



Document #2085417

HRW – Human Rights Watch (Author)

World Report 2023 - Germany

Right-wing extremism, antisemitism, and racism appeared to be on the rise. A court in Koblenz convicted a former Syrian intelligence officer for crimes against humanity. Despite progress on rights of transgender people through the proposed Self-Determination Law governing legal gender recognition, trans people continue to suffer violence and discrimination. Climate change is taking an increasing toll on the protection of rights.

Discrimination and Intolerance

[Official statistics](#) published in May showed a significant increase in politically motivated crimes from 44,692 in 2020 to 55,048 in 2021. Politically motivated violence increased by almost 16 percent. The Ministry of Interior [recorded](#) 9,167 right-wing motivated crimes during the first half 2022, including 418 acts of violence. Antisemitic hate crimes [increased](#) by roughly 29 percent from 2020 to 2021; the Federal Criminal Police Office (BKA) [recorded](#) 965 antisemitic cases of offences in the first half of 2022.

In April, the Federal Office for the Protection of the Constitution (Verfassungsschutz) [warned](#) of the spread of antisemitic ideas to mainstream political discourse. In July, vandals [chopped down](#) the trees at the memorial for victims of the Buchenwald concentration camp. German chancellor Olaf Scholz was strongly [criticized](#) for failing to immediately condemn a statement by Palestinian President Mahmoud Abbas perceived to equate Israeli actions to the Holocaust.

[According](#) to a study by Mediendienst Integration, an online information platform for journalists, police are doing too little to prevent racism and antisemitism inside the police, with police trainings in only 5 out of 16

federal states addressing the issue of police racism and antisemitism. Independent bodies handling complaints against the police exist in only seven federal states.

On August 8, [police in the city of Dortmund fatally shot](#) a 16-year-old unaccompanied Senegalese asylum seeker six times, claiming he had a knife. According to media [reports](#), he experienced mental health distress. At time of writing, the attack was being investigated.

In August, the Federal [Anti-Discrimination Agency](#) said it received more than 5,600 consultation requests in 2021, with 37 percent about racial discrimination and 32 percent about discrimination on the basis of disability.

In May, the first Federal Government Commissioner against Antiziganism (anti-gypsyism) and for the Life of Sinti and Roma in Germany [took office](#).

Following Russia's invasion of Ukraine in February, the BKA reported more than 1,700 [offenses](#) "in relation to the war" by mid-April. The offenses, including insults, threats, physical assaults, and damage to property, targeted Russians, Ukrainians, and Belarussians.

In March, a [Cologne court](#) allowed Germany's domestic intelligence agency to formally monitor the Alternative für Deutschland (AfD) party for unconstitutional tendencies.

In [April](#), the Frankfurt public prosecutor's office charged five police officers for sharing racist, antisemitic, and right-wing extremist contents in chat groups between 2014 and 2018. In a separate [case](#), the Frankfurt police chief ordered disciplinary proceedings against five police officers in connection with the sharing of Nazi-symbols in chatrooms. As of [July](#), eight police officers in Münster were under investigation for right-wing extremist and sexist content and glorifying violence in chatrooms.

The Federal Government Commissioner for Disabled Persons and the German Institute for Human Rights announced in May [recommendations](#) for the protection of people with disabilities in institutions after repeated cases of violence that include amendments to the legal framework on violence protection.

International Justice

In January, a Koblenz court [sentenced](#) a former Syrian intelligence officer to life in prison for overseeing the [torture, murder, and rape](#) of detainees in a Syrian prison. The same month, [judges in Frankfurt](#) began hearing evidence in a trial involving allegations of torture and murder by state agents during Syria's armed conflict. The accused in the case allegedly

worked as a physician in two military hospitals in the cities of Damascus and Homs, Syria.

In April, the [trial](#) of a Gambian citizen commenced in the city of Celle for crimes against humanity for his alleged role in the “death squad” created by former Gambian President Yahya Jammeh.

These trials are possible because Germany’s laws recognize universal jurisdiction over certain of the most serious crimes under international law.

A regional court in Neuruppin in July [sentenced](#) a 101-year-old man who worked as a Nazi concentration camp guard during World War II to five years in prison for complicity in war crimes. The man will likely not be imprisoned due to his age.

In July, Germany [returned](#) artifacts it had looted from Tanzania, Cameroon, and Namibia during its colonial period. Germany also [signed](#) an agreement with Nigeria to return looted Benin Bronzes.

In March, Germany’s federal prosecution office in Karlsruhe opened a structural [investigation](#) into possible war crimes in Ukraine.

Business and Human Rights

In April, the president of the German Football Association (Deutscher Fußball-Bund) endorsed the idea of a [reparations fund](#) for families of migrant workers who [died](#) while building and servicing infrastructure for the 2022 World Cup in Qatar.

The Federal Office for Economic Affairs and Export Control [expanded](#), albeit [too slowly](#), to take on its role as supervisory authority for the 2021 supply chains law, which will enter into force in 2023.

Migrants and Asylum Seekers

In the first nine months of 2022, 134,908 people [applied for asylum](#) in Germany, an increase of 34.5 percent compared to the same period last year. Most applicants came from Syria, Afghanistan, and Iraq. By the end of August, 101,380 applications were pending.

The European Court of Justice [ruled](#) in August that Germany cannot deny family reunification just because an unaccompanied minor becomes an adult while their application is being processed.

Following Russia’s invasion of Ukraine, the Central Register of Foreign Nationals counted more than one million [refugees](#) from Ukraine entering Germany between February and October 10, with minors constituting 35

percent. While Ukrainians can apply for a two-year residence permit under Germany's implementation of the European Union temporary directive, allowing them to work, study, and receive social benefits, thousands of third-country nationals who fled Ukraine were not eligible.

A spokesperson for the Interior Ministry said that 222 people from Russia applied for asylum in Germany in April. In May, Germany announced easier and faster visa procedures for Russian human rights activists, employees of nongovernmental organizations (NGOs), and civil society groups.

The Interior Ministry announced in June plans to give foreigners who have been living in Germany for at least five years under the "tolerated" status ("Duldung") the possibility of long-term lawful residence. The move could benefit an estimated 105,000 people.

In August, the government reported that in the first half of 2022, 29 out of 43 attacks in or on refugee housing and 349 out of 424 attacks on asylum seekers and refugees were motivated by right-wing extremism. During the same period, there were five offenses against aid organizations and seven offenses against volunteers, almost all of them motivated by right-wing extremist politics. In August, an arson attack was carried out on a refugee center in Leipzig.

Gender Identity and Sexual Orientation

In June, the Ministry of Justice and the Ministry for Family Affairs, Senior Citizens, Women and Youth presented the parameters of a new Self-Determination Law ("Selbstbestimmungsgesetz") that would 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 need for "expert reports." A draft law had not been presented to parliament at the time of writing.

In August, a man brutally attacked a 25-year-old trans man at a pride parade in Münster. He died a week later from his injuries. The alleged assailant remained in custody at time of writing.

In September, a 57-year-old trans woman suffered serious injuries after being assaulted by a group of youths on a tram in Bremen. Authorities were investigating the case as a hate crime at time of writing.

In September, a 16-year-old boy in Berlin was arrested for verbal harassment and attempted assault after he allegedly attacked a 49-year-old trans woman working in a hair salon. The suspect was released from police custody, but authorities were still investigating the case at time of writing.

Freedom of Expression and Association

In May, Berlin police [banned](#) several Nakba Day protests citing “immediate danger” of “inflammatory, anti-Semitic exclamations,” and responded with force to people who protested despite the ban. Although organizers challenged the ban, a Berlin administrative court and a German appellate court upheld it.

Women’s Rights

In June, the Bundestag [amended](#) the criminal code to remove the so-called “ban on advertising abortions,” allowing doctors to legally inform patients about the procedure without facing charges.

In August, the Berlin senate approved [measures](#) to counter violence against women including expanding support and protection services, increasing training of different professional groups, and improving collaboration between institutions. The Senate is also developing a national action plan for the implementation of the Istanbul Convention on violence against women. The femicide rate in Germany is among the [highest](#) in Europe.

Terrorism and Counterterrorism

In March, the government [repatriated](#) 37 more nationals—27 children and 10 women—from northeast Syria, where they were held in dire conditions in locked camps for Islamic State (ISIS) suspects and family members. Four of the women were arrested upon arrival on terrorism-related charges, including one accused of enslaving a Yezidi woman. In October, the government repatriated an additional 4 women, 7 children, and a 20-year-old young man, and stated that nearly all German nationals in the camps who wanted to return to Germany had been repatriated. Repatriated children were provided with psycho-social and other [support](#), and when possible, placed in the care of family members.

Economic Justice

[Official data](#) published in August found that 15.8 percent of Germany’s population, or about 13 million people, were at risk of poverty in 2021, with single-parent households and older women at greater risk than the average. Since then, increasing price inflation for basic goods and services essential to rights has [raised](#) concerns about food security and a cost-of-living crisis in the country.

Food prices in Germany [increased](#) by 18.7 percent between September 2021 and September 2022. In July, an organization representing nearly

1000 German food banks made an [urgent appeal](#) for government assistance, as food bank use reached recorded highs.

Climate Change and Policy Impacts

As the [EU's biggest greenhouse gas emitter](#), Germany is contributing to the climate crisis which is taking a growing toll on human rights around the globe. Greenhouse emissions [increased](#) by 4.5 percent in 2021 after a decrease in the previous year. In January 2022, nine children and young adults supported by Environmental Action Germany (Deutsche Umwelthilfe, DUH) [filed a case](#) with the constitutional court claiming that the 2021 climate change law does not adequately regulate emission reductions and violates the government's obligation to protect rights.

The government had revised the law after the court [found](#) it to be unconstitutional in 2021, following a similar complaint by children and youth. Since the ruling, the government [pledged](#) to [accelerate climate action](#) to reach its goals of reducing emissions by 65 percent by 2030 compared to 1990 levels and net zero by 2045. According to the [Climate Action Tracker](#), the government has to do more to achieve this target and be consistent with the Paris Agreement goal to stay below 1.5°C of warming, necessary to limit the most catastrophic climate outcomes.

Continued government support for fossil fuels will make it difficult to meet these targets. Due to the energy crisis caused by decreasing gas supply from Russia, the government decided to [increase use](#) of coal-fired power stations despite its commitment to phase out coal by 2030. Germany is still among the [world's top 10 coal producers](#).

A [report](#) published in August by the Expert Council on Climate Issues found that the measures in the transportation and building sectors fall short of achieving Germany's climate goals.

The 2022 European heat wave impacted Germany greatly and in June, a month with high temperatures, deaths [increased](#) compared to last years. Older people and people with medical conditions are [at particular risk](#) in heatwaves. [Forest fires](#) in Germany have reached record highs.

Foreign Policy

While Germany's foreign policy has [focused](#) on the war in Ukraine, German Chancellor Olaf Scholz and Economics Minister Robert Habeck also publicly voiced criticism of the Chinese government's human rights record. German Foreign Minister Annalena Baerbock expressed concern following UN High Commissioner for Human Rights Michelle Bachelet's visit to China, as the trip did not "transparently clarify the serious allegations of grave human rights violations in Xinjiang."

In May, the German Economy Ministry **declined** to provide guarantees to Volkswagen for new investments in China, stating that it would not offer guarantees for projects in China that are in Xinjiang or have business ties to entities operating there. Volkswagen, in a joint venture with Chinese state company Saic, operates a factory in Xinjiang. Volkswagen **reacted** by stating that none of its factory workers were subjected to forced labor.

The German government decided to develop a new China strategy, which seeks to diversify economic relations towards the Middle East and other Asian countries to reduce Germany's economic dependence on China.

At the end of July, Baerbock **criticized** the Turkish government for its human rights violations during her visit to Istanbul, Turkey. She addressed Turkey's threats to launch a new military offensive in northern Syria, the case of jailed human rights defender Osman Kavala, and the reignited dispute between Turkey and Greece over the Greek islands in the east Aegean.

In August, the Federal Foreign Office, **announced** that the German government would intervene in an International Court of Justice case concerning Myanmar's alleged violations of the Genocide Convention against the ethnic Rohingya population.

In September, Germany, together with all European Union members minus Hungary, put forward a resolution that created a new special rapporteur on Russia at the UN Human Rights Council. In March, it supported the establishment of a commission of inquiry into human rights violations committed in Ukraine following the beginning of the armed conflict, and in April the suspension by the UN General Assembly of Russian membership of the Council.

Germany continued to **oppose** the waiver of intellectual property and trade rules by the World Trade Organization to speed up the production of Covid-19 vaccines and other health products in other countries.

ecoi.net description:

Annual report on the human rights situation in 2022

Country:

Germany

Source:

[HRW – Human Rights Watch](#) (Author)

Original link:

<https://www.hrw.org/world-report/2023/country-chapters/germany>

Document type:
Periodical Report

Language:
English

Published:
12 January 2023

Available on ecoi.net since:
16 January 2023

Document ID:
2085417

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Asylum Research and
Documentation
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