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HRW – Human Rights Watch (Author)

World Report 2024 - Germany

Germany's rights record in 2023 was marked by a large increase in far-right motivated demonstrations as well as a [rise](#) in attacks against migrants, Jews, Muslims, Sinti, Roma, and lesbian, gay, bisexual, and transgender (LGBT) people, often constituting hate crimes.

Following the extension of the European Union's Temporary Protection Directive for displaced people fleeing Russia's full-scale invasion of Ukraine, the government extended special protection for refugees from Ukraine, with over 1 million counted in Germany, while a new humanitarian program for Afghans in response to the Taliban takeover was plagued with problems and delays in implementation.

Germany failed to uphold its international obligations in its pursuit of a bilateral reparations process to address colonial crimes it committed in Namibia between 1904 and 1908.

Discrimination and Intolerance

In January 2023, the Commissioner for Integration and Anti-Racism [called](#) for more data collection and protective and preventive measures to fight racism, drawing attention to how racist attacks and structural racial inequalities continue to impact people's everyday lives, including in the education, housing, employment, and health sectors.

Official data [showed](#) a record high 58,916 politically motivated crimes in 2022, including 4,043 acts of violence. Antisemitic crimes slightly decreased in 2022 by 12.75 percent (2,641 reported acts) compared to the previous year (3,027 acts), but the Interior Ministry warned that 84 percent of these acts had been committed with right-wing motifs. In its 2023 annual report, RIAS, Germany's main antisemitism network

counted [2,480 reported cases](#) of antisemitism in 2022. RIAS [reported](#) that, between October 7 and November 9, 2023, 994 verified antisemitic incidents had occurred in Germany, a total of 29 incidents per day.

There were [three times](#) as many right-wing demonstrations in the first half of 2023 as in the first half of 2022, many featuring anti-migrant themes.

The [final report](#) of the Independent Expert Council on anti-Muslim hatred, based on three years of monitoring, concluded that anti-Muslim hatred is widespread, with openly identifiable Muslims like women or girls wearing headscarves particularly affected. Anti-Muslim racism is present in everyday life, particularly at school, at work, and online.

In June, state-level interior ministers [committed](#) to strengthening their prevention of anti-LGBT hate crimes and violence, including through law enforcement training and the introduction of designated contact persons at police stations throughout Germany. The federal interior minister said the police registered over 1,400 hate crimes against members of the LGBT communities in Germany. Several [attacks occurred](#) at Christopher Street Day Pride parades, one of which ended in the death of a man who defended two lesbian women. In May, the federal human rights commissioner expressed [worries](#) about setbacks for LGBT rights.

The Independent Federal Anti-Discrimination Agency [said](#) it received 8,827 requests for advice in 2022, an increase of 14 percent over 2021 and 50 percent over 2019. Of all complaints, 43 percent related to racial discrimination, 27 percent to disability-based discrimination, 21 percent to gender-based discrimination, and 10 percent to age discrimination. Most people seeking advice experienced discrimination in the labor market (27 percent). The agency called for reforms to Germany's anti-discrimination law to make it applicable to public institutions, including the police and judiciary. In its [coalition agreement](#) 2021-2025, the three-party coalition government promised reforms to strengthen and widen the scope of the law but had not taken action at time of writing.

In December, the government [amended](#) the national police law, which, among other reforms, introduced mandatory receipts of police stops to tackle racial profiling.

International Justice

German judicial officials continued to [collect witness testimony](#) about serious crimes committed in Ukraine as part of a structural investigation opened in 2022.

The trial on charges of crimes against humanity of Alaa M., who allegedly worked as a physician in two military hospitals in Syria, continued in

Frankfurt.

In January, the NGO Fortify Rights and 16 individuals [filed a criminal complaint](#) with German judicial officials against senior Myanmar military generals and others for genocide, war crimes, and crimes against humanity.

In February, the Higher Regional Court of Berlin [convicted](#) and sentenced to life imprisonment a member of the Syrian Free Palestine Movement, Moafak D., for his involvement in war crimes and murder committed in Syria in 2014.

The Federal Court of Justice [upheld](#) the Higher Regional Court of Koblenz's conviction of Eyad al-Gharib, a former Syrian intelligence official, for aiding and abetting crimes against humanity. The appeal of Anwar R., a former member of Syria's General Intelligence Directorate, of his conviction for crimes against humanity was [pending](#) at time of writing.

Refugees, Asylum Seekers, and Migrants

According to [government data](#), 188,967 people applied for asylum in Germany in the first six months of 2023, an increase of 78.1 percent over the previous year. Most applicants came from Syria, Afghanistan, Türkiye, Iran, and Iraq.

There were [1.1 million Ukrainians](#) in Germany in April, the largest group of foreign nationals in the country. The Interior Ministry [said](#) that by July, 243,000 people fleeing war in Ukraine had left Germany, either returning to Ukraine or moving elsewhere.

Following the extension of the EU Temporary Protection Directive, the government [extended](#) its exceptional policy allowing people fleeing the war in Ukraine to reside in Germany, allowing them to work and access social protection, until March 4, 2025.

Asylum seekers and refugees [spent weeks or months](#) in large reception centers due to a lack of affordable housing in various regions. Despite a significant increase in reception capacity throughout the country in the aftermath of the war in Ukraine, many centers are almost full.

After the Taliban takeover in Afghanistan in 2021, [according to the Interior Ministry](#), Germany accepted over 28,000 former local staff and their family members and thousands of human rights defenders and journalists via other admission programs or on humanitarian grounds. In March, the government [temporarily suspended](#) a special program to bring to Germany up to 1,000 at-risk Afghans per month, citing concerns with screening procedures. Though the government [reinstated](#) the program, not a single Afghan had benefited at time of writing.

In January, German authorities [deported](#) Tajik opposition activist Abdullohi Shamsiddin despite serious concerns of persecution and torture upon his return to Tajikistan. In March, following an unfair trial, a Tajik court convicted him of inciting violent government overthrow and sentenced him to seven years' imprisonment.

Sexual Orientation and Gender Identity

In August, the government [agreed on a draft](#) self-determination law (Selbstbestimmungsgesetz), which will allow transgender, intersex, and non-binary people to change their name and gender on official documents to reflect their gender identity via a simple administrative procedure and without the need for discriminatory "expert reports."

Rule of Law

In its annual [Rule of Law Report](#), the European Commission noted a lack of adequate resources for the justice system and recommended improved monitoring of lobby activities around legislative texts and the creation of a legal basis for journalists' right to information from federal authorities.

Germany dropped to rank 21, down from rank 16 last year, in Reporters Without Borders' [press freedom rankings for 2023](#) due to rising violence and verbal attacks against journalists, decreasing media pluralism, fragmented access to information, and draft bills that "threaten the protection of journalistic sources."

In October, Berlin authorities [imposed](#) blanket bans on pro-Palestine protests following an escalation of hostilities in Israel and Palestine and a sharp rise in civilian casualties. They failed to conduct individual assessments of whether the restrictions on free assembly were necessary and proportionate.

In May, Berlin police had already [banned](#) several Palestinian Nakba Day protests citing cases of violence and antisemitic statements. Police intervened in a protest held in defiance of the ban, [organized](#) by Israeli and German Jews and Palestinians, reportedly over antisemitic statements and unlawful activities. In other cities, like [Frankfurt](#), demonstrations were allowed.

Also in May, prosecutors ordered the seizure of assets linked to the organization Last Generation, known for blocking roads and targeting artwork to press for action against climate change, as part of an investigation into its finances.

Business and Human Rights

The [Supply Chain Act](#) came into force in January. While an important step, the law—which [obliges](#) companies to identify, prevent, address, and publicly report on human rights risks in their supply chains—only allows regulators to initiate administrative action or impose penalties in limited situations set out in the act. The law does not include any provisions to hold companies liable in courts and has only limited application to entities in the value chain.

Women's and Girls' Rights

According to government statistics [published](#) in July, police registered 240,547 cases of domestic violence in 2022, an increase of 8.5 percent over 2021. Women comprised over 70 percent of victims. A study showed that the number of reported cases perpetrated by an intimate partner rose by 9.4 percent compared to 2021, with women comprising 80 percent of victims. Intrafamily violence, particularly affecting children, increased by 7.7 percent. Experts [suggest](#) precarious socioeconomic situations following the Covid-19 pandemic or greater reporting of cases to the police may be responsible for the increase.

Authorities pledged more support for those affected, including investment in shelters for domestic violence victims; according to a statement made by the [Association of Women's Shelters](#) in July, 14,000 more places needed. In a [survey](#) commissioned by Plan International Germany, 33 percent of men aged 18 to 35 said violence against women could be “acceptable” and 34 percent said they had previously used violence against a woman partner.

In June, Germany ratified the International Labour Organization (ILO) Violence and Harassment Convention (C190), which sets out global standards for preventing and responding to violence and harassment at work.

Abortion remains illegal under the criminal code except in the first 12 weeks of pregnancy where there is a risk to the health of the mother, a pregnancy resulting from rape, or a doctor's certification following mandatory counseling. Women's rights groups [continued to call](#) for the decriminalization of abortion and elimination of barriers such as mandatory counseling. In a case brought by the group 40 Days for Life, a high court [ruled](#) in June that banning peaceful protests, including prayer vigils, outside of abortion clinics is unconstitutional. Service providers [said](#) that such protests intimidate patients and deter them from seeking care.

Poverty and Inequality

In January, the “[Citizen’s Income](#)” scheme replaced a previous form of social security support with marginally higher allowances. [Anti-poverty groups](#) said the amount remained insufficient and criticized the punitive sanctions against recipients deemed non-compliant. At time of writing, proposed measures to tackle rising child poverty and impose caps on rent increases had not been adopted.

An increase in the cost of living, including [food prices](#), left many [unable to afford an adequate standard of living](#). Single-parent households, 88 percent of which are women-led, were particularly affected.

Climate Change and Policy Impacts

As the [EU’s biggest greenhouse gas emitter](#), Germany is a significant contributor to the climate crisis and its growing toll on human rights around the globe.

In July, the German Environment Agency said total greenhouse emissions in 2022 [decreased](#) by 1.9 percent compared to the previous year, but [raised concerns](#) about an increase in the use of coal. Germany is still among the [world’s top 10 coal producers](#) and supports new fossil fuel infrastructure inside and outside of Germany. According to the [Climate Action Tracker](#), the government has to do more to meet its commitments under the Paris Agreement goal to stay below 1.5°C of warming, which is necessary to limit the most catastrophic climate outcomes. The government is planning to [draw up](#) a new heat action plan to prevent heat wave deaths.

Foreign Policy

Human rights are included as a guiding principle of foreign policy in the 2021 [coalition agreement](#) of the three parties that form the current German government. German Foreign Minister Annalena Baerbock promoted human rights and a value-based foreign policy as central pillars of Germany’s foreign policy. And in March 2023, the Foreign Office presented [guidelines for a feminist foreign policy](#).

In reality, human rights are too often a secondary concern, outweighed by other interests. Germany’s foreign policy in 2023 also sought, among other things, [to contain Russia’s security threats against Europe, diversify access to energy supplies and economic markets, confront the climate crisis,](#) and [realign relations with the so-called Global South](#).

In response to the hostilities between Israel and Hamas starting in October, the German government publicly condemned Hamas’ deadly attacks on civilians in Israel. It did not condemn publicly Israeli violations of international humanitarian law in Gaza. The German government did

not highlight the need for accountability for international crimes, including at the International Criminal Court. Germany as one of Israel's key allies provided military assistance to Israel, which risks making German authorities complicit in war crimes.

Germany continued to play a central role in coordinating the international condemnation of Russia's full-scale invasion of Ukraine. The German government provided extensive assistance to Ukraine and also supported the investigation of war crimes by the International Criminal Court and Ukrainian judicial authorities.

In July, Germany published its first [China strategy](#). The strategy describes China's rights abuses and prioritizes human rights conceptually, but it does not characterize Chinese government policies in the Uyghur region as crimes against humanity and remains vague about implementation. On her [visit to China in April](#), Baerbock publicly raised human rights concerns; but when Chinese Prime Minister Li Keqiang met with Chancellor Olaf Scholz in Berlin, journalists were not allowed to ask questions [at the press conference](#).

Germany did too little to raise human rights concerns in its relations with other governments with poor rights records. Germany strengthened its relations with India despite the Modi government's escalating crackdown on civil society and the media and its growing discrimination against religious minorities. In [February](#) and for the [G20 summit](#) in September, Scholz traveled to India without prominently raising human rights violations.

Germany also strengthened its ties with Arab Gulf countries. The government [eased arms exports](#) to Saudi Arabia and the United Arab Emirates but continued to block fighter jet deliveries. [On her trip to Saudi Arabia](#) in May, Baerbock promoted closer economic ties but also raised human rights concerns. The German Interior Ministry [stopped its training program](#) for Saudi border forces after reports of Saudi killings of hundreds of Ethiopian migrants at the border with Yemen.

At the United Nations Human Rights Council, Germany continued to provide important leadership on a number of key issues, including on a [resolution](#) to ensure continued scrutiny of Russia's domestic rights record and another to launch a probe into serious abuses committed in the conflict in [Sudan](#). However, Germany failed to make serious efforts [to ensure the renewal of a crucial probe on Ethiopia](#), and it joined a minority of countries voting against a [resolution](#) on racism, racial discrimination, xenophobia, and related intolerance.

Germany expressed human rights concerns about an EU-Tunisia migration deal announced in July but did not take any concrete action to condition its implementation on human rights improvements.

In February, seven UN special rapporteurs [expressed grave concern](#) about Germany's failure to uphold its obligations under international human rights law, requiring a rights-respecting reparations process—including meaningful participation and representation of affected communities—to address the ongoing impact of crimes committed during Germany's colonial rule of Namibia.

Germany is one of the main shareholders of the International Monetary Fund (IMF). But it has not taken steps within its power to reform IMF policies that threaten rights, such as conditioning its support to austerity programs that do not include prior assessments of their human rights impacts, that encourage low social spending floors, or that promote means-tested rather than universal social security.

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