military Ombudsman and - last but not least - the burning issue of budget cuts in defence spending and how to cope with them will feature in a third workshop. Come then, let us go forward together with our united strength!



Gerhard Ahlbrecht
Secretary General

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INTERNATIONAL OPERATIONS

ARMADILLO

A DANISH DOCUMENTARY OF SOLDIERS IN AFGHANISTAN

Armado is a Danish documentary from 2010 directed by Janus Metz Pedersen, which follows a group of young Danish soldiers from the preparation for the mission in Afghanistan, during the mission, until their return home. The scenes are shot using a helmet camera, and the 50-minute film comprises edited footage. The unique footage from the

controversial in particular is a scene in which the cameraman attends a debriefing

battle-field shows immense respect for the soldiers and their conduct of duty. What makes the film controversial, in particular, is a scene in which the cameraman attends a debriefing. Having returned with his group from heavy fighting and having defeated a group of Talibans, a young soldier is heard uttering the word "liquidation". The film won the Grand Prix Semaine Critique 2010 at the Cannes Film Festival.

Armado is also the name of an advanced camp in Helmand province in Afghanistan. The camp is named after Major Anders Storrud who had an armadillo as his mascot. Anders Storrud, who was killed in Afghanistan, conceived the strategy that the Danish army needed an advanced camp where the "Armado camp" is situated today.

EUROMIL's Danish member associations Haerens Konstabel - og Korporalforening (the Union of Enlisted Privates and Corporals in the Danish Army - HKKF) - and Centralforeningen for Stampersonel (Central Association of Permanent Defence Personnel - CS) have commented on the documentary.



Theatrical Poster: ARMADILLO

ARMADILLO - UNIQUE INSIGHT INTO SOLDIERS IN BATTLE

By TINE NØRHOLTZ, HKKF, DENMARK

"Armado" has rightly attracted considerable attention. Minutely depicting action intermeshed with camp life in the Green Zone and stunning pictures offer the audience unique insight into what it is like to be a soldier in Afghanistan.

The film is Danish, and consequently its focus is primarily on life as a Danish soldier. A particularly Danish aspect, however, is not mentioned in the film: Danish soldiers have the same rights as other Danish

employees; a right most other soldiers have been denied.

Many international colleagues, however, will identify with the countless patrols, the emotionally stressful moments when the message arrives that a colleague has been killed or wounded and the intense fighting which is literally a question of life or death.

The battle scenes show Danish soldiers operating at a very high professional level. We see how difficult it is to distinguish between civilians or armed enemies, and how the soldiers give the potential enemy the benefit of the doubt. "I'm proud of our Danish soldiers", says Flemming Vinther, President of HKKF.

Danish soldiers elect union representatives for the mission

Whereas the difficult decisions and the intense fighting are common to all soldiers deployed in Afghanistan as part of the international contingent, one issue in particular relates specifically to the Danish soldiers. They all have professional and civil rights when posted to a mission.

Danish soldiers elect union representatives for the mission; they elect safety representatives and form joint consultative committees. They are allowed to join a political party, they vote in elections held during the period of deployment, and they are free to terminate their contract at normal notice. The soldiers, the Defence management, Danish politicians as well as the professional organisations support the rights of the soldiers.

Soldiers in many other countries have no rights at all. It has been repeated time and again that professional rights will adversely affect discipline, unit cohesion and fighting qualities. "Armadillo clearly illustrates that this is utter nonsense. Having seen the film, no one will deny that the Danish soldiers, given their rights, amply demonstrate discipline, cohesion and fighting qualities", says Flemming Vinther and continues:

"Depriving soldiers of their rights while at the same time asking them to risk their lives for the rights of others, seems alarmingly out of date. In Denmark, we know from experience that professional rights and professional soldiers are no opposites. They complement each other! If in doubt, I highly recommend that you see Armadillo".

ARMADILLO DEPICTS PROFESSIONAL SOLDIERS

By Helle Sydendal, CS, Denmark

Even before Armadillo premiered in Denmark, opinions were running high. Director Janus Metz and cameraman Lars Skree follow a company in the Danish Armadillo camp in Helmand province in the film, which attracted considerable attention following the screening at the Cannes Film Festival on 12 -13 May 2010. After a Danish press screening in Copenhagen, the film was reviewed in almost all Danish newspapers. What makes the film controversial, in particular, is a scene in which the cameraman attends a debriefing. Having returned with his group from heavy fighting



Scene from the documentary ARMADILLO, photo: Lars Skree

and having defeated a group of Taliban, a young soldier is heard uttering the word “liquidation”.

“Defence management definitely made a mistake in not ensuring that the soldiers were debriefed in private,” says Jesper K. Hansen, President CS,



Scene from the documentary ARMADILLO, photo: Lars Skree

Denmark’s largest military trade union.

“At a debriefing, the soldiers put into words and express the impressions and feelings they bring back from the battle-field, where it is often a question of kill or be killed. Were our tactics successful? What went well – what did not? And then it’s OK to give vent to any feelings of joy. ”, says the President, emphasising that some comments are not meant for the public. Just like when fire fighters or paramedics gather for debriefings after a critical incident.

“It’s a way for the soldiers to protect themselves and an opportunity to get strong feelings and emotions

at a debriefing you should be free to speak your mind

off their chest. At a debriefing, you should be free to speak your mind and lay your soul bare. It is definitely not the place for a camera crew. What they said during the debriefing was OK”, says Jesper K. Hansen, who is very pleased with the film.

“It is a really good film. Now, no one should be in doubt what our troops are doing in Afghanistan. It’s clear to everybody. The film provides an excellent snapshot”, says Jesper K. Hansen.

The President of CS does not think that soldiers need to watch their language when on a mission. “Soldiers must be allowed to speak freely. This time, Taliban were killed, but it might just as well have been the soldiers, we follow in the film. And the young soldier may have used the word “liquidation” during the debriefing. But it doesn’t matter what word was used. What matters are the actions of the soldiers”, says CS President Jesper K. Hansen.

The Military Prosecution Service has instigated an investigation to determine whether the Danish soldiers acted correctly or not. Moreover, the Chief of Defence has prompted an investigation into the language and culture of the soldiers and Danish Defence in general.

“What we see in the film is not acting. It’s real. Nothing is staged, and we can’t order the soldiers to watch their language in stressful situations”, says Jesper K. Hansen, stressing that the soldiers must be allowed to speak freely – far from the elevated circles of Copenhagen in the middle of enemy territory.

“What matters is that they act correctly. Not the language they use”, Jesper K. Hansen concludes.

Danish soldiers – Danish rights

- *At present, 750 Danish soldiers are deployed in Afghanistan. The population of Denmark is five million.*
- *Denmark has lost 31 soldiers in Afghanistan. The highest number of casualties of any ISAF country compared to its population.*
- *In Denmark, military personnel have the right to unionise, and they retain all their civil rights. This is not the case in e.g. the UK or the US.*
- *Soldiers, Defence management, politicians and professional organisations agree that soldiers should retain their rights.*

- *The Union of Enlisted Privates and Corporals Danish Army.*
in the Danish Army is the union for privates and corporals in the Danish army. A total of 85% of all Danish privates and corporals are members of the Union of Enlisted Privates and Corporals in the
- *In the countries contributing to the ISAF, support for the war in Afghanistan is strongest in Denmark.*

THE CHAIRMAN'S COLUMN

EUROMIL AND THE ZSČ - LOOKING BACK!

BY COLONEL MIHA BUTARA, ZSČ, SLOVENIA

Colonel Miha Butara, born 1 October 1950 in Krško, Slovenia, joined the Slovenian Territorial Defence Forces¹ in 1971. First serving in the reserve, he then held positions as chief of mobilisation and personnel, in the intelligence service and as assistant for patriotic education at the Headquarters (HQ) of the Slovenian Territorial Defence Forces in Ljubljana between 1979 and 1990. From 1990 he was Head of Manoeuvre Structures of National Protection Forces (MSNZ)² in the region of Ljubljana and Deputy Head MSNZ at the armed forces national HQ, before being appointed Commander of the 5th Regional HQ (Ljubljana) of the Slovenian Territorial Defence Forces. In 1991, he became Assistant for patriotic education to the Chief of Staff of Slovenian Territorial Defence Forces, which were about to be restructured into the Slovenian Armed Forces, officially established in 1993. Later he was appointed Head of Transport Service in the Slovenian Armed Forces national HQ. As of 1993, he is elected President of the Zveza Slovenskih Častnikov (ZSČ - Union of Slovenian Officers). Among other military and civilian decorations, he received "The Silver Order of Freedom of the Republic of Slovenia" from the President of the Republic of Slovenia in 2005.



¹ The Slovenian Territorial Defence Forces were formed in 1968 as a paramilitary complement to the regular army of the former Yugoslav within the territory of Slovenia

² MSNZ was an institution unique to Slovenia, intended to enable the republic to form an ad hoc defence structure, akin to a Home Guard.

Today, after 17 years as President, leading the Zveza Slovenskih Častnikov - Union of Slovenian Officers (ZSČ), which despite the name also includes non-commissioned officers and other military officials as members, I can confidently say that the ZSČ continues to have an important place in the Slovenian society.

Our association, established in 1952, can look back to a rich experience in supporting our members. Before I was elected President in 1993, the ZSČ

represented only military reservists. Since then, we include also active military personnel of the Slovenian Armed Forces, professional as well as the voluntary contractual reserve (serve up to 30 days per year).

Also since 1993, the ZSČ provides new, qualitatively better performance for military personnel in professional and social issues, and established cultural and sports activities. Additionally, the ZSČ seized greater opportunities to connect internationally, first and foremost with international military

organisations. Our organisation first established cooperation with EUROMIL and quickly joined at the 1994 EUROMIL Presidium meeting in Lisbon to become full member. We were proud to have been so rapidly accepted and trusted by the old members of EUROMIL. This confidence stemmed largely from the fact that the ZSČ were representatives of an emerging young country and its armed forces. When Slovenia declared independence at the onset of the Yugoslav Wars in 1991, the

Slovenian Territorial Defence, together with Slovenian Police Forces, comprised the main forces defending successfully democracy and the new Republic of Slovenia against the Yugoslav People's Army during the Ten-Day War. The doctrine of national defence, where a majority of the population is engaged in defence of the country, helped Slovenia to gain independence and to start forming the new national security system partly anew (Slovenian Armed Forces) and partly as continuation of the former republic's security system foundations. The Slovenian Armed Forces were formally established in 1993 as a reorganisation of the Slovenia Territorial Defence.

For us, full membership of EUROMIL has represented trust, which gave us new strength and energy for our work. Through EUROMIL, we got acquainted with many values and the concept of "citizens in uniform", so very important in our efforts to address social concerns of our members, employees in the Slovenian Armed Forces and defence organisation at large.

Our work for the benefit of our military personnel, I must stress, was greatly supported by our government. At all times, the government and military leadership has shown great understanding for creating a good basis for work on social and professional issues. This is also a result of our very systematic work and the presentation of our issues to the most important actors

and the wider public.

For the ZSČ, it is very important to cultivate regular contacts and exchange information on our work and discuss key questions with the highest authorities in the country. Deriving from the fact that we are the natural link between the armed forces and civil society, we have had countless opportunities to act in a way that benefited both sides, resulting in the absence of greater



disputes and conflicts among the two. Surely, there are issues, but they are resolved with patience and appropriate moderation.

We are proud of having continuing contacts with the President of the State, who is also Supreme Commander of the Slovenian Armed Forces. We are working closely with the National Assembly (Parliament) and the Committee for the Defence of the National Assembly to which meetings the ZSČ has been invited for 15 years. Within this framework, we are cooperating in discussions on possible solutions of relevant issues. Additionally, the ZSČ is closely linked to the

Ministry of Defence and the Slovenian Armed Forces on the basis of cooperation as equal partners.

The ZSČ integrated many lessons learned through EUROMIL into our own working standards. The current move to become an Industry Federation of the European Trade Union Confederation (ETUC) is welcomed by the ZSČ as it will strengthen the possibilities of cooperation. This is especially important given the scope of challenges stemming from the economic crisis, with a looming recession felt in Europe and the world.

In addition to EUROMIL membership, we are also full member of other, functional and sectoral, military organisations such as the Interallied Confederation of Reserve Officers (CIOR), the Interallied Confederation of Medical Reserve Officers (CIOMR), the "Gaming initiative" (an alliance of Central European Reserve Officers Associations), the European Association of Reserve NCOs (AESOR) and the World Federation of Mountaineer Soldiers (IFMS). The diversity of our membership and our international cooperation have enriched our experience and equipped us with highly valuable knowledge, which has been transferred into our work for the Slovenian military personnel.

Continuous cooperation, learning and contributing our own experience and knowledge is necessary in order to promote the

social and professional interests of our – ZSČ's and EUROMIL's in general – members also in the future. Although the Slovenian Armed Forces are merely 17 years old, they have been through a number of reforms, which first transformed the Slovenian defence system from territorial defence as typical reserve to a relatively small but highly effective (post) modern army of a NATO member country with clear defence goals and, second, from a compulsory military service to a career and professional soldiers only forces. An initial problem of a UN weapons embargo which resulted in the

inability to equip the Slovenian Armed Forces with necessary technology, disappeared, and, like in many other countries, traditional tasks of territorial defence were pushed into the background as peace operations, increasing crisis/disaster management activities involving entirely different requirements for the Slovenian Armed Forces took prominence. The ongoing restructuring of the Slovenian Armed Forces on such scale inevitably carries a social component that needs to be addressed.

While I am going to retire and I am preparing to hand over my

duties to a new elected leadership, I look back and conclude that we have behind us many years of successful and effective work. A lot of good results were possible due to the cooperation of all our members of the Association of Slovenian Officers and Non-Commissioned Officers.

The same conclusion is valid for EUROMIL and its member associations, who need to continue all their efforts to exchange experience and best practices for the welfare of the "citizen in uniform" in Europe in order to wade through the present difficult economic crisis.

INTERVIEW

HOSZ INTERVIEWS EUROMIL PRESIDENT EMMANUEL JACOB

BY ROBERT SZITA, HOSZ, HUNGARY

The Honvédszakszervezet (HOSZ) is the legal successor of the Soldiers' Protection of Interests League, which was established by 7 local societies and 56 individual members; altogether about 300 active and retired soldiers in Budapest on 14 September, 1991.

In 1996 and with pressure by the Military Trade Union a modern service law (1996/XLIII) was successfully adopted by the Parliament. This law allowed soldiers to establish and join professional military associations and recognised the constitutional right of HOSZ to operate as representative of the Hungarian soldiers, promoting their social and professional interests. HOSZ works independently from the political and military leadership and in cooperation with the national and international partners.

HOSZ joined EUROMIL in 1992, has a bilateral cooperation agreement with the Dutch military trade union AFMP-FNV and is active in the regional EUROMIL Visegrád Group (Poland, Czech Republic, Slovakia, Hungary).

Mr. President, please tell us how the military associations of 25 countries, moreover their interests, are represented day by day?

Our primary intention is to be present in Europe. I must know, and I do know the problems of each member country. A strong team – which is the Board – is needed for this, which supports me at every occasion. Our work is eased by the fact that several

members of the Presidium are active soldiers even today. EUROMIL intends to influence the legislation and law-making relevant to military personnel at every level. Besides, we would like to provide assistance to the soldiers in the field of social administration of justice. Every soldier is entitled to be informed, to learn his or her rights and obligations, or to vindicate his or her individual rights.

What are the most important tasks of EUROMIL in 2010?

Our primary task – besides the EU level representation – is to support the formulation of strong military interest conciliating alliances and the work of the existing interest representations or unions. It is also important that member countries support each other. The only chance is to work hard. According to my opinion, and from the point of view of the effective European military interest protection, the most important thing is to be represented in each country. It is also the task of the Board to provide as much assistance to the member's presidium as possible. I regard this as my own personal duty and mission. I believe there is still a lot to do. Time is to be invested to enable assistance.

How is life in Brussels, what is a workday like in the Headquarters of EUROMIL?

I am not in Brussels. I do not work there every day, as I have my personal duties at my own association (ACMP/CGPM) in Belgium. Anyhow, I meet our small team, the co-workers of the office in Brussels at least once a week to discuss the various tasks. As all officials are very busy at their own associations, the weekly negotiation, organising and planning work is extremely important.

What lies ahead of EUROMIL, what is the future of this international organisation?

I do trust that the international alliance, the EUROMIL, the European Organisation of Military Associations will have important roles in the future. I am also certain that the joint European armed forces will replace the national armed forces. However, it is also possible that I will not live long enough. Until that we want to establish such round table negotiations, the system of EU level social dialogues, where the tasks would be shared between each other on European level. The progressive harmonisation of the multinational

military cooperations and tasks have an ever increasing importance. The military personnel, the soldiers must feel that a strong international organisation is always standing behind them, working and serving for them. Besides the national characteristics, the future is a unified Europe.

In the person of Dr. Ottó Heiling, the Board has a Hungarian member. What is your opinion about the work of your Hungarian colleague, and what is the knowledge of EUROMIL on the most important problems of the Hungarian soldiers?

The present Board is a very good and strong team, which can make adequate decisions. I regard Ottó as the

voice of the East Central European countries. He is well educated, he can communicate well, he can negotiate well, he's an excellent debater, who brought outstanding experience to the Board, just like his friend, Anatol Tichoniuk from Poland. They both are outspoken to deliver the voices, the opinions of their comrades to international scenes. We know about the salary

freezing of the Hungarian soldiers for many years, as well as the legal conciliation concerns regarding working time. EUROMIL, by its own means, intends to assist the resolution of these kinds of problems, to support the efforts of the national associations.

A year ago, we read aloud EUROMIL's declaration of solidarity at our demonstration at Kossuth square in Budapest. Does this mean that the news about the Hungarian protest reached Brussels?

But of course! I also intended to participate at the demonstration personally, as I regarded EUROMIL's support and assistance toward the Hungarian union as important. Unfortunately this was not possible, and therefore we sought to express our solidarity with this declaration. I think it is essential that whenever important things happen in our members' countries, the Board of EUROMIL shall be represented, as well as the national goals shall be supported by the



international community. I am convinced that the protection of interests became even more important as a consequence of the present international financial crisis. Our support must be expressed by visible and non-visible means.

How would you evaluate the 101st EUROMIL Presidium meeting?

The meeting of the Presidium went according to

plan, we managed to complete every programme point. The discussions in the workshops were interesting, deserving public attention. We developed those topics, which are inevitably worth to be represented in the European Union and in the European Parliament. The past five years brought great changes; therefore it is very important to have as many nations and the most military associations or unions participating in the international activities of EUROMIL.

INTERNAL AFFAIRS

EU WORKING TIME DIRECTIVE: NO REVISION BUT INCLUSION OF THE ARMED FORCES NECESSARY

By EUROMIL

The European Commission has launched a first-phase consultation with the recognised social partners on the EU Working Time Directive (WTD - Council Directive (CD)93/104/EEC, now 2003/88/EC). All recognised social partners can submit their position. The Commission will then consider how to continue with the consultation process on the Working Time Directive.

In 2004, the Commission put forward a proposal to amend the WTD, following consultations. However, in April 2009, the Council and the Parliament concluded that they could not reach agreement on the proposal, despite the procedure with two readings and a conciliation process. According to the Commission there is a difficult situation for several Member States and for social partners at national level, also in implementing some aspects of the EU working time legislation.

According to the Commission's Communication, the WTD has to be checked if it is "modern enough" for the 21st century. It particularly comes to the conclusion that there is not enough flexibility for organisations and workers in the organisation of working time in the present EU piece of legislation.

In a way the Commission has asked the "social partners at EU level to consider solving the problems in the social dialogue, passing on the "hot potato" to us", said John Monks, General Secretary of the European Trade Union Confederation (ETUC).

According to EUROMIL military personnel can not be excluded en bloc from the application of the EU Working Time Directive. It also applies to the

military personnel cannot be excluded en bloc

armed forces. The European Court of Justice in 2005 clarified and ruled that the exemption clause is to be interpreted as narrowly as possible. The determining factor is not whether the employees belong to the various institutions named in the directive such as the armed forces, the police or the emergency services but more important is the specific nature of the duties performed by those employed in these areas.

Additionally, with the Charter of Fundamental Rights now legally binding, the European institutions

must take their obligations even more seriously, i.e. to guarantee every worker in the EU the right to limitation of his/her working hours in order to respect his/her health, safety and dignity at work.

Therefore, EUROMIL backed the position of the ETUC as adopted on 3 June 2010 by its Executive Committee.

At the same time, EUROMIL has coordinated its own position on issues of working time that affects its members under European law with key issues arising from the application of the directive and calls to reject any proposals for revision of the Working Time Directive. The limitation of working hours must remain the main goal of the Working Time Directive, inclusive of the armed forces.

While EUROMIL's application for membership to the ETUC is still pending, ETUC has been very supportive of EUROMIL. On 7 June ETUC sent its own position as adopted on 3 June by its Executive Committee together with EUROMIL's position to the European Commissioner for Employment, Social Affairs and Inclusion, Mr. Laszlo Andor.

EUROMIL POSITION: WORKING TIME IN THE ARMED FORCES

On 24 March 2010, the European Commission adopted the Communication "Reviewing the Working Time Directive", aimed to launch the first-phase consultation of the Social Partners at EU level, in accordance with the article 154 (2) TFEU¹ on the possible direction of EU action regarding the Working Time Directive.

Since the European Court of Justice (ECJ) SIMAP judgement of 3 October 2000, to apply the WTD to the public service branches, the European Commission lodged several proposals to amend this Council Directive with wide-ranging opt-out clauses, in each case acting on demands from the Council of Ministers.

These proposals were an attempt to overrule the relevant ECJ decisions, in order to undermine the legal authority of the ECJ to enforce the Working

Time Directive in the Members States.

Thanks to the objection of the EU Parliament and the work of the ETUC, such proposals had been rejected at the time of the last European Parliament elections in 2009.

What is described as "modernisation" of working time in the European Commission Communication is in real terms a by-pass of a strong line of jurisprudence by the ECJ in favour of the rights and entitlements of the workers in public service.

EUROMIL rejects any review of the Working Time Directive 2003/88/EC and invites the European Commission to control the full implementation of

Charter of Fundamental Rights now legally binding

Directive 2003/88/EC to the public service inclusive of the armed forces in EU Member States.

EUROMIL invokes the European Parliament to object to any proposals for review of this Council Directive.

Finally, EUROMIL strongly supports the position of the ETUC on the Working Time Directive adopted by its Executive Committee on 3 June 2010. It calls the attention to the following key issues arising in the application of the directive on matters affecting the members of EUROMIL under EU law.

KEY ISSUES ARISING IN THE APPLICATION OF THE DIRECTIVE

1. *The Working Time Directive is also applicable for soldiers and full implementation of WTD 2003/88/EC by Member States has to be ensured*

EUROMIL recalls that the scope of the EU Working Time Directive applies to all employment contracts, including the employment of soldiers. There should be no en bloc exemptions from the

¹ The Lisbon Treaty is officially named "Treaty on the Functioning of the EU" - TFEU

² There are court cases pending on the implementation of CD 2003/88/EC for soldiers in some EU countries

Working Time Directive in public service. This means that any diversion from the provisions of the Directive in these fields, shall only be possible to the extent that specific activities of the armed forces unconditionally justify it and that adequate compensatory safeguards simultaneously are put into effect to guarantee the highest level of workplace safety achievable in specific situations.

The European Court of Justice has already decided in two cases that the restriction clause (Article 2) cannot serve to exclude a whole occupational group from the application of the WTD, even if they are prohibited by law to strike, such as e.g. medical personnel on emergency duty (SIMAP), hospital personnel with standby duties (Jaeger) or firemen (Personalrat Feuerwehr Hamburg). It only enables the individual Member States to exclude precisely defined and delimited activities in the services mentioned, if it is not possible to fully comply with the provisions of the WTD.

EUROMIL therefore deems it necessary to implement the WTD fully for soldiers. It holds that, since salaries of soldiers and public service employees can be identical in some EU Member States, working time regulations should apply equally. To the extent that there are specific military activities, for which there are no similar forms of duty carried out by other civil servants balanced exceptions may be stipulated.

2. Clear, comprehensive, coherent and binding working time regulations specific and adapted to armed forces personnel are necessary

EUROMIL affiliates have called for many years already that binding legal instruments be issued to regulate the regular working weekly hours for soldiers, including appropriate compensation for overtime by remuneration.

In most European armies, working time is managed by the commanding officers discretion and through verbal orders. While EUROMIL acknowledges that in relevant military branches a majority of commanders administer working hours in a very caring manner, there are major problems arising

from lack of personnel in most of the armies of the European Union. For many commanders the legal term “working time” or “overtime” is non-existent, as it is expected from soldiers to “serve” and fulfill their duty during 24 hours and 7 days.

EUROMIL thus calls for the creation and implementation of clear, comprehensive, coherent and binding working time regulations, specific and adapted to the armed forces that respect working hours, on-call time, weekly working time, rest periods and overtime. These regulations are to be negotiated in a fair and social dialogue with the representatives of staff associations or military unions.

3. Limitation of average weekly working hours for soldiers as ensured by Directive 2003/88/EC

EUROMIL is of the opinion that the protection against long working hours has to remain the central goal of the Working Time Directive. In the armed forces, protection against long and irregular working hours is a crucial matter of health and safety prevention.

Active military personnel has the right to working conditions which respect the soldiers’ health, safety and dignity. This right is safeguarded under Article 31 of the Fundamental Rights Charter which ensures that every worker has the right to a limitation of maximum working hours, to daily and weekly rest periods and to an annual period of paid leave.

The strain put on soldiers with the increasing participation in international missions and an ever more challenging working environment due to lacking recruitment and high budgetary pressures is lengthening working time, in particular for on-call duties. This only enhances the exposure to health and safety risks of the soldier, for example in cases of security or guardroom duties, but additionally puts third parties which are closely linked to the armed forces working environment at risk.

4. On-call time is working time

EUROMIL proposes that all working time defined

as any period during which the soldier is working at the employer's disposal and carrying out his activity or duties should be counted as working time - be it on-call or for emergency preparedness.

5. *Working time during specific military activities*

EUROMIL holds that during international military operations and missions with their specific security conditions and for specific military activities such as military exercises or manoeuvres, and special training runs, exceptions to working time regulations can apply. However, daily working time periods should be clearly defined and controlled so that, for example, the total working hours are taken into account for the annual calculations.

6. *Reconciliation of army and family life*

EUROMIL notes that the reconciliation between professional, private and family life plays an important role to play in improving the attractiveness of the army profession and counter the recruitment problems in most armed forces of the European Union.

EUROMIL is of the opinion that a balanced reconciliation will contribute to improving the participation of women in the professional armed forces.

Therefore, EUROMIL calls for streamlining work-life balance measures with working time regulations in order to achieve a better balance between army and family life.

Additionally, parental and maternity leave regulations have to be formulated and implemented, while childcare facilities within army facilities should be developed further to the benefit of the families.

Working time remains an issue of health and safety. Military personnel assures security for others and should therefore not be excluded to speak for their own security and safety.

CONVENTION OF THE ASSOCIATION CARABINIERI PASTRENGO

BY VINCENZO BONACCORSO, PASTRENGO, ITALY

More than 100 participants took part in the convention of the Association Carabinieri Pastrengo on 23 May 2010 in Palermo, Sicily. They discussed the lacking implementation of the right to freedom of thought, the right to freedom of expression and the right to freedom of peaceful assembly for the armed forces in Italy. Those rights are strongly limited and even completely denied to the armed forces. The convention has been organised together with "The Party of the workers of the Security and the Defense sector" (PSD). EUROMIL was represented by its President Mr. Emmanuel Jacob and by its Secretary General Mr. Gerhard Ahlbrecht.

The speakers of the Pastrengo and of PSD party discussed best-practice examples. Moreover, they discussed the next steps for the formulation of a viable strategy in order to obtain positive results in their national lobby activities.

The convention was dedicated to the fight against the mafia to honour the sacrifice of the killing on 23 May 1992 of the judge Giovanni Falcone, his wife Francesca Morvillo and the escort's policemen Antonio Montinari, Rocco Di Cillo and Vito Schifani in Palermo.

The meeting took place in the historical hall decorated by a fresco representing the battle of "Milvio Bridge" from Guglielmo Borremans of the



Vincenzo Bonaccorso, Emmanuel Jacob, members of PSD

Sicilian Regional Assembly built in 1587.

The President of EUROMIL explained the important role of EUROMIL in exchanging views and issues of common concern amongst soldiers in Europe. EUROMIL is the main Europe-wide forum for the cooperation among professional military associations and closely monitors the Italian situation. EUROMIL cooperates with Pastrengo to exchange information and experience in order to secure and advance the human rights and fundamental freedoms of the Italian soldiers. These rights have in some European countries already been granted to other

European soldiers. He closed his speech by explaining that EUROMIL supports the efforts of Pastrengo and invites member associations to use the international secretariat in Bruxelles for multinational negotiations on the European level.

The Chairman of Pastrengo Vincenzo Bonaccorso thanked the representatives of EUROMIL for their support and explained that the convention marked a very important step. He encouraged all other Italian military Associations to join their forces and to work together for the benefit of the Italian armed forces! He reminded the audience of the activities of Pastrengo



Vincenzo Bonaccorso, Pastrengo

in Italy during the last year and promoted and explained the idea and principle of the “citizen in uniform” to his colleagues. The “citizen in uniform” must enjoy the same rights as other citizens of the Italian Republic, with no restrictions.

Finally, he reiterated his proposal to create a mixed association composed by German and Italian soldiers and invited the German Federal Armed Forces Association (DBwV) to support Pastrengo’s side in this important battle for democracy in all European countries. There should be equal standards of human rights for soldiers in Europe with the leading principle of the “citizen in uniform” both in Italy and Germany. Common rules should be promoted and he added that in Germany one should not forget that it would as well be possible that the high level of standards reached so far in terms of social dialogue could always be re-discussed or revised.

At the end of the convention, Vincenzo Bonaccorso was rewarded with a bronze plate from the Trade Union of the Italian policemen “COISP” for his engagement in carrying forward an increased democracy within the Carabinieri, the Italian Military Police.

EXTERNAL AFFAIRS

ITALIAN ROUNDTABLE IN BRUSSELS

By EUROMIL

The Italian member of the European Parliament Ms. Sonia Alfano (ALDE¹) came out in strong support for the rights of soldiers

at a recent meeting in Brussels. Along with her colleagues at the Parliament, military attachés and representatives from the Italian mission to the European Union, Ms. Alfano was invited to an informal session on the right of association in Italy. The meeting, organised in close cooperation with the two Italian associations ASSODIPRO and PASTRENGO,

and notwithstanding the turn-out, was well-received and, as such, considered a success.

The meeting, which sought to create an informal atmosphere, opened with an outline of the overall situation in Europe, before commenting more specifically on the circumstances in Italy. The presentations were followed by an extended question-and-answer

¹ Alliance of Liberals and Democrats for Europe

session in which Ms. Alfano, in particular, took an active part. It is thus also hoped, that she will lend her name to the follow-up event, which will be arranged in the coming months.

The meeting, organised on 4 May 2010, was held at the International Trade Union House, Brussels. Present were: Emmanuel Jacob (EUROMIL President), Bernhard Gertz (EUROMIL Vice President), Gerhard Ahlbrecht (EUROMIL Secretary General), Fabrizio Menegoli and Giuseppe Pesciaioli (ASSODIPRO), Vincenzo Bonaccorso (PASTRENGO).

EUROMIL INVITED TO ALBANIA BY AKUSH

BY EMMANUEL JACOB,
EUROMIL PRESIDENT

The National Military Alliance of Albania (AKUSH) is an independent NGO recognized by the decision 2644 (30 September 2009) of the Court of Tirana. AKUSH represents all categories of retired soldiers as an umbrella organisation of 15 associations and has a coordinating role in their activities representing the Albanian soldiers and their relatives in the morale, social and economic-financial field. An essential issue that AKUSH is working on is the problematic pension system for retired military personnel in

Albania.

Contacted by the President of AKUSH, Dr. Kutjim Cako, EUROMIL's President Emmanuel Jacob visited Tirana from 12 to 14 May 2010. The first evening President Jacob met with the Board of AKUSH and the representatives of their associations. On Thursday 13 May, he met with the Chairman of the Security and Defence Committee of the Albanian Parliament, Leonard Demi, followed by a meeting with the former President of Albania, Mr. Alfred Moisiu. In the morning of the last day of his visit, EUROMIL's President met with the Deputy Minister of Defence and the President of the North Atlantic Association, Dr. Arian Starova. All of them agreed with the proposal of Emmanuel Jacob that AKUSH should bring together every possible representative of Albanian soldiers to have one strong voice. They also agreed that AKUSH could step by step become the voice for Albanian soldiers in active service.

In the margins of this visit, EUROMIL's President was on three occasions in contact with the Executive Director of the Albanian Institute for Democracy and Mediation (IDM), Mr. Sotirac Hroni. Both agreed to collaborate in organising an event in Albania in the foreseeable future. He also established a first contact between AKUSH and IDM and expressed his wishes that they could help each other on national level for the benefit of the Albanian soldiers

and the society.

The President and Board members of AKUSH underlined their interest in a close collaboration with EUROMIL and expressed their wish to apply for observer status.

FINANCIAL CRISIS AND ENVIRONMENTAL POLLUTION

BY COL. (RET.) PANOS
MERTIKAS, GREECE

In the era of global economic crisis which has hit many countries, particularly those with weak economies, the cooperation of all citizens that can creatively contribute to the efforts undertaken in order to secure stability and development in our countries is needed.

Painful adjustments have been made in order to create stability and economic growth and are now in process, especially in Greece and in some other smaller countries of the EU.

Greece is now facing an acute fiscal crisis with borrowing costs rising to record levels.

The global economic crisis has forced the countries of the EU to search for new solutions leading to a sustainable recovery process.

Europe is now at a crossroad. Under extremely difficult conditions strict measures should be taken in order to restore the lost confidence.

Promotion of reviving the economy should be the main aim of the EU as it is critical that countries exit from the crisis. This is also an occasion for joint efforts to take the current crisis as an opportunity for successful reconstruction of our economies. This has been the worst financial crisis since 1929, but

such economic crisis happen throughout the world periodically. But today the economic crisis is not the only global challenge that we have to confront. Climatic change and environmental pollution are also huge problems we face, which, in short, are affecting us socially, politically and economically. This too needs to be dealt with, especially

in the light of the financial crisis. Environmental programmes must also be included in the national sector's strategies, as it has long been neglected. Climate change and the economy are priorities – promising a better standard of living for the younger generations to come.

NATO 2020

ASSURED SECURITY; DYNAMIC ENGAGEMENT

By EUROMIL

“NATO [...] must halt the precipitous decline in national defence spending”. “NATO’s military and political commitments will mean little unless matched by capabilities”. “European national forces generally do not have nearly enough transformed forces”. “Effective defence against [...] unconventional security threats must begin well beyond the territory of the Allies”.

These are statements from the report “NATO 2020 - Assured Security; Dynamic Engagement”¹ handed to NATO Secretary General Anders Fogh Rasmussen by the NATO Group of Experts, chaired by former US Secretary of State Madeleine Albright, on Monday, 17 May 2010.

The report, containing recommendations to the Secretary General towards the drafting of the New Strategic Concept for NATO, first reaffirms NATO’s core commitment to collective defence in accordance with Article 5 of the North Atlantic Treaty. As new challenges for NATO, the report identifies “unconventional threats” such as terrorism, proliferation of weapons of mass destruction (WMD), cyber attacks and disruption of critical supply lines (maritime routes, energy supply). Moreover, the Group of Experts sees NATO as “a regional, not a global organisation” whose “authority and resources

are limited” and “subject to other priorities”. Hence, it is necessary that NATO member states establish guidelines for operations beyond allied territory to facilitate decision making processes about when and where to apply resources. Furthermore, the report states that in order to be effective, NATO members

“allies should minimise national caveats when contributing troops...”

need to agree on a clear statement of defence priorities starting with the ability to collective defence and including capacities to undertake demanding missions at strategic distance for an extended period of time. A new emphasis is put on consultations under Article 4; allies should make more creative and regular use of consultations to prevent and manage crisis that do not fall under Article 5 – especially to review unconventional dangers that need an immediate response. What is more, NATO must strive to clarify and deepen relations with key partners as NATO is not well-suited for every task. The importance put on “full complementary between NATO and the EU” could be seen as innovation. The report identifies the EU as an “unique and essential partner”, with

¹ <http://www.nato.int/strategic-concept/expertsreport.pdf>

“largely overlapping members” having only “one set of forces and one set of taxpayers”. In addition, the report recommends to recognise that the “EU’s Treaty of Lisbon is designed [...] to strengthen Europe’s military capabilities and command structures” - a development that should be welcomed by allies to affirm their desire for a “comprehensive and cost-effective approach to security”.

Of particular interest for EUROMIL: the Albright report recommends that “allies should minimise the national caveats that they attach when contributing troops to Alliance operations; any caveats that are imposed should be clearly and explicitly stated and their impact carefully evaluated during force generation and operational planning”. The report also calls for a “well trained and equipped force and command structure” and that NATO members should develop “new, truly multinational formations with unified command and control” and “interdependent logistics”, and therefore, develop “common training and doctrine”. Interoperable command, control, communications, computers, intelligence, surveillance and reconnaissance (C4ISR) are seen as “NATO’s

report calls for a “well trained and equipped force...”

operational glue”. Additionally, NATO needs to better communicate its intentions to locals in operation areas and soldiers need to be trained in shielding civilians from harm.

These recommendations are in tune with EUROMIL’s ‘Recommendations for Armed Forces

in Times of Multinational Crisis-Management and Peace-Keeping Missions’, such as: (1) honest and

NATO expert group recognises: people are NATO’s foremost assets

reality-checked political mandates reflecting the nature and purpose of the mission; (2) “train as you fight”,

combined pre-deployment training including exercise on and with the equipment finally used in mission scenarios. Pre-deployment military training needs to address today’s military tasks that go far beyond the traditional military operations of war fighting; (3) comprehensive training of soldiers for multinational missions and asymmetrical warfare needs to include language training, knowledge of national and international law as well as cultural awareness; (4)

pre-deployment training needs to be joint training of multinational forces to achieve a high level of interoperability and flexibility; (5) that the best equipment should be made available to complement the best possible preparation.

Moreover, the report by the NATO Group of Experts recognises that “people are NATO’s foremost asset”, which can be construed as acknowledgement that success of military missions relies on motivated, adequately trained, well-equipped and provided for soldiers. This should encourage the political and military leadership – especially when looking at today’s recruitment problems and mission overstretch – to keep in mind the soldier, the “human factor” in international military missions.



THE NEW GLOBAL SECURITY LANDSCAPE FINDINGS OF THE 2010 SECURITY JAM

By EUROMIL

In order to answer the overarching question “how can international actors and institutions respond to new security challenges” the online Security Jam brought together almost 4000 security actors from 124 countries to brainstorm on the 21st century security situation. The Security Jam was organised and hosted by the Security & Defence Agenda (SDA), the Brussels-based security and defence think-tank, in cooperation with 12 leading international think-tanks and with the official support of the European Commission and NATO.

A few interesting facts: The Security Jam had overall 3815 registered participants, with 2479 from the EU. 192 military representatives attended the Security Jam, including six generals and 5 admirals, e.g. General Hakan Syrén, Chairman of the European Union Military Committee (CEUMC), Lieutenant General David Leakey, Director of the European Union Military Staff (EUMS) and Admiral James Stavridis, Supreme Allied Commander Europe (SACEUR). From NATO, Jamie Shea, Director of Policy and Planning from the private office of the Secretary General, participated as well as former NATO Secretary General Jaap de Hoop Scheffer. According to the statistics, provided in the Security Jam’s analysis, over 61 per cent of participants have more than 5 years experience in the security or development field, 47.1 per cent over 10 years. In polls, the Security Jam established that 62 per cent felt that the European Defence Agency is not a force to be reckoned with, 56 per cent believe the

EU is not a credible security actor, 65 per cent believe that the security of EU and US citizens is at stake in Afghanistan. Just under 10 per cent of all posts dealt with EU-NATO cooperation, making it the main theme of the Security Jam.

The Jam was divided into 10 forums: Political Context; Capabilities and Budget; Crisis Preparedness; Development; Security and Human Rights; Environmental Security; Comprehensive Approach; Rising Powers; Piracy (case study); Afghanistan (case study). EUROMIL participated with interventions in the fields “Security & Human Rights” and “Capabilities and Budgets” to promote the fundamental rights of soldiers and to attempt a discussion on EUROMIL’s ‘Recommendations for Armed Forces in Times of Multinational Crisis-Management and Peace-Keeping Missions’ as well as on the SAFE project.

The SDA’s analysis² of the Security Jam came to the conclusion that the main security risks are non-

traditional. Yet, these threats could lead to new, very traditional power plays. Modern security threats are of hybrid character and include economic instability, environmental hazards (e.g. declining water supply leading to territorial conflicts), continuing vulnerability of communications technology (cyber war) and, a lack of trust between countries, between the military and civilian actors which hinders international cooperation and a comprehensive

approach to tackle these new threats. The analysis states that instead of a traditional ‘Westphalian’ approach, the new security landscape needs a global consensus on security. However, the ‘primacy of sovereignty’ still allows states to define what security is, and states at different development levels perceive security differently. In other words, an increasingly multipolar world makes multilateral partnerships against threats harder to create, reducing multilateral

© SDA The new global security landscape

10 Recommendations from the 2010 Security Jam



² http://www.securitydefenceagenda.org/Portals/7/2010/Publications/SDA_JAM_Report_highres.pdf

policies to the lowest common denominator. Therefore, the main challenge for NATO and EU will be to maintain internal coherence in order to build a safer periphery and to conceive a security consensus with other international security actors.

more flexible in their approach to learning about other languages, cultures, and technology

As synthesis of the 5 day Security Jam, 10 Recommendations were selected on the basis of their innovativeness, their practicality and the number of comments they generated. The Recommendations call for (1) a civilian capacity for NATO, (2) a UN Millennium Security Goal based on ‘human security’ (as opposed to threats to governments or whole populations), (3) better cooperation between EU and NATO, including involvement of neighbouring countries through mutual assistance agreements, (4) the creation of a European Intelligence Agency, (5) improvement of the EU’s public diplomacy in order to create a common strategic culture, (6) the creation of a European Security Academy for EU civilian and military staff as well as other international actors to increase operational skills, key to comprehensive EU and NATO operations, (7) establishment of a combined EU-NATO Wisemen’s group, (8) establishment of an EU scarce natural resources inventory, (9) publication of a joint EU-NATO quarterly publication and, (10) establishment of an International Crisis Preparedness Fund.

Especially the European Security Academy falls into the same field as EUROMIL’s recommendation

of combined international operational training to eliminate mistrust and really create interoperability for crisis-prevention and crisis-management. Admiral James Stavridis is cited, stating: “We need a new approach to creating our officers corps. We need officers who are more flexible in their approach to learning about other languages, cultures, and technologies – especially cyber and strategic communication skills”. EUROMIL would, nevertheless, not leave such trainings exclusively to officers. Also the creation of the EU-NATO Wiseman’s Group could prove very interesting for EUROMIL. This group, made up of independent personalities to evaluate capability planning and promote cross-border cooperation, should also have a major role in building public support and awareness in the public sphere. Why not involve the experience and knowledge of military professional associations? Especially, in times of increased operational pace but declining

European Security Academy [...] to increase operational skills

defence budgets military associations and unions can bring useful expertise to the discussion on this issue. Military associations promoting the interests of military personnel can, in addition, enhance the status of the military profession in society and, consequently, influence public support. And EUROMIL, with its wide spanning membership, is already a very good example of cross-border cooperation. Military associations are already recognised in some – but by far not all - European countries as valuable partners of the security and defence authorities.

EUROMIL CALENDAR 2010

5	July	Board	Brussels, Belgium
4	October	Board	Madrid, Spain
28	October	Board	Brussels, Belgium
29-30	October	Presidium	Brussels, Belgium



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