



Federal Foreign Office

Sixteenth Report by the German Government on its Human Rights Policy

Reference period: 1 October 2022
to 30 September 2024

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*Preliminary remarks
and guide to the
report*

Upholding and advancing human rights is a key pillar of the German Government's remit and its work both domestically and abroad. In accordance with the mandate assigned by the German Bundestag in Bundestag printed paper 12/1735 of 4 December 1991, the present report – the sixteenth of its kind – outlines the German Government's human rights policy in foreign relations and in other policy fields.

The report emphasises the commitment to human rights as a cross-cutting task spanning all areas of government policy. This also reflects the German Bundestag's mandate to consider human rights in all aspects of state action, in accordance with Article 1 of the Basic Law (*Grundgesetz*).

The report covers the period from 1 October 2022 to 30 September 2024.¹

Structure of the report

Part A, a spotlight on implementation of the human rights projects specified in the coalition agreement, describes the current state of play with regard to the implementation of the projects relating to human rights that are set out in the coalition agreement.

Part B, on human rights in Germany, describes human rights work in Germany and progress on implementing the recommendations made to and accepted by Germany in the course of the current UN Human Rights Council Universal Periodic Review (UPR) cycle.

Part C, on human rights in foreign and development policy, describes the German Government's work in international human rights forums and on various human rights issues in the context of its values-led and human rights-based foreign and development policy.

Part D, on human rights around the world, describes the human rights situation in selected countries and profiles Germany's involvement in human rights work and projects, including the impact of that engagement.

¹ All statements about planned measures with financial consequences are non-binding declarations of intent. The feasibility of such measures is dependent on the relevant budgetary situation and on parliamentary consent, in compliance with the German Bundestag's budgetary prerogative.

Replies to the German Bundestag

In printed paper 20/11219 – the recommendation for a decision issued by the Committee on Human Rights and Humanitarian Aid with regard to the Fifteenth Human Rights Report – the German Bundestag calls on the German

- the advancement of climate change adaptation and reduction measures in conformity with human rights standards, as well as solutions to compensate for loss and damage
- the German Government's efforts to monitor and respect the human rights of refugees and migrants at the EU's external borders, as well as within the context of cooperation with third countries
- the German Government's engagement in the struggle against group-based hostility and extremism as well as in the care and support of victims of those phenomena
- the German Government's efforts at both national and international level to promote gender justice and the equal rights of women, girls and marginalised groups, as well as the implementation and impact of the feminist foreign policy guidelines

Government to devote particular attention in the sixteenth report to a number of issues. The present report responds to this call by focusing on the following requirements:

- the German Government's international commitment to the fight against impunity with regard to human rights violations and crimes against international law, including the use of sanctions and the conduct of criminal proceedings in accordance with the German Code of Crimes Against International Law
- information on the implementation of the German Supply Chain Due Diligence Act, which entered into force in January 2023, as well as information about the offers of support for companies implementing due diligence, as well as the impact on the human rights situation of those affected in the scope of application covered by the Act

A

*Spotlight:
Implementation of
the human rights
projects specified
in the coalition
agreement*



Way of Human Rights ("Straße der Menschenrechte") in Nuremberg © Florian Gaertner/photothek.de

Protecting and advancing universal human rights is a fundamental principle and mission of the German Government at home and abroad. The

coalition agreement specifies particular human rights projects. A number of noteworthy projects that have been implemented are presented below.

Respect, opportunities and social security in the modern working world

ILO Safety and Health in Agriculture Convention

In November 2023, the German Bundestag adopted the requisite legislation enabling the German Government to initiate all necessary steps for the ratification of ILO Convention No. 184. In June 2024, Lilian Tschan, State Secretary at the Federal Ministry of Labour and Social Affairs,

presented the instrument of ratification to the Director-General of the International Labour Organization (ILO) in Geneva. In accordance with the terms of Convention No. 184, it will enter into force for the Federal Republic of Germany in June 2025 (coalition agreement, page 56).

Citizen's benefit scheme

The German Government is committed to a welfare state that not only safeguards people, but which also helps them to grasp new

opportunities in their lives. The introduction of citizen's benefit (Bürgergeld) on 1 January 2023 reformed the basic jobseekers' allowance scheme.

Building and housing

The members of the new Alliance for Affordable Housing (Bündnis bezahlbarer Wohnraum), founded in the spring of 2022, have reached agreement on a comprehensive package of measures for a building, investment and innovation policy that provides, among other things, for significantly greater funding of social housing construction. The Federation is making a total of 7.65 billion euro of programme support available to the Länder in the period from 2022 to 2024.

With Junges Wohnen, a new special programme promoting housing for young people, the German Government is supporting the creation of accommodation in student and trainee residences (coalition agreement, page 88). According to the current financial plan, the Federation will make a total of 18.15 billion euro in programme support available to the Länder in the period from 2022 to 2027 for the construction of social housing (coalition agreement, page 88).

Another outcome of the Alliance has been the reintroduction with the 2024 Annual Tax Act of the system of permanently subsidised common-good housing (Wohngemeinnützigkeit) in Germany. This scheme creates another robust pillar alongside the construction of social housing to support more permanently affordable housing in Germany. In the future, socially oriented businesses, foundations and associations will be able to provide housing at lower cost and thus benefit from the extensive tax breaks for common-good housing provision.

A reorientation of the Institute for Federal Real Estate has seen its role redefined with a view to achieving the building, housing, urban development and environmental objectives set out in the coalition agreement. The aim here is to give the Institute greater freedom to enable it to build faster and to concentrate responsibility for the planning, construction and operation of federal buildings and properties in its hands.

The issue of accessibility is also addressed in the Alliance's package of measures, along with corresponding measures designed to reduce barriers to accessibility in private and public housing and living environments. The Länder, for example, are exploring ways to establish more uniform accessibility requirements in their building regulations and to place a stronger focus on the promotion of fully accessible housing units in the context of social housing construction (coalition agreement, page 68). In addition, the budget for the Altersgerecht Umbauen ("Age-friendly refurbishment") programme was increased to 150 million euro in 2024.

Tenant protection

The entry into force of the Housing Benefit-Plus Act (Wohngeld-Plus-Gesetz) at the beginning of 2023 marked the biggest-ever increase in housing benefit. Alongside the climate component, a heating-cost component was introduced, the general benefit level was raised, and the number of households eligible for housing benefit was increased on an unprecedented scale (coalition agreement, page 71).

At the start of its term of office, the German Government set itself the goal of eradicating rough

sleeping and homelessness by 2030. To that end, the National Homelessness Action Plan was adopted by the Cabinet on 24 April 2024. It is a nationwide action strategy, the implementation of which has been launched by federal, Land and local authorities, business and civil society, working closely together in a spirit of mutual trust. The national action plan marks the starting point of a common path that is to be pursued together beyond the end of the present electoral term (coalition agreement, page 71).

Opportunities for children, strong families and optimum lifelong learning

Germany's implementation of the UN Convention on the Rights of the Child is observed and overseen by the Monitoring Mechanism at the German Institute for Human Rights. Created in 2015 at the initiative of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, the Monitoring Mechanism operates independently and is an important instrument for strengthening children's rights. It helps to raise awareness of children's rights and provides policy advice for the federal, Land and municipal tiers of government, as well as for the judiciary, legal practitioners and civil society, on the interpretation and child-friendly application of the convention.

In addition, monitoring of the implementation of the UN Convention on the Rights of the Child has been expanded in accordance with an agreement to that effect in the coalition agreement (coalition agreement, page 77). For example, since

1 January 2024, the Children's Charity of Germany has received support from the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth through the Monitoring Kinderrechte ("Children's rights monitoring") project. The purpose of the project is to define national indicators for the realisation of children's rights, to monitor them by collecting data and, on the basis of these empirical foundations, to assess progress in terms of children's rights as part of an accompanying expert discussion and to identify where action is needed.

Freedom and security, equality and diversity in a modern democracy

In its efforts to combat physical, psychological and, in particular, sexual abuse in sport, the German Government opened Safe Sport e.V., an independent point of contact for victims of sexualised, psychological and physical violence in sports, in July 2023, as the first component of an independent Centre for Safe Sport (coalition agreement, page 90).

Under the Federal Programme against Right-wing Extremism and Misanthropy in Sport, 65 sport-related projects by sports clubs and associations dedicated to preventive action were supported in 2023. In addition, there are three research projects in the field of sports science that examine attitude research, extremism prevention and democracy-building in sport. To accompany these activities, the Federal Ministry of the Interior and Community held an event entitled *Sport mit starker Stimme!* (“Sport with a loud voice”) on 27 February 2024, at which 150 guests from the worlds of politics, sport and academia discussed, among other things, how sports clubs, sports associations and fans’ initiatives can intensify their efforts to combat right-wing extremism. At that event, the Ministry presented its first *Sport mit Haltung* (“Taking a stand in sport”) awards, which distinguish sports clubs that have shown outstanding commitment in combating right-wing extremism and group-based hostility (coalition agreement, page 90).

The coalition agreement makes provisions for adapting and continuing to develop the measures set out in the National Action Plan Against Racism and those adopted by the Cabinet Committee for the fight against racism and right-wing extremism (coalition agreement,

points 3578-3584) and for the appointment of an anti-racism commissioner (coalition agreement, points 4044-4045). The Federal Cabinet appointed Minister of State Reem Alabali-Radovan as the Federal Government Commissioner for Anti-Racism in February 2022. In that capacity, she pursues the aim of driving forward the ongoing development of the National Action Plan Against Racism (NAP-R), which the German Government adopted in 2017. To that end, in cooperation with the European Union Anti-Racism Coordinator, she hosted an international conference in Berlin, held on 28 May 2024, at which the conditions for the success of national action plans against racism were discussed. The measures adopted by the Cabinet Committee are implemented in line with the ministries’ respective responsibilities. Following an intensive consultation process with representatives from civil society, the Federal Government Commissioner for Migration, Refugees and Integration, who also serves as Commissioner for Anti-Racism (the Integration Commissioner), has decided, as part of the adaptation and further development envisaged in the coalition agreement, to realign the substantive focus of a number of measures. These include community-based advisory services, which she has supported since 1 January 2023. Through this measure, a nationwide network of anti-racism counselling centres is being established (coalition agreement, points 4053-4059) that further reduces the gaps in the national counselling landscape. A total of 54 counsellors are on duty at 32 locations. In addition, communities are being further empowered in their roles as project organisers and first points of contact for victims of racism and as players in the social environment. Another step in the development of projects from the Cabinet

Committee's catalogue of measures is the creation of a panel of anti-racism experts: to combat the various forms of racism (coalition agreement, page 95), the Commissioner established the panel with a remit that includes the formulation of a definition of racism for administrative activities. With the Forum against Racism, moreover, sustainable dialogue structures relating to various areas of action are being developed.

Germany has a robust democratic civil society. To ensure that this remains the case, the federal Live Democracy! programme supports the project activities of people who strive on an everyday basis to defend our democracy at every level of government. This is a mandate to protect our robust democracy, particularly in these times of increasing antisemitic, far-right and racist hate speech and violence.



Federal Minister for Foreign Affairs Annalena Baerbock talking to representatives of the Forum Menschenrechte (Human Rights Forum) in Berlin © Florian Gaertner/AA/photothek.de

Through that programme, the widest-ranging federal prevention programme in terms of content, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has been promoting engagement on the part of civil society since 2015. The third funding period for Live Democracy! begins in 2025. The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth will continue to use the programme to

promote democracy, shape diversity and prevent extremism (coalition agreement, page 93).

Together with our partners in the EU and in the wider world, for example in the G7 and the G20, we are pressing for the adoption of an intersectional gender equality policy. In this context, we are calling for the rigorous promotion of equal rights for women and girls in all their diversity,

regardless of characteristics such as age, origin, religion, disability and sexual orientation. The implementation of the UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) is another of our priorities in this field. In May 2025, we will submit an interim report to the CEDAW Committee on selected questions that the Committee addressed to us following the hearing on the ninth periodic report in May 2023 (coalition agreement, page 91).

Equality can only be achieved if people of all genders engage together in pursuit of that aim. Men and boys are now taken into account more systematically in gender equality policy, numerous programmes being addressed to them, such as the range of continuing training sessions on counselling geared to men. In addition, the overview of counselling services for men in Germany at *maennerberatungsnetz.de* was established during the current legislative term. Active cooperation has also been continued in political bodies and alliances such as the forum for specialised dialogue between the Federation and the Länder on policies focused on equality relating to boys and men. Furthermore, the Federal Coordination Office for the Protection of Male Victims of Violence was set up. The Office provides specialised counselling and policy advice in all of the Länder. In addition, several new men's shelters have been opened (coalition agreement, page 91).

To implement the project to combat human trafficking for the purpose of sexual exploitation by means of an independent monitoring body on the implementation of the Council of Europe Convention, the independent reporting agency on human trafficking at the German Institute for Human Rights became operational on 1 November 2022. In accordance with the Council of Europe Convention, its work encompasses all forms of human trafficking. It has a remit to collect and analyse

data on human trafficking, to assess, on that basis, Germany's measures designed to combat human trafficking, and to develop recommendations for action. The work of the reporting agency is initially being funded for four years by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (coalition agreement, page 91).

The penal provision set out in section 219a (Advertising abortion) of the German Criminal Code (Strafgesetzbuch) was repealed with effect from 19 July 2022 by the Criminal Code Amendment Act (Removal of Ban on Advertising Abortion (section 219a of the German Criminal Code)) of 11 July 2022 (Gesetz zur Änderung des Strafgesetzbuches – Aufhebung des Verbots der Werbung für den Schwangerschaftsabbruch, section 219a of the German Criminal Code, Federal Law Gazette I, page 1082, coalition agreement, page 92).

The German Government also appointed an interdisciplinary commission of experts on reproductive self-determination and reproduction, which presented its findings on 15 April 2024 (coalition agreement, page 92).

In addition, a bill amending the Act on Assistance to Avoid and Cope with Conflicts in Pregnancy (Schwangerschaftskonfliktgesetz) was adopted in the Bundestag on 5 July 2024 for the purpose of preventing activities labelled as "roadside harassment". The law is scheduled to enter into force in the autumn of 2024 (coalition agreement, page 92).

See *chapter B 1* of this report for information about the repeal of the Transsexuals Act (Transsexuellengesetz) (coalition agreement, page 95).

In February 2022, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, together with the Federal Ministry of the Interior and Community and the Integration Commissioner,

established a coordination unit to implement the UN's International Decade for People of African Descent. The coordination unit comprises an advisory board and an office. The coordination unit for the UN Decade cooperates closely with people of African descent and grassroots organisations and draws attention to the perspectives and circumstances of people of African descent with events and expert discussions. At the end of the current decade, the advisory board will present a report.

With the National Discrimination and Racism Monitor based at the German Centre for Integration and Migration Research (DeZIM), the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has laid the foundations for permanent monitoring of discrimination and racism in Germany. Surveys of the public as a whole, including victims of racism, are a key part of the work of the Monitor. The DeZIM publishes the findings of these surveys on a regular basis.

To implement the EU Roma Strategic Framework, a National Roma Contact Point for Sinti and Roma has been established at the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth. It is responsible for coordinating the ongoing development of the national strategic framework – Tackling Antigypsyism, Ensuring Participation – with a view to implementing the 2020-2030 EU Roma Strategic Framework in Germany (coalition agreement, page 96).

On 9 March 2022, the Federal Cabinet created the office of a Federal Government Commissioner for the Fight against Antigypsyism and for Sinti and Roma Life in Germany. The Commissioner appointed an advisory panel in September 2023. The 11 panel members come from the realms of academia, politics, civil society and public administration, and most of them belong to the Sinti and Roma minority.

As part of a special project funded by the Federal Government Commissioner for Culture and the Media, the German Culture Council regularly examines social issues pertaining to culture and the media with a particular focus on gender justice. The special project for the promotion of gender equality in culture and the media aims to rectify the shortage of data on gender justice in the cultural field, raise the profile of the issue of gender justice and promote networking among female experts. October 2023 saw the publication of the German Culture Council's latest study, entitled *Baustelle Geschlechtergerechtigkeit – Datenreport zur wirtschaftlichen und sozialen Lage im Arbeitsmarkt Kultur* ("Gender justice – a work in progress: data report on the economic and social situation of the cultural labour market"). The study highlights income gaps – some of them considerable – between men and women in the culture and media sectors, affecting the great majority of occupational groups and freelancers in particular. The aim of collecting the data is to address the problem of a lack of available data on gender justice in the cultural sphere so that deficits can be clearly identified (coalition agreement, page 97).

As a matter of principle, the Federal Government Commissioner for Culture and the Media ensures gender equality when appointing the bodies and judging panels under her purview; in 2023, she was responsible for appointing members to 132 supervisory and executive bodies. Of the 296 members delegated to those bodies, 149 were women. This represented a share of 50.3% (as of December 2023) (coalition agreement, page 97).

The German Government is making the gender pay gap transparent, is seeking to close it and is striving for parity and diversity in the composition of judging panels and permanent bodies as well as terms of office of equal length. Under the motto *Die Kunst der gleichen Bezahlung* ("The art

of equal pay”), the Equal Pay Day campaign supported by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth was devoted to the cultural sector in 2023. With the cooperation of the German Culture Council and other bodies, it drew attention to the gender pay gaps that exist in the various areas of cultural life. In June 2024, the Leipzig Opera won a German Equal Pay Award for its commitment to equal pay for equal and equivalent work; the award is part of the business programme *Entgeltgleichheit fördern* (“Promoting equal pay”) initiated by the same ministry (coalition agreement, page 97).

Even in times of budgetary constraint, the German Government is committed to adequate funding of public broadcaster Deutsche Welle. The Federal Government Commissioner for Culture and the Media made about 409 million euro available in 2023 for the production of radio, television and online programmes. In 2022 and 2023, additional funding from the federal budget enabled Deutsche Welle to increase its reporting following Russia’s invasion of Ukraine (coalition agreement, page 99).

Ratification of ILO Convention No. 190 on violence and harassment in the world of work

In April 2023, the German Bundestag adopted the requisite statute enabling the German Government to initiate all necessary steps for the ratification of Convention No. 190. As early as June 2023, Hubertus Heil, Federal Minister of Labour and Social Affairs, presented the instrument

of ratification to the Director-General of the International Labour Organization (ILO), Gilbert Houngbo, in Geneva. In accordance with the terms of Convention No. 190, it entered into force for the Federal Republic of Germany in June 2024 (coalition agreement, page 91).

Germany’s responsibility in Europe and the wider world

In line with its feminist foreign policy, Germany, together with its partners, reinforces the rights, resources and representation of women and girls throughout the world and promotes social diversity. To that end, the Federal Foreign Office has formulated Guidelines for Shaping Feminist Foreign Policy and implements them on an ongoing basis. An important implementation tool is gender budgeting, introduced in 2023. In 2024, the Federal Foreign Office presented the gender strategy for foreign policy crisis engagement and the strategy for a gender-sensitive approach to humanitarian assistance. Germany is taking ambitious steps to implement the third National Action Plan on the Implementation of UN Security

Council Resolution 1325 on Women, Peace and Security (2021 to 2024) on an interministerial basis and in close collaboration with the network of German missions abroad. At the beginning of 2025, there will be a report on the achievement of targets and the fourth National Action Plan (2025–2028) will be presented (coalition agreement, page 114).

The German Government has enhanced the post of the Federal Government Commissioner for Human Rights Policy and Humanitarian Assistance by embedding it more firmly in the ministries and at the Federal Foreign Office and strengthening it by establishing two new

dedicated staff posts in the Commissioner's office (coalition agreement, page 116).

The German Government continues to provide assistance without red tape to Germans imprisoned abroad for political reasons. A fund has been set up for this purpose at the Federal Foreign Office.

Germany plays an active part, as the provider of the largest contingent from any member state, in operations of Frontex, the European Border and

Coast Guard Agency. Through its cooperation on the Frontex Management Board and in other EU bodies, it also monitors the ongoing implementation of the Frontex Regulation (Regulation (EU) 2019/1896). We want Frontex to be developed into a genuine EU border protection agency on the basis of human rights and its assigned mandate. In this context, Germany is emphatically calling for all measures to ensure that fundamental and human rights are respected in Frontex operations and advocating for greater transparency.

Admission of persons at risk

Germany is working within the framework of international efforts to assist the people of Afghanistan. Under the current admission procedures for people from Afghanistan, including the federal admission programme for Afghanistan, the German Government has declared more than 48,200 endangered Afghan nationals eligible for admission in the past three years; more than 34,100 of them have entered Germany to date. More than 3000 of those eligible persons have been identified through the federal admission programme for Afghanistan, 682 of whom have entered Germany to date. Germany has thus authorised by far the largest number of admissions of at-risk Afghan nationals of any EU member state. In the federal admission programme for Afghanistan, moreover, the German Government has adopted a new procedural approach, in which civil society has been closely involved, as non-governmental organisations (NGOs) help to identify suitable persons, and a digitised proposal process has been developed.

The German Government also exercises the option of admitting individuals at particular risk who have made themselves prime targets through their advocacy of democracy, freedom and human rights and need protection from political persecution. In addition, agreement was reached on fast-track admission procedures for Russian, Iranian and Belarusian dissidents in order to assist endangered opposition figures, human rights activists, journalists, media professionals, academics and similarly exposed people from these countries of origin by admitting them to Germany.

Through those procedures, 2381 Russians at risk, including family members, several hundred Iranians and 378 Belarusians were declared eligible for admission, and 147 Palestinian employees of German organisations or institutions from Gaza, including their family members, were admitted to Germany. (figures as of 1 July 2024).

Support and protection programmes

The Elisabeth Selbert Initiative (ESI), launched by the Federal Foreign Office in 2020, enables

endangered human rights defenders to take refuge in Germany or a third country for a

maximum of six months. With the aid of host organisations, the ESI enables human rights defenders to rest and recuperate, to continue working in their field of activity and to expand their international networks. In the reference period, the ESI budget was increased from about 1.1 million euro in 2022 to more than 1.4 million euro in 2023 and to 2.1 million euro in 2024.

Creation of human rights posts at German missions abroad

During the present legislative term, previously temporary posts were extended or made permanent and new posts were created for work relating to human rights at 12 German missions abroad. Posts were made permanent at the

embassies in Kyiv, Beirut, Tunis and Muscat and at the Permanent Representation in Geneva in 2022 and at the Istanbul and Manila embassies in 2023. New posts were created in Tashkent, Baghdad, Rangoon, Tehran and Kampala also in 2023.



European Court of Human Rights in Strasbourg
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Strengthening the European Court of Human Rights

The European Court of Human Rights is assisted in the performance of its permanent duties by means of financial contributions and the secondment of German staff.

Ratification and implementation of the Istanbul Convention

Of the 46 member states of the Council of Europe, 38 plus the European Union are parties to the Istanbul Convention on preventing and combating violence against women and domestic violence. In May 2024, Latvia became the latest country to accede. The growing number of contracting parties reflects the determination to eradicate gender-based violence against women. Six countries have signed but not ratified the convention; these include five EU member states, namely Lithuania, Czechia, Slovakia, Hungary and Bulgaria. Azerbaijan has so far declined to sign the convention. Turkey withdrew from the convention in 2021. Germany would support Turkey's accession to the Istanbul Convention.

In bilateral talks with countries that are not parties, we draw their attention to the Istanbul Convention and the possibility of ratifying it. At the same time, we highlight its status as an open convention, which means that even countries that are not members of the Council of Europe can accede to it. The German Government has not renewed the reservations on criminal law and residence law that it lodged when ratifying the Istanbul Convention, and so the convention has applied without restriction in Germany since February 2023. The German Government also actively encourages member and non-member states of the Council of Europe to accede to the Istanbul Convention. It has made joint démarches with like-minded states in European and non-European countries to this end.

Support for UN human rights institutions and instruments

The German Government has played an active part in shaping the UN Human Rights Council agenda. As part of its support for the appointment of further UN fact-finding missions and for the work of UN investigative and monitoring mechanisms, Germany has contributed, for example, to the creation of investigative mechanisms focused on Iran and the Sudan as well as to the establishment of a Special Rapporteur on the situation of human rights in the Russian Federation. Through the German Government, moreover, voluntary contributions are made to the International Criminal Court (ICC).

Germany aims to ratify further human rights conventions. As agreed, Germany has ratified the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR).

We seek to reinforce the rights of minorities at international level and within the EU in particular. Guided by the Yogyakarta Principles, we will press in the United Nations for a convention on LGBTIQ+ rights.

Through its co-chairmanship of the Equal Rights Coalition from 2022 to 2024, the German Government stepped up its commitment to LGBTIQ+ people at international level and assumed a leading role in the multilateral fight against violence and discrimination. Furthermore, the German Government has actively supported the resolutions of the UN Human Rights Council on sexual orientation and gender identity and its resolutions opposing discrimination against intersex people.

The German Government is committed to defending the rights of this group through its participation in the newly formed Committee of

Experts on Sexual Orientation, Gender Identity and Expression, and Sex Characteristics (ADI-SOGIESC) in the framework of the Council of Europe and its membership of the LGBTIQ Equality Subgroup in the EU (coalition agreement, page 120).

Germany encourages closer cooperation throughout Europe to combat discrimination and promote diversity and inclusion through its active involvement in the work of the Council of Europe's Steering Committee on Anti-Discrimination, Diversity and Inclusion, thereby advancing the

creation of new human rights standards in these areas and helping to flesh out existing standards.

In negotiations at the EU level, Germany pressed for the EU Pay Transparency Directive to be framed in such a way as to create minimal red tape and meet the needs of small and medium-sized enterprises (SMEs) while relating to the situations of as many women as possible and providing for a reporting system tiered according to company size and output. Work is currently under way on transposing the directive into national law (coalition agreement, page 107).

Protection of human rights in the digital age

A particularly successful example in this respect are the negotiations on the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law (the AI Convention) that, thanks to the participation of democracies from five continents, stands a realistic chance of setting global standards for the responsible development and use of AI. With the EU Artificial Intelligence Act (the AI Act), the EU is pioneering the regulation of artificial intelligence. Since it applies to all forms of AI that are used in the EU, including those from suppliers in third countries, it will have an impact beyond the EU, as companies that want to export some of their output to the large EU single market will develop their products in such a way that they also conform to EU rules.

With regard to the Global Digital Compact (GDC), a political statement of intent that was negotiated in the United Nations as part of the UN Pact for the Future, we called for an open, free and safe digital future for all with a particular focus on democratic principles and strove to ensure that the

development and use of new technologies such as AI were also included, with the involvement of all stakeholders. We will advocate the multi-stakeholder approach also with regard to the implementation of the GDC and other internet governance processes. In the Freedom Online Coalition (FOC), an informal group currently comprising 41 states, we are advocating an open, free and secure internet as well as respect for human rights in the development and use of digital technologies. We are chairing the Task Force on Artificial Intelligence and Human Rights (TFAIR) within this framework. In the negotiations on the United Nations Convention against Cybercrime, Germany, together with like-minded partner countries, ensured that particularly robust language on human rights as well as guarantees on responsible development and use of the convention were included in its provisions and adopted by consensus. In so doing, we set standards in the United Nations, standards that also extend to the protection of children and adolescents from online sexual abuse.

In 2024, to ensure responsible development and use of commercial technological surveillance

products and, in particular, to protect players in civil society more effectively from surveillance by repressive regimes, Germany subscribed in 2024 to the United States' Joint Statement on Efforts to

Counter the Proliferation and Misuse of Commercial Spyware and to the Pall Mall Process initiated by France and the United Kingdom to tackle the proliferation of commercial surveillance software.

Development cooperation relating to human rights

With its feminist development policy, the Federal Ministry for Economic Cooperation and Development has placed a special focus since the start of 2023 on strengthening the rights, representation and resources of women, girls and marginalised groups such as LGBTIQ+ people. It is thus also reaffirming the content of the LGBTI Inclusion Strategy of 2021. Feminist development policy pursues a human rights-based approach as one of five core elements. The Development Policy Action Plan on Gender Equality for the period from 2023 to 2027 fleshes out the implementation of the feminist development policy of the Federal Ministry for Economic Cooperation and Development by defining targets, indicators and

specimen measures. In so doing, the plan makes the implementation of feminist development policy transparent and ensures accountability vis-à-vis the Global South, civil society, and national and international bodies. The German Government, moreover, has further developed the human rights-based approach as a major instrument of values-led development cooperation within the framework of the new Human Rights Strategy for German Development Policy published in November 2023. The plan was underpinned, among other things, by specific requirements with regard to the creation of development projects, relating, for example, to participation and empowerment of marginalised groups.

Optional Protocol to the International Covenant on Economic, Social and Cultural Rights

In November 2022, the German Bundestag adopted the law enabling Germany to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR). The instrument of ratification was then

deposited in New York in April 2023. The Optional Protocol entered into force for the Federal Republic of Germany in July 2023 (coalition agreement, page 116 et seq.).

EU global human rights sanctions regime

During the reference period, the German Government, together with partners, successfully put forward numerous listing proposals for the EU Global Human Rights Sanctions Regime. These proposals have targeted perpetrators of acts such as torture and other cruel, inhuman or degrading

treatment or punishment. In addition, along with France and the Netherlands, Germany has regularly proposed sanctions packages for sexual and gender-based violence against individuals and entities from countries such as Russia, North Korea, Syria and Haiti and against Hamas.

B

*Human rights in
Germany and in the
context of common
EU policy on justice
and home affairs
and the EU Charter
of Fundamental
Rights*

B1 Civil and political rights

In Germany, the commitment to inviolable and inalienable human rights has constitutional status under Article 1 (2) of the Basic Law. The Federal Republic has acceded to all the major international human rights agreements. Political and

civil rights play a prominent role within our society. Stand-out examples include defences against tyranny, direct or indirect rights of participation in politics, and personal liberties such as freedom of assembly or opinion.

Reporting under UN human rights agreements

The following section sets out the core UN human rights agreements, which each have oversight mechanisms – various national reporting

procedures and/or mechanisms for individual applications – that the Federal Republic is involved in.

International Covenant on Civil and Political Rights (ICCPR)

Under the ICCPR, the German Government is required to report on a regular basis to the UN Human Rights Committee on implementation of

the Covenant. The national reporting procedure did not take place during the reference period.²

UN Convention against Torture (CAT)

Since the sixth periodic report, Germany has been subject to a supplementary reporting mechanism in the form of a “list of issues prior to reporting” for the CAT as for other instruments. This means that it provides answers to a list of questions drawn up by the Committee.

Prevention of Torture, measures for combating violence against women and girls, and various statistics.

The report was submitted to the Committee in summer 2024.³

The seventh CAT report recently produced in that format addresses various issues surrounding, for example, the definition of torture as a specific offence in criminal law, fundamental legal safeguards for people in custody, the activities and resources of the National Agency for the

² It was last undertaken in October 2021; see (in German) www.bmj.de/DE/themen/menschenrechte/vereinte_nationen/iccpr/ICCPR_node.html

³ See www.bmj.de/SharedDocs/Downloads/DE/Themen/Nav_Themen/CAT-Bericht-7-engl_Bericht.pdf?__blob=publicationFile&v=2

International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED)

Barbara Lochbihler, a German expert, has been on the Committee on Enforced Disappearances (CED) since June 2019. She was re-elected for another four-year term in June 2023.

The CED sits in open session to examine the periodic reports submitted by states parties. At the end of each session, the CED issues Concluding Observations summarising the key concerns and addressing proposals and recommendations to the relevant governments for improving their implementation of the Convention.

In March 2023, a dialogue was held between Germany and the CED. In the Concluding Observations issued thereafter, the committee calls for the criminalisation of enforced disappearance as an autonomous offence and criticises Germany for, among other things, an inadequate guarantee of criminal liability for enforced disappearance in certain cases. It also criticises the level of obstacles and risks that might prevent relatives

or witnesses reporting cases (especially in the context of migration). Moreover, the committee makes several recommendations regarding the prevention of offences.

In light of the above-mentioned recommendation from the CED, the German Government made a legislative proposal to establish enforced disappearance as a new criminal offence (section 234b of the German Criminal Code (*Strafgesetzbuch*)) as part of its bill on the ongoing development of international criminal law. That law was adopted by the Bundestag in June 2024. While enforced disappearance was already covered by existing criminal offences, establishing a new offence does now make it clear that acts of this nature represent a separate degree of wrongdoing. This eliminates any possible doubt as to the full implementation of the ICPPED.

Updated information on the implementation of the recommendations is to be sent to the committee by 2026, with a dialogue to follow in 2027.⁴

International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

In November 2023, the Committee on the Elimination of Racial Discrimination (CERD) in Geneva considered Germany's combined twenty-third to twenty-sixth reports and developments since the previous report. The CERD published its Concluding Observations in December 2023. Germany is to provide information within one year on two of the specific recommendations they contain, concerning the General Equal Treatment Act (*Allgemeines Gleichbehandlungsgesetz*) and

discrimination against non-citizens. Other recommendations that the CERD classes as of particular importance concern racist hate speech and crimes, racial profiling and use of force by enforcement officials, the right to education, and reparation for Germany's colonial past. Germany will state its position on the approximately 20 remaining recommendations in its next periodic report in June 2027 and will investigate possible means of implementation in the intervening period.⁵

4 See (in German) www.bmj.de/DE/themen/menschenrechte/vereinte_nationen/ced/CED_artikel.html

5 See (in German) www.bmj.de/DE/themen/menschenrechte/vereinte_nationen/icerd/ICERD_artikel.html



55th session of the UN Human Rights Council in Geneva © Janine Schmitz/AA/photothek.de

Implementing the Universal Periodic Review (UPR) recommendations for the civil and political sphere

Germany is implementing the recommendations it has accepted that were made in the Universal Periodic Review (UPR) conducted by the UN Human Rights Council. Information on the process and the outcomes of the UPR is available at www.ohchr.org/en/hr-bodies/upr/de-index. In the field of civil and political rights, Germany can report as follows:

Amendment to Article 3 of the Basic Law, “race” (UPR recommendation 140.28)

In its coalition agreement, the German Government agreed that the term *Rasse* (“race”) in Article 3 (3) of the Basic Law should be replaced.

***Amendment to Article 3 of the Basic Law,
“gender identity and sexual orientation”
(UPR recommendation 140.321)***

The coalition agreement also makes provision for adding a prohibition against discrimination because of sexual orientation and gender identity to Article 3 (3) of the Basic Law.

Discussions are currently under way in the political arena to prepare the amendment to the Basic Law. Implementing it will require a two-thirds majority in the Bundestag and Bundesrat.

***Amendment to Article 6 of the Basic Law,
incorporating children’s rights into the Basic Law
(UPR recommendations 140.256, 265, 267 and 270)***

The German Government agreed in its coalition agreement to enshrine children’s rights explicitly in the Basic Law. The amendment will be guided by the stipulations of the Convention on the Rights of the Child.

Political discussions are currently under way to prepare the addition of corresponding provisions to the Basic Law. Implementing the change will require a two-thirds majority in the Bundestag and Bundesrat.

***Self-determination law
(UPR recommendations 140.318, 319 and 320)***

In April 2024, the Bundestag passed the Gender Registration (Self-Determination) Act (*Gesetz über die Selbstbestimmung in Bezug auf den Geschlechtseintrag*), which entered into force on 1 November 2024. The Gender Recognition (Self-Determination) Act replaces the Transsexuals Act (*Transsexuellengesetz*) and takes a

human rights-based rather than a pathologising approach to gender-related self-determination. It establishes uniform rules for trans, intersex and non-binary people wishing to change their gender and first-name entries in the civil status records. They can now do so by making a simple declaration before a civil registrar. The requirement under the Transsexuals Act to obtain a judicial decision and two expert opinions has been dropped.

***Revision of sentencing law
(UPR recommendations 140.326 and 311)***

For more information about the addition of gender-based, sexual orientation-based and antisemitic motives to the circumstances to be weighed when fixing penalties under the second sentence of section 46 (2) of the German Criminal Code, see *chapters B 4 and B 8*. These clarifying additions are intended to send a clear message against hate crime and to prompt the investigating authorities to highlight these aspects of such offences at an early stage of their investigations and recognise their potential significance in terms of fixing of penalties.

***Taking of bribes by elected officials
(UPR recommendation 140.103)***

In June 2024, the newly defined offence of unlawful protection of interests (section 108f of the Criminal Code) entered into force. Unlawful trading in influence by elected officials is now penalised whether or not the protection of interests is to take effect during their time in office.

Protection from torture (UPR recommendations 140.84 and 85)

In June 2024, the 95th Conference of *Land* Ministers of Justice considered the financial resources of the National Agency for the Prevention of Torture and it agreed that, as of the 2025 financial year, the agency's annual budget will

be increased by 80,000 euro from the current 640,000 euro to 720,000 euro per year in the future, pending the adoption of the budget legislation of the *Länder* and with input from the Federation, and provisions will be made in the administrative agreement between the Federation and *Länder* to make amendments easier.

Miscellaneous

Lowering the voting age to 16 years

With effect from the beginning of 2023, the legislature reduced the voting age to 16 years for elections to the European Parliament (Federal Law Gazette (*Bundesgesetzblatt*) I, No. 11/2023). Minors in Germany aged 16 or over were consequently able, for the first time, to participate in the tenth European parliamentary elections in June 2024.

The question of having the right to vote from the age of 16 was also examined by the reform commission set up in the German Bundestag under section 55 of the Federal Elections Act (*Bundeswahlgesetz*) during the 20th electoral term. In its concluding report of 12 May 2023, the commission gave a majority recommendation to the German Bundestag in favour of lowering the voting age for federal elections to 16.

It has been public policy for many years that the specifics of suffrage are a matter for the German Bundestag. The German Government does not introduce legislative proposals of its own in this field.

Making such a change in respect of Bundestag elections would require an amendment to the

Basic Law (Article 38 (2)), followed by an amendment to the Federal Elections Act. Implementing this amendment will require a two-thirds majority in the Bundestag and Bundesrat.

The age threshold for elections to *Land* parliaments and local government is the responsibility of the *Länder*. Many *Länder* have introduced voting rights from 16 in such elections for themselves.

Transparency of the financing of political parties

In adopting the Eleventh Act Amending the Political Parties Act (*Elfte Gesetz zur Änderung des Parteiengesetzes*, Federal Law Gazette I, No. 70/2024) of 27 February 2024, the German Bundestag has tightened the rules on the transparency of political party financing.

The threshold above which large individual donations to parties need to be declared immediately has been lowered from 50,000 euro to 35,000 euro.

Moreover, sponsoring – where a party receives funds from a third party for an event, for example, without rendering an equivalent service in

return – will need to be made transparent in the future by means of a separate sponsoring report attached to the party’s statement of account.

Finally, the legislative amendment has created the first ever provisions on “parallel” campaigning, which involves third parties campaigning for a political party of their own accord, usually deploying financial resources. The law now places an obligation on campaigners, subject to penalties, to notify the party concerned of the intended advertisement in advance. The party then decides whether to accept the advertisement. If accepted, the advertisement is treated as a donation within the meaning of the Political Parties Act and all the provisions governing party spending apply, including the prohibitions surrounding the accepting of donations and transparency obligations. If the party rejects the advertisement, the third party is forbidden to publish and will be penalised if it does so. These rules prevent parallel campaigning being used to circumvent the provisions on donations in the Political Parties Act, particularly in the run-up to election campaigns.

Support for political foundations

Political foundations make an important contribution to socio-political work and to democratic education at home and abroad. In force since the end of 2023, the Federal Funding for Political Foundations Act (*Stiftungsfinanzierungsgesetz*) makes it clear that certain conditions apply with regard to the financing of political foundations in Germany. One essential condition for funding is that political foundations may only receive public funds if, overall, they guarantee at all times

that they are actively committed to the free democratic basic order and the idea of international understanding. Political foundations that do not meet the statutory requirements are thus explicitly excluded from funding.

Ban on striking for teachers with civil-servant status⁶

In December 2023, the European Court of Human Rights (ECtHR) ruled that Germany’s ban on civil servants striking (specifically, teachers with civil-servant status) was justified because it served the purpose of guaranteeing the effective performance of state functions and safeguarding the right to education. Although the ban is a significant interference in civil servants’ right to freedom of association as provided for in Article 11 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), the court found that it did not violate their trade-union freedom since other means of protecting their interests were available. The ECtHR also highlighted the benefits of civil-servant status and the options for choosing between that status and employment governed by private law.

Combating international terrorism

Upholding human and fundamental rights in the fight against terrorism is of crucial importance in Germany. As the state has an obligation to protect its people, anti-terrorism measures that impinge on fundamental or human rights require a basis in legislation. They must be subject to

⁶ *Humpert and Others v. Germany*, ECtHR, judgment of 14 December 2023, applications nos 59433/18, 59477/18, 59481/18 and 59494/18

judicial and parliamentary oversight so that they have democratic legitimacy.

In the event of an extremist or terrorist attack in Germany, the Federal Victims' Commissioner serves as a central point of contact for everyone affected – the bereaved, the injured, witnesses, first responders and operators of affected businesses.

The Commissioner attends to the concerns of those affected and puts them in touch with practical, financial and psychosocial support. The Commissioner also stands up for their interests and needs in the political and public spheres.

At the European and international levels, too, close dialogue and networking with other countries are very important elements in ensuring that we can support people of all nationalities equally effectively if a terrorist or extremist attack occurs. The Federal Victims' Commissioner is actively involved in the EU network of centralised points of contact for victims of terrorism. This has its origins in an initiative of Germany's Presidency of the Council of the EU in the second half of 2020, and Germany has continued to help establish and shape it after the end of its Presidency. The network facilitates swift and effective support for people affected by attacks even in cross-border cases.

Custody awaiting deportation (section 62 of the Residence Act)

In Germany, custody awaiting deportation is not punitive detention. The legal basis for it is section 62 of the Residence Act (*Aufenthaltsgesetz*). The courts can order people to be detained awaiting deportation as a last resort, to ensure

that their enforceable obligation to leave the country is enforced.

Upon application by the responsible administrative authority, the relevant court can order up to six months of custody to secure deportation (first sentence of section 62 (4) of the Residence Act). After this period at the latest, the court must issue another ruling. In cases in which the foreigner hinders his or her deportation, or a deportation notice has been issued but is not directly enforceable because the transmission of the documents required for the deportation by the third country obligated or willing to admit the foreigner is delayed, it may extend the period of detention by a maximum of 12 months. Minors and families with minors are, as a matter of principle, not taken into custody awaiting deportation; see the third sentence of section 62 (1) of the Residence Act.

Under the first sentence of section 62 (1) of the Residence Act, custody awaiting deportation is not permitted if the purpose of the custody can be achieved by less severe means. The second sentence of the same subsection stipulates that custody is to be limited to the shortest possible duration. Custody awaiting deportation can therefore only be ordered when there is no less severe alternative for achieving the same purpose.

Chief among such less severe means are restrictions and conditions, particularly the obligation to report to the authorities, which may be imposed if the person in question can be expected to adhere to them. Section 46 (1) of the Residence Act explicitly stipulates that the authorities can designate where the person is to live. In addition, section 61 (1a) to (1f) of the Residence Act provides for a series of measures designed to make it harder for foreigners who are enforceably

required to leave the federal territory to go under the radar and easier to monitor whether they fulfil their obligation to leave. Sections 56 and 56a of the Residence Act provide for measures to monitor foreigners required to leave the federal territory for reasons of internal security.

Under the third sentence of section 62 (1) of the Residence Act, minors and families with minors who are enforceably required to leave cannot, as a matter of principle, be taken into custody awaiting deportation. In its 2021-2025 coalition agreement, the German Government, with reference to its special humanitarian responsibility, explicitly commits itself to the principle that children and adolescents are not to be taken into

custody awaiting deportation. That commitment has now been translated into legislation, in the third sentence of section 62 (1), with effect from 27 February 2024. Because of their special need for protection and the contrasting severity of the intervention, the detention of minors is as a rule disproportionate and therefore not permitted.

In such exceptional cases where it is permissible to detain minors or families with minors awaiting deportation, section 62a (3) of the Residence Act stipulates that the needs of persons their age must be taken into account and particular attention paid to the minors' situation. The separation of individual family members during detention is also to be avoided.



Take Note of Human Rights © Florian Gaertner/AA/photothek.de

B2 *Economic, social and cultural rights*

The creation of the International Covenant on Economic, Social and Cultural Rights (ICESCR) in 1966 added a universal instrument for economic, social and cultural rights to the human rights arsenal.⁷ Michael Windfuhr continues to serve as a German expert on the Committee on Economic, Social and Cultural Rights (CESCR). During the reference period, the German Government completed the ratification process for the Optional Protocol to the ICESCR. The Optional Protocol entered into force for the Federal Republic

of Germany on 20 July 2023. The German Government also submitted Germany's seventh periodic report to the UN in December 2023 (also published in German as Bundestag printed paper 20/9080), which contains extensive information about the implementation of the rights provided for in the covenant.

⁷ See also chapter C9 below on economic, social and cultural rights in Germany's foreign and development policy.

Combating poverty

Even in a country such as Germany, with a high general standard of living and a well-developed system of social welfare, combating poverty is an important task. To be in a position of relative disadvantage in terms of a society's income distribution is to be at risk of poverty and is often associated not only with limited material, social and cultural empowerment, but also with health risks and poorer educational opportunities. In order to create transparency about the extent and severity of the risk of poverty and the associated hazards, the German Government produces a Report on Poverty and Wealth once every legislative term.

In the vast majority of cases, a high level of participation in the labour force makes it possible to avoid a household income below the at-risk-of-poverty threshold. The German Government therefore sees measures of labour-market and employment policy as key building blocks of material security. One noteworthy aspect of this is the significance of an appropriate wage development. The German Government is actively committed to enhancing the coverage of collective bargaining agreements. For example, since 1 September 2022, care facilities have only been licensed to provide care under the long-term care insurance scheme if they pay their nursing and care staff at least the rates established by collective bargaining. Moreover, raising the general statutory minimum wage to 12.41 euro as of 1 January 2024 has improved pay for millions of employees. Germany also has a safety net that protects people from penury by providing benefits of generally indefinite duration. If the conditions entitling them are in place, people in need of assistance receive payments to ensure their subsistence.

The German Government has further developed its anti-poverty policy in recent years by fostering employment opportunities in conjunction with supplementary social-security payments.

The introduction of citizen's benefit on 1 January 2023 fundamentally redesigned basic income support for jobseekers. Given that around two in three people entitled to support and able to work have no usable vocational qualifications, the focus on training and lasting labour-market integration has been dialled up. Introducing a grace period before accommodation costs and assets are offset against the benefit reflects the lessons learned from the pandemic, counteracts anxiety about downward mobility and enables recipients of citizen's benefit to concentrate on seeking jobs and qualifications during their first year on the benefit. The addition of a supplementary step, on 1 January 2023, in the recalculation of the standard rate ensures that greater consideration is given to current developments in prices. The intention is to make recipient households better able to respond to price rises. The additional recalculation thus takes into account the stipulations of the Federal Constitutional Court.

The focus of the German Government's anti-poverty policy remains on families with children, especially single-parent families, in view of their heightened risk of poverty. The intention is to guarantee that socially disadvantaged children grow up with equal opportunities. Through its national action plan entitled New Opportunities for Children in Germany, Germany is putting into practice the Council Recommendation establishing a European Child Guarantee. Its objective is to guarantee disadvantaged children and adolescents access to high quality early

childhood education and care, education, healthy nutrition and adequate housing by 2030.

The national action plan was adopted by the Federal Cabinet on 5 July 2023 and comprises some 350 federal, *Land*, local government and civil-society measures, planned or already in place, in the fields covered by the European Child Guarantee. In the context of the action plan process up to 2030, the main focus is on coordinating the various levels of politics and remits involved, cooperating with civil society and involving disadvantaged children. This year, the Opportunities for Children action plan is focused on combating poverty at the local government level. Local government areas, as venues of social services of general interest, provide social infrastructure and thereby play a key role in promoting equal opportunities and empowerment on the ground. The first progress report on the implementation of the European Child Guarantee is

to be submitted to the European Commission at the end of 2024.

Following on from child benefit, the child supplement and various services promoting education and participation in combination, where appropriate, with payments under the safety-net systems – designed to guarantee children’s subsistence and enable them to participate in society – it is sought to combine the chief part of these benefits into a basic child security benefit, making them more easily accessible in order to reach more children entitled to support. Even before the basic child security benefit is introduced, a monthly emergency supplement paid since July 2022 is improving opportunities to participate in society and prospects on the training and labour markets for children in receipt of income support or the child supplement (Emergency Subsidy and One-off Payments Act, *Sofortzuschlags- und Einmalzahlungsgesetz*).

Gender equality in the workplace

By means of cohesive labour-market, gender-equality and family policy, the German Government is striving for greater (near full-time) participation by women in the workforce. It places a focus on labour-market incentives to advance the compatibility of paid work with family commitments in a way that supports a fair division of caring responsibilities between partners, on promoting flexible working hours and on enhanced labour-market integration for migrant women.

Nevertheless, inequalities persist between women and men in working life. For example, the unadjusted gender pay gap remains at 18% (7% in the East, 19% in the West as of 2023). The German Government is pursuing a holistic overarching

strategy to reduce this gap. The objectives of its measures include expanding the spectrum of career options considered by boys and girls and encouraging a choice of career based on talent and inclination, unencumbered by gender stereotypes. At the same time, the German Government is working to break down vertical segregation on the labour market.

On 6 June 2023, the EU Pay Transparency Directive came into force. It must be transposed into national law no later than by 7 June 2026. The German Government also completed its impact evaluation of the Transparency in Wage Structures Act (*Entgelttransparenzgesetz*) in 2023. The Act will be revised on the basis of the report and the Pay Transparency Directive.

In tandem with this, the German Government supports businesses in implementing the principle of pay equality. As part of the business programme *Entgeltgleichheit fördern. Unternehmen beraten, begleiten, stärken* (“Promoting equal pay – advising, supporting and strengthening businesses”), the third German Equal Pay Awards were presented in June 2024 to businesses that had demonstrated special dedication to equality of pay between men and women.

It is still more common for women than for men to work part time or in mini-jobs, a fact that also contributes to their average hourly earnings being less than men’s. That is why continuing the development of nationwide daycare provision for children with opening hours aligned with parents’ real needs is an essential prerequisite for mothers and fathers to participate in economic life on equal terms. In the interests of creating

equal living standards, this is one of the measures of the Children’s Daycare Quality Act (*KiTa-Qualitäts- und -Teilhabeverbesserungsgesetz*). To offset the efforts required to implement that Act, the Federation is easing the burden on the *Länder* by means of a temporary amendment to the VAT distribution mechanism.

The German Government also supports women’s entrepreneurship by, for example, raising the profile of female business role models (e.g. through the *FRAUEN unternehmen* initiative). Moreover, 2023 saw the launch of *Mehr Unternehmerinnen für den Mittelstand*, a joint action plan to increase the number of businesswomen in the SME sector involving six federal ministries and 35 other participants from associations, women’s networks, and financial, academic or scientific institutions.

Workers’ rights and occupational health and safety

With the Occupational Safety and Health Inspection Act (*Arbeitsschutzkontrollgesetz*), the Federal Ministry of Labour and Social Affairs has ensured that the *Länder* have harmonised and binding inspection quotas for the first time. The inspections are carried out by *Land* health and safety authorities. The Act stipulates that the *Länder* must fulfil its requirements by 2026. In addition, there are General Administrative Regulations that, with inspections of health and safety organisation and hazard assessment (on-site inspection with system evaluation), also establish a higher quality standard. The newly established Federal Specialist Office for Occupational Safety and Health continuously monitors and evaluates the minimum inspection rate enshrined in the Occupational Health and Safety Act (*Arbeitsschutzgesetz*), thereby helping to reinforce health and safety at

work. Moreover, it assists the German Government with its national and international reporting obligations.

Section 9 of the General Equal Treatment Act, on the basis of Article 4 (2) of Directive 2000/78/EC, permits religious communities or associations a difference of treatment on the ground of religion or belief of employees in certain circumstances. The Federal Constitutional Court has yet to rule on the precise scope of that provision in light of the stipulations of Germany’s Basic Law on the one hand and the provisions of the European Equality Framework Directive on the other.

Chaired by the Federal Ministry of Labour and Social Affairs, a dialogue process on ecclesiastical labour law was held in 2023 to consider,

alongside the churches, to what extent ecclesiastical labour law can be harmonised with state labour law.

Internal reform within the churches has already led to some movement regarding what is required of employees in ecclesiastical institutions. In November 2022, for example, the Catholic church revised its general employment regulations, the *Grundordnung des kirchlichen Dienstes*,

which are its main source of ecclesiastical labour law. The revision brought ecclesiastical labour law into closer alignment with state labour law in matters of employees' personal suitability requirements in key situations (such as recruitment practice and contract-termination rights). The Protestant church also reformed its staff guidelines, which govern the professional requirements imposed on employees, in December 2023.

Migration and integration on the labour market

Immigration law has been further liberalised and modernised by the Act on the Further Development of Skilled Immigration (*Gesetz zur Weiterentwicklung der Fachkräfteeinwanderung*) adopted in summer 2023 and the synonymous ordinance. This makes it significantly easier for non-EU citizens to access the job market. The salary thresholds will be lower for highly qualified immigrants under the EU Blue Card scheme. Likewise, graduates of tertiary education programmes and people in ICT with at least three years' professional experience are covered by the EU Blue Card. The restriction that skilled workers can only take jobs to which their recognised qualifications specifically entitle them has also been lifted. They can now work in any skilled employment regardless of their qualifications. Another change is the option, within the framework of the recognition partnership, of starting the procedure for recognition of vocational qualifications after arriving in Germany. What is more, professional experience is now taken more strongly into account alongside formal qualifications. With its provisions on employment with extensive practical work experience, the Ordinance on the Employment of Foreigners (*Beschäftigungsverordnung*) permits entry for the purpose of taking up employment if foreigners

provide proof of at least two years of professional experience acquired in the last five years. Moreover, the introduction of the *Chancenkarte* ("opportunity card") reflects a greater focus on potential-based immigration. The *Chancenkarte* is a new type of residence permit based on a points system that makes it easier for people to come to Germany to look for work. Points can be awarded, for example, for German and English language skills, professional experience, time spent in Germany previously, and/or vocational qualifications in a field where there is a labour shortage. Furthermore, the time limit that used to pertain under the Western Balkans regulations has been scrapped, and the quota has been increased from 25,000 to 50,000.

The right to residence opportunities that entered into force at the end of 2022 offers people with long-term suspended-deportation status secure residence prospects. It gives them 18 months to fulfil the necessary requirements for another, more long-term residence permit, such as ensuring their subsistence and verifying their identity. This new residence opportunity is intended for people who, on 31 October 2022, have resided in Germany for at least five years by virtue of their deportation having been suspended or their

being permitted to remain pending an asylum decision or on the basis of a temporary residence permit; are committed to the free democratic basic order; and have not committed any serious criminal offence.

Additionally, a number of provisions came into force on 27 February 2024 making it easier and quicker for people awaiting asylum decisions (asylum seekers) and people with suspended-deportation status to access the job market. The period during which asylum seekers required to stay in reception centres are not allowed to take up paid employment has been reduced from nine months to six. After that time, those awaiting asylum decisions in reception centres are entitled to receive a work permit; those with suspended-deportation status are to be permitted (previous wording: “may [...] be permitted”; the decision is now non-discretionary) to take up employment unless concrete measures to terminate their residence are imminent. Outside reception centres, people with suspended-deportation status are to be permitted (previous wording: “may”) to work after only three months, unless concrete measures to terminate their residence are imminent. Bans on paid employment remain in place for people whose prospects of remaining in Germany are poor. They apply to people from safe countries of origin, people whose applications for asylum are manifestly unfounded or have been rejected as inadmissible and people who have misrepresented their identity.

As of October 2022, the *WIR* follow-up programme has replaced the *IvAF* programme for the integration of asylum seekers and refugees. The ESF+ programme *WIR – Netzwerke integrieren Geflüchtete in den regionalen Arbeitsmarkt* (“Us – Networks integrating refugees into the regional labour market”) aims to support refugees over the longer term and in participating in the

labour market. It takes a tailored approach to the individual situation of each participant. A total of 41 project networks have been approved – at least one in each of the *Länder*.

The Fair Integration programme stream has provided all non-EU nationals with pre-emptive advice on their rights on the German labour market and on specific issues of employment law and social legislation, including how they relate to residence law, since 2018. The objective of Fair Integration includes protecting workers from non-EU countries from discrimination and exploitation on the labour market. Fair Integration will continue on a more permanent basis from 1 January 2026. Furthermore, employers and employment agencies will have an obligation to inform non-EU nationals about its advisory services when they take up employment in Germany for the first time.

Under the ESP+ programme *EhAP Plus*, which fosters integration to help prevent the marginalisation of the most disadvantaged people, support is currently going to 74 four-year projects across Germany (1 October 2022 to 30 September 2026) with the option of extension until 2028. Around 50 more projects are to start work from December 2024.

The goal of this support is to improve the immediate precarious circumstances of newly arrived EU nationals, their children under 18, members of minority groups (including marginalised communities such as Roma), people who are homeless or at risk of homelessness, and their children under 18.

Building on the *Fem.OS* digital pilot project (2020-2023), the Federal Government Commissioner for Integration, simultaneously the Federal Government Commissioner for Anti-Racism,

in collaboration with the Federal Employment Agency, assists women from non-EU countries with their integration into the labour market in Germany through *Fem.OS Plus* (2023-2025).⁸ The nationwide project comprises proactively providing easy-to-access, legally sound advice on social media in eight languages, not least for women who have fled Ukraine, and referring people to the advisory services of local employment agencies and job centres. The main focuses of the counselling work are orientation on the job market, job hunting, professional qualifications, and issues of labour and social law.

Alongside that, the Federal Ministry of Labour and Social Affairs and the Federal Employment Agency initiated the *Job-Turbo* action plan in October 2023 with measures to help refugees integrate into the job market. *Job-Turbo* is aimed at all stakeholders involved in the integration process, particularly refugees and their communities, employers, and job centres and employment

agencies. Its purpose is to help give recognised refugees who have completed an integration course swift and long-term access to the labour market. To that end, *Job-Turbo* provides for on-the-job language courses and continuing vocational training. Early 2024 saw the introduction of the *Job-BSK* occupational language course, which supplements the portfolio of occupational language courses and helps people starting their jobs with basic German skills by providing tailored, on-the-job language teaching in the workplace.

The *fem.point* pilot scheme, started in mid-2022, helps Ukrainian refugee women in Berlin with their integration into the labour market and wider society. The scheme comprises an easily accessible open point of contact/support café with childcare that offers the opportunity for individuals or groups to take advantage of advice and coaching.

Care

It also proved possible to implement or initiate important measures to improve care provision. For example, adequate staffing levels are key to good quality care and staff retention. That was the aim when legislation was passed to establish a standardised nationwide procedure for assessing staffing requirements in residential care facilities, applicable from 1 July 2023. Moreover, since 1 September 2022, care facilities have only been licensed to provide care under the long-term-care insurance scheme if they pay their nursing and care staff at least the rates established by collective bargaining. The data available so far

indicates that pay for nursing and care staff increased considerably in 2022 and 2023. Various additional provisions were adopted with the intention of improving tertiary education for the care sector, such as the introduction of training pay for students. When it comes to attracting international care workers, the Federal Employment Agency maintains *Faire Anwerbung Pflege Deutschland*, a state quality-assurance scheme for fair recruitment of care staff to Germany, both through its referral agreements and for the purposes of private-sector recruitment, thereby also ensuring that the ethical standards of the World

⁸ minor-digital.de/fem-os-plus-en/

Health Organization (WHO), the International Organization for Migration (IOM) and the International Labour Organization (ILO) are upheld.

In addition, there have been improvements and updates to the benefits provided to care patients under long-term-care insurance – including increases in the payments for professional support in cases of at-home care, the introduction of an

Right to health

Germany's statutory health insurance provides all those insured with comprehensive care should they fall ill. They have access to all medically necessary treatments as developed to date, regardless of how much they have paid into the system or of their age, gender or state of health. Their contributions to the statutory health insurance fund are based on ability to pay. Limits on co-payments ensure that nobody is financially overwhelmed. Children and adolescents are covered without contributions and are largely exempt from co-payments.

Building on these foundations, numerous measures have further developed the healthcare system in recent years. Stand-out examples include the Financial Stabilisation in Statutory Health Insurance Act (*GKV-Finanzstabilisierungsgesetz*), the Act to Accelerate the Digitalisation of the Healthcare System (*Digital-Gesetz*), the Use of Health Data Act (*Gesundheitsdatennutzungsgesetz*), the Hospital Relief Act (*Krankenhauspflegeentlastungsgesetz*), the Hospital Transport Act (*Krankenhaustransportgesetz*) and the Hospital Care Improvement Act (*Krankenhausversorgungsverbesserungsgesetz*). Further reforms to residential and out-patient care are the subject of current parliamentary deliberations.

entitlement to digital care applications including supplementary support provision, improvements in short-term care, and the payment of benefit increments tiered according to length of stay to limit care-related co-payments in full-time institutional care. Numerous measures were introduced to accelerate the establishment of digital technologies in long-term care.

It remains the aim of these healthcare reforms to safeguard the financial viability and quality of our solidarity-based health insurance system for the future and to foster the patient-centred development of healthcare. Safeguarding the financial stability of the statutory health insurance system, enhancing the quality of care and reshaping our healthcare structures to ensure greater connectivity and cooperation across the health sector will therefore continue to be important focuses of the German Government's healthcare policy.

The Federal Ministry of Health makes reliable information available to the general public in accessible formats, on topics including long-term care, dementia, hospitals, health insurance and vaccinations. This involves issuing a wide range of publications and running various types of events and nationwide public-information and awareness campaigns. The transparent opinion-forming process that this engenders among the general public ensures engagement with current healthcare policies within the social discourse.

Asylum seekers in need are granted access to healthcare under the Asylum Seekers Benefits Act (*Asylbewerberleistungsgesetz*).

Once a person is granted asylum or another form of protection, their access to healthcare is generally established via mandatory participation in the statutory health insurance system under Book II of the Social Code (*Sozialgesetzbuch*), or else healthcare is provided in line with Book XII, at the same level as under statutory health insurance, on a reimbursement basis (in which case mandatory participation in the statutory health insurance system is not triggered).

Furthermore, the Federal Ministry of Health supports the ongoing improvement of health literacy for people with migrant backgrounds through various measures. These include multilingual information services such as the Migration and Health web portal and other projects to enhance equal opportunities in healthcare.

The Office for the Equal Treatment of EU Workers, part of the staff of the Federal Government Commissioner for Integration, works alongside

the Federal Association of Non-Statutory Welfare to make it easier for EU citizens to access health insurance in Germany. This is in recognition of the fact that, while EU citizens entitled to freedom of movement do have avenues open to them by which to access health insurance, those avenues sometimes are not or cannot be used. The reasons for this might be, for example, language barriers, ignorance of the insurance system or individuals' lack of insurance coverage in their countries of origin.

The Office for the Equal Treatment of EU Workers has produced multilingual information flyers explaining six key healthcare topics in Germany using accessible language. People advising migrants from the EU are assisted by the practical *Zugang zum Gesundheitssystem* brochure on access to the healthcare system for EU citizens and nationals of other contracting parties to the EEA Agreement or Switzerland.

Education

Access to education and inclusion of all in the education system are fundamental conditions for the development of our society. The right to education is enshrined in the UN Convention on the Rights of the Child, among other instruments, and is put into practice in Germany by means of free mandatory schooling. The legal entitlement to all-day care for children in years 1 to 4 of primary school, which will be introduced in increments from the 2026/27 school year onwards, is intended to reinforce educational fairness and children's inclusion. The Federation is

providing the *Länder* with financial assistance of 3.5 billion euro.

The Federation will also assist the *Länder* with the additional operating costs that the new entitlement will entail. From 2030 onwards, the increase will be fixed at 1.3 billion euro a year. Additionally, the Standing Conference of the Ministers of Education and Cultural Affairs of the *Länder* adopted a new set of recommendations⁹ on 12 October 2023 to place children's needs and skills acquisition centre stage in the ongoing

9 Available (in German) here: www.kmk.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2023/2023_10_12-Ganztag-Empfehlung.pdf

development of the pedagogical quality of all-day provision for children of primary-school age. Schools play a special role in strengthening social cohesion and harmony between different ethnicities and cultures (see *chapter B 8*).

StarS – Stark in die Grundschule starten, a multi-Länder programme agreed in June 2024 to give children a strong start at primary school, aims to systematically promote language and maths skills from their first year. Extensive diagnostic tools are made available to give teachers precise information about their pupils' starting points and progress. Training modules for teachers are also being developed. All of this will facilitate individually tailored support for children right from the start of their time at primary school. In addition, the *QuaMath* in-service training programme that the Standing Conference agreed in December 2021 is enhancing mathematical education by developing teaching and training quality in mathematics.

With their *Startchancen* programme for a better educational start in life, the Federation and the Länder are working to reduce the proportion of pupils at the supported schools who do not achieve minimum standards or are at risk of not gaining school-leaving qualifications. The programme started on 1 August 2024 and will run for 10 years. Support is going to around 4000 schools in challenging situations. That is approximately one tenth of all the schools in Germany. The schools are selected on the basis of social indicators. *Startchancen* schools will benefit from investment in better infrastructure, equipment to support learning, and needs-based measures to develop the school, hone its lessons and strategically strengthen multi-professional

teams. Over the course of the programme, a total of 20 billion euro will be made available in equal shares by the Federation and the Länder. The programme provides important stimulus for changes that resonate far beyond the *Startchancen* schools themselves.

The Federation-Länder initiative *Schule macht stark* ("School makes you strong")¹⁰ is intended to support schools in socially disadvantaged areas and thereby improve educational prospects. Since the 2021/22 school year, a research network of 13 research institutes and universities has been devising strategies and ideas for developing lessons and schools in collaboration with 200 schools across the country. The initiative will come to a conclusion at the end of its first phase (end of 2025) and its findings will be incorporated into the *Startchancen* programme.

Since 2023, the Federal Government Anti-Racism Commissioner has been funding the pilot scheme *Bildungslücke_Rassismus*, implemented by the Berlin association LIFE e.V., to tackle racist discrimination in schools. The pilot scheme supports children and adolescents who have experienced racism in education. To that end, it provides awareness-raising, empowerment and training among players and institutions involved in or connected with schools. The target audience are experts who play an essential role in helping to empower children and adolescents against racism and who can potentially help and support them when they encounter discrimination (more information is available, in German, at www.bildungsluecke-rassismus.de).

Since 2013, the German Government, through the Federal Ministry of Education and Research,

10 See (in German) www.schule-macht-stark.de

has been supporting extracurricular activities in arts and culture for children and adolescents whose access to education is hampered, via the medium of the Culture is Strength. Education Alliances programme, thereby helping to improve educational opportunities and balance out social disadvantages. Extensive provision in federally funded cultural institutions and project funding from the Federal Government Commissioner for Culture and the Media also help to improve inclusion opportunities for educationally disadvantaged children and adolescents.

As part of the Child and Youth Plan of the Federation, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth makes a significant contribution to ensuring that Germany is a good place in which to grow up through the myriad extracurricular activities of its Cultural Youth Education programme, thus ensuring that children and adolescents can enjoy their human right to education. The Standing Conference of the Ministers of Education and Cultural Affairs of the *Länder* updated its recommendations on cultural youth education on 8 December 2022.¹¹ These point out that cultural education requires joint planning that brings together the administrative authorities of the school and culture sectors, children's and youth facilities, cultural institutions and cultural funding organisations.

These measures also benefit people with migrant backgrounds. In 2018, the education participation rate of 16- to 29-year-olds with migrant backgrounds was, at 49%, almost the same as the participation rate of those without (51%), though consideration does have to be given to people's region of origin and age on arrival in Germany when interpreting these findings. More detail on

access to education for migrants can be found in *chapter B8*.

Youth Migration Services support 12- to 27-year-olds with migrant backgrounds by offering tailored and professional assistance with the process of integration in Germany. One focus is on giving young people long-term, individual support on their journeys through school and into work. The aim is to foster young people's social inclusion and improve their prospects. Meanwhile, the KAUSA Coordinating Offices for Vocational Training and Migration in the *Länder* inform young people with a migration or refugee background and their parents about Germany's dual system of vocational training and help them in their search for suitable training positions.

One example of the assistance offered to immigrants who have passed the age of compulsory schooling and want to enter vocational training is *BOFplus*, a career orientation programme for people with experience of displacement and/or migration funded by the Federal Ministry of Education and Research, which makes it easier, not least for women with family commitments, to take up vocational training by offering childcare and the option of going part-time.

Refugee students have access to the *FIT* programme run by the German Academic Exchange Service, to nurture international talent for integration in academia and the labour market. Launched in April 2024, the programme seeks to improve integration into university education and promotes university support services for people preparing for degree programmes, during their studies and entering the job market.

11 Available (in German) here: www.kmk.org/fileadmin/veroeffentlichungen_beschluesse/2007/2007_02_01-Empfehlung-Jugendbildung.pdf

In June 2024, the federal and *Land* Ministers of Education adopted a strategy for the internationalisation of universities in Germany (2024-2034),

to further increase Germany's attractiveness as an academic and scientific destination for international students and researchers.

Housing

The availability of housing that is suitable for people's needs, accessible and affordable is a pivotal social issue and a key challenge for social cohesion. Housing is also an essential condition of integration and participation.

In 2021, the newly elected German Government responded to the adverse developments on the housing market and established a separate Federal Ministry for Housing, Urban Development and Building. Since then, the German Government has been encouraging the creation of affordable housing through targeted incentives and measures.

Newly founded by Klara Geywitz, Federal Minister for Housing, Urban Development and Building, the Alliance for Affordable Housing agreed in October 2022 on a comprehensive package of measures to usher in a campaign of building, investment and innovation. More than 30 members – comprising representatives of the national associations of local authorities, the *Länder*, the associations of the housing and construction sectors, architects, engineers and civil-society organisations – cooperate closely in the alliance process. See also the spotlight section on implementation of the coalition agreement. The Alliance for Affordable Housing has also reached a consensus on significantly strengthening social housing: the Federation is providing the *Länder* with programme funds totalling 7.65 billion euro between 2022 and 2024.

Accessibility is another issue that plays a key role in the Alliance for Affordable Housing, and various related measures have been agreed. Legislative reviews are currently under way, triggered by those measures, with a view to enshrining more harmonised provisions on accessibility in *Land* building codes.

The Housing Benefit Plus reform entered into force on 1 January 2023. An increase in the general benefit rate and the introduction of the heating-costs and climate elements led to a significant increase in the number of households receiving housing benefit. As a result of Housing Benefit Plus, according to current figures, two to three times more people are entitled to the benefit than before.

The German Government has set itself the aim of eliminating homelessness and rough sleeping by 2030, adopting a National Homelessness Action Plan to that end on 24 April 2024. The Action Plan was developed in cooperation with stakeholders from the federal ministries, the *Land* ministries, the national associations of local authorities, and representatives of homeless people, civil society and the property sector, followed by a public consultation process. The implementation process has begun with all players involved under the aegis of a national homelessness forum. In response to the sharp increase in the proportion of homeless people in accommodation who have migrant backgrounds, especially refugees, the Federal Government Commissioner for Integration and

Anti-Racism is involved in the implementation of the Action Plan through various measures

Just transition

Climate action means making changes. The way we do business, our consumption habits and many areas of private life are affected by these processes of change. This places great demands on everyone – on businesses, those in employment and society as a whole. It is important that the transition be guided by fairness. That is why the German Government is committed to shaping the effects on the labour market and the demands on businesses, workers and the wider public that this green transition will entail in a proactive and socially responsible manner.

To achieve the above objectives, the German Government is updating its Skilled Labour Strategy, particularly in respect of the increasing need to adapt to advancing climate change and make our economies and lifestyles climate neutral. The German Government continues to implement

to improve access to housing and eliminate discrimination.

its National Skills Strategy in order to make Germany truly a land of continuing education and training. Alongside this, the German Government is mitigating the social and economic consequences of phasing out coal. Up until 2038, it will be investing to that end in education, better connectivity for the regions, public welfare (e.g. daycare facilities), health, a shared vision for the future, particularly for young people, and support for national minorities.

One of the measures involved is the funding programme Vocational Training Clusters 4.0 in Lignite Mining Regions. The aim of the funding programme is to ensure that an attractive range of training places in forward-looking professions is available in lignite mining regions. Three training clusters started work on 15 June 2024.



A woman carries two buckets of water; photo taken in the vicinity of Ouallam in the Niger © Florian Gaertner/photothek.de

B3 Spotlight: National and international measures to adapt to and mitigate climate change in compliance with human rights and to compensate loss and damage

The rise in global temperatures and the impacts of climate change have been evident around the world for years, not least in the degradation of freshwater resources, soil salinisation, ocean acidification, rising sea levels, prolonged droughts and biodiversity loss. More frequent and more severe extreme weather events such as heatwaves and floods are jeopardising the exercise of human rights as well as human health and the natural resources that form the basis of our livelihoods. Many small island states and least developed countries are particularly

badly affected. The Intergovernmental Panel on Climate Change (IPCC) emphasises that, in some cases, the limits of adaptation have already been reached and that a large proportion of the world's population are already living in conditions that leave them vulnerable to climate change, particularly groups who are already marginalised, whose human rights are severely jeopardised by the impacts of climate change.

The countries and groups that bear the least responsibility for the climate crisis are often those

hardest hit by the loss and damage it causes. The aim is to support those countries and groups first and foremost, both in adapting to climate change and in their efforts to reduce greenhouse gas emissions. As the largest contributor in the field of climate risk finance and the second-largest humanitarian donor, Germany contributes substantially to the alleviation of suffering. The decision to establish new funding arrangements, including a fund for responding to loss and damage, is a milestone. We are pushing for a broad donor base, the use of innovative financing sources and a programmatic approach in order to address the growing need for support for the most vulnerable developing countries. We intend to remain a reliable partner in the response to loss and damage and to continue providing partner countries with comprehensive support. We are also working to advance the implementation of the target, adopted at COP26 in Glasgow, to at least double the level of international adaptation finance by 2025.

Protecting health is a strong argument in favour of more ambitious climate action and more rigorous measures to adapt to climate change, particularly at the international level. We therefore want to establish health as a driver of transformation in the field of climate action and climate change adaptation. At the same time, the health-care sector is itself contributing to global warming. For this reason, we intend to develop environmentally sustainable and climate-neutral health systems by no later than 2050 and aim to support other countries in these efforts. We understand health in terms of the One Health concept. The impacts of climate change are not only

threatening human health and placing a burden on people as they work, alongside other economic and social impacts, but they are also adversely affecting the health of animals, plants and various ecosystems.¹²

Social and environmental protective rights are also deeply embedded in the German Government's practice of international support. For example, the International Climate Initiative (ICI) – implemented on an interministerial basis by the Federal Ministry for Economic Affairs and Climate Action, the Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection, and the Federal Foreign Office – is able to deploy an extensive set of protective instruments, such as the mandatory safeguards that are attached to all projects receiving support. Their purpose includes guaranteeing that ICI projects comply with international environmental and social standards, that any adverse effects of those projects for the environment and people are avoided, minimised or mitigated, and, in particular, that Indigenous peoples and vulnerable and marginalised groups are protected and empowered. The ICI Independent Complaint Mechanism (ICM), with its international panel of experts, enables people who suffer (potential) negative social and/or environmental consequences as a result of ICI projects, or who wish to report the improper use of funds, to voice their concerns. From the perspective of the ICI, confidence in the ICM is high. During the reference period, seven complaints from whistleblowers or people potentially harmed were submitted. Two complaints were admissible and are therefore being duly followed up. The outcome of all decisions on admissibility are documented on the ICI

12 See also the Strategy on Climate Foreign Policy, available at www.auswaertiges-amt.de/blob/2633116/a4e03e8283b9479559ef2dc3b741624a/kap-strategie-en-data.pdf

website in anonymised form. The ICM works in close cooperation with the ICI safeguards team.

Gender justice is another important factor in the ICI's project funding. Since 2022, new ICI projects have been designed to prevent and dismantle gender-based discrimination. LGBTIQ+ people are explicitly mentioned in the ICI Gender Action Plan. The intention is to access the potential of all of each project's stakeholders and thereby contribute to better protection for the climate and biodiversity.

Climate policy consistent with human rights plays an important role also at the national level.

In its order on climate change published on 29 April 2021, the Federal Constitutional Court made it clear that national climate policy and its laws provide orientation for the necessary transition. It must convey a sufficient degree of developmental urgency and planning certainty in the different emitting sectors in order not to pass on an undue share of responsibility to future generations. Accordingly, the burden of reducing emissions must not be postponed indefinitely as that would entail having to restrict the freedoms of future generations too severely. The obligation to uphold intertemporal guarantees of freedom means that this needs to be taken into account in today's climate policy and will continue to shape that policy. According to the Federal Constitutional Court, climate action is becoming increasingly important as climate change progresses.

The socio-economic impacts of climate action can be regressive and affect low-income sections

of the population more, in relative terms, than those on higher incomes. With regard to national emissions trading under the Fuel Emission Allowance Trading Act (*Brennstoffemissionshandelsgesetz*), the first impact review, which the German Government presented to the Bundestag in 2022, included an examination of distributional effects. It found that the fundamental burden of national emissions trading generally fell in a regressive pattern across income brackets. More recent studies have shown, moreover, that the range of burdens felt within income brackets is significant, with differences noted between urban and rural areas and between owner-occupiers and renters.¹³ One of the German Government's chief concerns is therefore to ensure that the transition is socially just in practice. A social monitoring mechanism for climate action is being developed so that the distributional effects of climate action measures can be assessed at the development stage in the future. It will be used to ensure that climate measures are designed with the greatest possible degree of social justice.

Regulatory requirements can also confront low-income households with major challenges, as they sometimes lack the financial means to invest in more climate-friendly alternatives. Furthermore, low-income households are, in many cases, less able to make use of existing support programmes as they often do not have the funds for the co-payment. The German Government is now addressing this problem through its first bonus funding scheme for low-income households within the programme of federal funding for energy-efficient buildings. An option has also been

13 Maximilian Kellner et al. (2023), *Systematische Verteilungsanalyse zur Wärmewende: Welche Haushalte tragen die Kosten und wie kann die Entlastung aussehen?* (www.mcc-berlin.net/fileadmin/data/C18_MCC_Publications/2023_MCC_Systematische_Verteilungsanalyse_zur_Waermewende.pdf); Lukas Endres (2023), "Verteilungswirkung der CO₂-Bepreisung in den Sektoren Verkehr und Wärme mit Pro-Kopf Klimageld" in *IMK Policy Brief* (www.imk-boeckler.de/fpdf/HBS-008757/p_imk_pb_161_2023.pdf)

created for households with incomes of up to 90,000 euro to access low-interest loans.

Analysis is needed as to how lock-in effects can be prevented for low-income households, particularly in view of rising carbon prices. The Climate Social Fund is one useful instrument in this respect, introduced throughout the EU alongside

European carbon pricing on heating and transport fuels. The Climate Social Fund is intended to finance targeted investment to support low-income households and disadvantaged transport users in switching to more climate-friendly alternatives. The aim is to enable them to cut their emissions and increase their resilience in the face of rising energy and carbon prices.

B4 Human rights of women and girls

The international framework for the implementation of Germany's objectives in its work for the rights of women and girls is the 1979 UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

CEDAW is the most important instrument of international law for women's rights. Its ratification in 1985 made it part of domestic German law. The states parties regularly submit periodic reports to the CEDAW Committee on their implementation of the associated obligations.

Germany's latest, ninth CEDAW report was presented to the CEDAW Committee in Geneva in May 2023. The process of creating the ninth periodic report involved ongoing dialogue with civil society. Since 1 January 2023, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has been funding a three-year CEDAW Alliance project to further raise awareness of the Convention within Germany and support its direct application and implementation.

In 2023, an updated and expanded new edition was published of the CEDAW handbook *Mit Recht zur Gleichstellung!*, first published by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth in 2020 as part of the

celebrations marking 40 years since CEDAW was signed. The handbook is a specialist tool for the work of those interested in or responsible for gender policy in politics and the judiciary. It contains the official German texts of the 1979 CEDAW and of the 1999 Optional Protocol to that Convention. The handbook also provides translations into German as well as summaries of the general recommendations adopted by the CEDAW Committee.

In September 2024, the German Government, alongside Australia, Canada and the Netherlands, called on Afghanistan, under the dispute settlement procedure provided for in Article 29 of CEDAW, to uphold the convention and engage in talks on its application.

The Commission on the Status of Women (CSW) is the United Nations' key body in the field of gender equality. It is a functional commission of the UN's Economic and Social Council (ECOSOC). In its work to advance women's rights, the CSW sets benchmarks for the formulation of international agreements with the aim of amending discriminatory legislation, generating global awareness of women's concerns and supporting the ongoing codification of women's rights. It also monitors the implementation of

the Beijing Declaration and Platform for Action – a comprehensive programme promoting gender equality that was adopted during the 1995 Fourth World Conference on Women in Beijing. Alongside ECOSOC and the General Assembly, the CSW is also responsible for providing normative guidance for UN Women, the United Nations

entity dedicated to gender equality and the empowerment of women. The focus of the CSW’s meeting in March 2025 will be on reviewing and evaluating the implementation of the Beijing Declaration and Platform for Action for gender equality and the empowerment of women and girls (Beijing+30).



Two women at the Gorom refugee settlement southwest of Juba, South Sudan © Florian Gaertner/AA/photothek.de

National policy mechanisms for gender equality¹⁴

In the reference period, the German Government further coordinated and strengthened the structural instruments of gender equality policy.

As envisaged in the Action Plan for Human Rights, the German Government established its Federal Foundation for Gender Equality in May 2021. Its intended purpose is to lend sustained momentum to the national policy mechanism for gender equality and to advance the cause of gender equality. The foundation makes information and data on gender equality available, fosters dialogue between civil society, the academic community, business, and the administrative and political spheres, enhances gender-policy practice and develops new ideas for gender equality. It serves as an open forum on gender equality, providing a venue for dialogue and for networking among people active in the cause. The foundation held the second gender equality day on 5 November 2024.

The Federal Equality Foundation also hosts the administrative centre for the German Government's gender equality reports. The Fourth Gender Equality Report, on gender equality and the green transition, will come out at the end of 2025. The reports generate impetus and ideas for equality-focused policy making.

The German Government's Gender Equality Strategy was adopted by the Federal Cabinet in July 2020. Progress on the various measures was reviewed in July 2021. In the coalition agreement for the current 20th legislative term, the coalition parties agreed to develop the Gender Equality Strategy further. The new edition places a focus

on economic equality by 2030. Collaborations with civil-society players – such as support for *Bündnis Sorgearbeit fair teilen*, an alliance for the fair distribution of caring responsibilities, and the *Was verdient die Frau?* campaign on pay, time and respect for women run by the German Trade Union Confederation – also prioritise strengthening economic equality and fair partnership.

The federal ministries are required to promote gender equality in all their “political, legislative and administrative actions [...] in their respective areas”. Legislative bills must contain a presentation of “the main impacts of a law” – which include its impact on gender equality. Plans are in place to strengthen the gender equality check and support the ministries in their conduct of equality-based legislative impact assessments.

Thanks to these measures, state and non-state activities and progress in pursuit of gender equality complement one another effectively.

14 UPR recommendations 47, 75, 76, 77, 153, 206, 207, 209, 220, 221 and 258

Labour market (including the gender pay gap)¹⁵

The economic discrepancies between women and men are still particularly stark and have many ramifications. Women's incomes and assets are lower on average, and their risk of poverty is higher. The German Government embedded lasting economic independence as a core aim of its policy for economic gender equality in its 2024 Annual Economic Report. Many of the German Government's projects are already designed to support women's economic independence.

On 6 June 2023, the EU Pay Transparency Directive came into force. It has to be transposed into national law within three years, no later than 7 June 2026. The provisions of the Pay Transparency Directive include extensive reporting and information obligations as well as robust means by which employees affected by pay discrimination can assert their rights. Those provisions go beyond what is enshrined in Germany's Transparency in Wage Structures Act. The German Government, led by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, will transpose the EU Pay Transparency Directive and in so doing revise the Transparency in Wage Structures Act. The outcomes and recommendations for action that emerged from the 2023 evaluation of that Act will also feed into the transposition process.

The Revised European Social Charter, which Germany ratified in 2021, is another important framework for guaranteeing the equality of women and men on the labour market. Article 4 (3) of the Charter establishes the right to equal pay for work of equal value, and Article 20 governs the right to equal opportunities

and equal treatment in matters of employment and occupation without discrimination on the grounds of sex.

In addition, the German Government implemented various other comprehensive measures during the reference period to combat the many causes of the gender pay gap. These include raising the general statutory minimum wage to 12 euro, which primarily benefits women; further improving the parameters for reconciling family and work commitments by transposing the EU Directive on work-life balance for parents and carers; and continuing to expand and improve the quality of daycare for children.

It is one of the German Government's key priorities to give all children good educational and inclusion prospects right from the start and to facilitate a good work-life balance.

Since 2008, the German Government has launched a total of five investment programmes to finance childcare to the tune of over 5.4 billion euro, which have been used to create more than 750,000 additional places for children until they start school. Currently, the fifth investment programme is providing a total of one billion euro for the needs-based creation of 90,000 additional childcare places, taking into account construction, extension and maintenance measures as well as essential investment in the equipping of facilities. The funds remained accessible until the end of June 2024. The target of creating or reinstating 90,000 places has already been reached. During the same period, the national average for children under three who have a childcare

¹⁵ UPR recommendations 145, 146, 147, 148, 149, 153, 154, 177, 208 and 219

place more than doubled, from 17.6% in 2008 to 36.4% in 2023. Moreover, to offset the operating costs, the amendment to the distribution of VAT revenue has granted the *Länder* an additional 845 million euro per year.

Together with institutions, companies, associations and other organisations involved in providing support on educational and career choices, the German Government continues to advocate for decision-making on occupations and degree courses to be free from stereotyping. The German Government's work in this area, already described in the fifteenth report, is ongoing. As part of this work, measures such as *Initiative Klischeefrei* ("Initiative for freedom from stereotypes") and Girls'/Boys' Days are intended to overcome potent gender stereotypes that still restrict people's educational and career choices. The positive development of those projects during the reference period can be seen in the record numbers of businesses and institutions participating in Girls' Day in 2023 and 2024. Boys' Day in each of those years saw more than 40,000 places created for schoolboys – numbers that had never been achieved since Boys' Day was first introduced in 2011. *Initiative Klischeefrei* grew to more than 625 partner organisations during the reference period. It is helping to dismantle stereotypes by means of supporting materials for teaching staff at all levels of education.

Established by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth in 2022, the GAPS programme of action¹⁶ funds various projects pursuing the objectives of the coalition agreement relating to gender equality on the labour market (greater participation by women in the workforce) and implementing

recommendations for action from the Third Gender Equality Report ("Shaping digitalisation in a gender-equitable way"). Priorities include supporting female entrepreneurs, assisting immigrant women's integration into the labour market and providing courses for women returning to the workforce.

At the initiative of the Federal Ministry for Economic Affairs and Climate Action, *Mehr Unternehmerinnen für den Mittelstand* was launched in May 2023, a joint action plan for more businesswomen in the SME sector involving six federal ministries and 35 other participants from associations, women's networks, and financial institutions, academic or scientific institutions. The Ministry is involved in the action plan with various measures of its own, including steps to improve work-life balance for the self-employed, the *Gemeinsam gegen Sexismus* anti-sexism alliance and the *Gründerinnen fördern grüne Wirtschaft* project for women entrepreneurs advancing green business models.

16 See (in German) www.perspektiven-schaffen.de

Promotion of women in leading political positions¹⁷

Through the project *Aktionsprogramm Kommune – Frauen in die Politik!* (“Action programme for local government – women into politics!”), launched in mid-2021 and running until the end of 2024, the German Government is seeking to increase the percentage of women on local representative bodies and to increase the percentage of full-time and honorary mayoresses and female members of county councils. This aim is pursued by means of regional and nationwide activities designed to motivate and empower women and build networks among them. The action programme is being implemented in two rounds, each of them covering ten selected regions.

The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth is also supporting

the Helene Weber College, the only nationwide non-partisan platform for women politicians in local government. In this support project, executed by EAF Berlin, modules and formats are developed to assist women in entering local politics and in their development as local politicians.

The Helene Weber Prize honours voluntary elected female politicians in local government who have distinguished themselves through outstanding commitment. Most recently, another 15 women were awarded the prize on 22 March 2024. The now 80-strong network of Helene Weber prizewinners is an important component of the Helene Weber College.

Integration and protection of immigrant women and girls¹⁸

In the reference period of the present report, the German Government continued to provide many kinds of support for easy-access measures to boost the empowerment and integration of women and girls with immigrant backgrounds not only in the labour market but in society more generally.

For immigrant women, social media is often an important and accessible source of information and contact when they arrive in Germany. Building on the *Fem.OS* digital pilot project (2020-2023), the Federal Government Commissioner for Integration, together with the Federal Government Commissioner for Anti-Racism,

in collaboration with the Federal Employment Agency, assists women from non-EU countries with their integration into the labour market in Germany through *Fem.OS Plus* (2023-2025).¹⁹ The nationwide project comprises proactively providing easy-to-access, legally sound advice on social media in eight languages, not least for women who have fled Ukraine, and referring people to the advisory services of local employment agencies and job centres. The main subjects of the counselling work are orientation on the job market, job hunting, professional qualifications, and issues of labour and social law. The German Government also supports projects to empower women refugees and other particularly

¹⁷ UPR recommendations 47, 76, 77, 148, 208, 210, 216, 224 and 226

¹⁸ UPR recommendations 237, 288, 309, 310, 328, 333, 336, 340 and 341

¹⁹ minor-digital.de/fem-os-plus-en/

vulnerable groups nationwide. In addition to providing information and a source of psychosocial stability, these projects are focused on boosting the women's self-confidence.

They also include the German Government's courses to support women's integration, held since 1985 as part of the *MiA* programme, which seeks to empower female migrants in everyday life. The courses are only accessible to women and are run by women, many of them with migrant backgrounds, in order to create a trusting environment in which sensitive topics can also be brought up. The *MiA* courses are intended as classic empowerment tools to assist immigrant women, many of whom are unfamiliar with education, in recognising their own strengths and becoming more self-confident and independent and to pave the way towards further integration support.

With the ESF+ programme *Integrationskurs mit Kind Plus: Perspektive durch Qualifizierung* ("Integration course with a child Plus: Prospects through qualifications"), running from 1 January 2024 to 31 December 2026, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of the Interior and Community are taking childcare for integration courses to the next level. Within the framework of the ESF+ programme, participating course providers can offer childcare subsidiary to the general daycare system during and in the vicinity of integration courses, to enable parents, particularly mothers, to attend integration courses and thereby encourage their integration where there is no general daycare provision that they can use and the children requiring supervision are not yet of school age. This gap-bridging provision also helps prepare the children and their families for the transition to general childcare services within the early-childhood

education system. Additionally, the ESF+ programme can serve as a recruitment channel for early-years education and childcare personnel, not least from among the integration course participants themselves.

From 2020 until the end of 2024, to boost inclusion of refugee girls as part of the federal Live Democracy! programme, funding has also been going to the five-year pilot scheme *Mädchen Mischen Mit* ("Girls join in") run by the International Rescue Committee (IRC) in Germany, which is intended to develop and trial ways of increasing refugee girls' diversity competence and opportunities for inclusion as well as to build support networks by specifically establishing ties with young people in the host community. An additional priority is to propagate an outlook that values gender justice with a focus on women's and girls' human rights, above all by raising awareness among male refugees (and others) of women's equality in all areas of life.

As indicated in the Fifteenth Human Rights Report, measures to foster integration and gender equality also include the continued funding of DaMigra, the umbrella association with over 70 member organisations for women migrants. One of the umbrella organisation's chief aims is to advance the legal, political and social equality of female migrants and refugees. The anti-sexism and anti-racism project *#together! Solidarisch gegen Sexismus und Rassismus*, running with federal funding from 1 October 2022 to 31 December 2025, has three project priorities: 1. empowerment – strength in diversity, 2. shaping anti-sexist and anti-racist structures and 3. dialogue among women from conflict and war zones. The overarching objective is to combat sexist and racist structures in order to improve gender equality for women with migrant and refugee backgrounds and to empower them.

Funded by the Federal Government Commissioner for Migration, Refugees and Integration, simultaneously the Federal Commissioner for Anti-Racism, the 2023-2024 project *gemeinsam MUTig* run by the DaMigra umbrella association aims to empower refugee girls and women and boost their individual capacities to recognise their own resources and deploy these self-confidently in society, in the labour market and in education.

In the reference period, the German Government continued to strengthen the protection of women, children and other people in need of protection in reception facilities and communal accommodation; to that end, it continued to pursue the Federal Initiative to Protect Refugees and Migrants in Refugee Accommodation Centres, which it has been implementing jointly with UNICEF and a broad alliance of partners since 2016 (see *chapters B 5* and *B 8* below). Since 2019, for example, as part of this initiative, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has been supporting disseminators specialising in protection against violence in a project entitled *Dezentrale Beratungs- und Unterstützungsstrukturen für Gewaltschutz in*

Flüchtlingsunterkünften (“Decentralised advisory and support structures for protection against violence in refugee accommodation centres”) with various focus areas.

In addition, a *Servicestelle Gewaltschutz* (“Service centre for protection against violence”) assists the *Länder* and local authorities responsible for migrant reception and accommodation as well as other bodies by conducting a range of events on key aspects of implementing the Minimum Standards for the Protection of Refugees and Migrants in Refugee Accommodation Centres (brochure funded by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth in collaboration with UNICEF; fourth edition, 2021). The minimum standards serve as guidelines for protection strategies for accommodation facilities.

Until the end of 2024, moreover, funding is being provided for a project implemented by the German Centre for Integration and Migration Research (DeZIM) to equip eight *Länder* with a developed digital monitoring tool for protection from violence.

Violence against women and girls²⁰

By ratifying the Council of Europe Convention on preventing and combating violence against women and domestic violence (also known as the Istanbul Convention), Germany has incurred an obligation to do everything possible, at every tier of government, to eradicate violence against women and domestic violence, to protect and support victims and to prevent violence. This

obligation is equally binding on the Federation, the *Länder* and local authorities. Under the federal system, the *Länder* are, as a matter of principle, responsible for establishing, developing and funding the aid and support system for women affected by violence. The Federation can only act within the limits of its constitutional powers.

20 UPR recommendations 41, 42, 144, 225, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 243, 244, 245, 246, 247 and 248

The national reporting agency on gender-based violence began its work at the German Institute for Human Rights (DIMR) on 1 November 2022. By collating and analysing data and drawing up strategic recommendations for action, the reporting agency is intended to contribute to the evidence-based and effective implementation of the Istanbul Convention. The reporting agency's work will be funded by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth for the first four years. The German Government is considering whether to place the reporting agency on gender-based violence on a more permanent footing.

In the present legislative term, the German Government has again set itself ambitious aims in pursuit of marked progress in the protection of women against violence and in the national implementation of the Istanbul Convention.

In February 2023, a unit was formed to establish a governmental coordinating body for the prevention and eradication of gender-based violence against women and domestic violence. In addition to setting up the coordinating body in accordance with Article 10 of the Istanbul Convention, its job is to develop an overarching interministerial policy strategy to tackle violence against women and domestic violence. These projects take into account the needs of marginalised groups, such as women with disabilities, refugee women and LGBTIQ+ people. A consultation event was held in November 2023 with civil society, the academic community, the *Länder* and local authorities, the results of which will be taken into account in the devising of that strategy.

The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth is also working on federal legislation to underpin the right to protection and advice in cases of gender-based

and domestic violence. The objective is for each and every person affected by domestic or gender-based violence, particularly women and their children, to receive swift and accessible protection from violence and advice from qualified specialists – throughout the country and in line with their specific protection and counselling needs. This is intended to further advance the needs-based expansion of the support system for those affected by gender-based or domestic violence in Germany.

One of the measures taken to provide the *Länder* with even more effective support in the establishment of a network of aid services covering as much of their territory as possible has been the creation of the federal funding programme *Gemeinsam gegen Gewalt an Frauen* (“Ending Violence against Women Together”). Under the federal investment programme, around 30 million euro per year from 2020 to 2024 has been funding pilot building projects to increase capacity and to improve access to women's refuges and specialised counselling centres. Some 70 projects have been approved so far, with wide regional distribution.

To this end, important working groups and other discussion formats will also be maintained, including the Federation-*Länder* working group on domestic violence and the Ending Violence against Women Together roundtable, along with its workshops.

Through its Revision of Sentencing Law Act (*Gesetz zur Überarbeitung des Sanktionenrechts*, Federal Law Gazette I, No. 203/2023), the German Government has explicitly added gender-based and sexual orientation-based motives to the circumstances to be weighed when fixing penalties under the second sentence of section 46 (2) of the Criminal Code. These two terms cover hate crime

against women and against all LGBTIQ+ people. Their addition served to clarify and reaffirm the legal situation that was already in force, under which hatred of women and LGBTIQ+ individuals was covered by the wording “other motives evidencing contempt for humanity” and, as such, already had to be taken into consideration as an exacerbating factor when fixing penalties.

Protection for people engaged in prostitution

For information on the Prostitute Protection Act (*Prostituiertenschutzgesetz*), which entered into force on 1 July 2017, please see the Fifteenth Human Rights Report. The statutory evaluation of the effects of the Act began on 1 July 2022. The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has commissioned the Criminological Research Institute of Lower Saxony to evaluate the Act on a scientific basis. As prescribed, the Ministry will present the evaluation report to the German Bundestag by 1 July 2025.

To assist the *Länder* in implementing the Prostitute Protection Act, the Ministry has invested some three million euro between August 2021 and August 2024 in a total of five projects focused on the provision of counselling on exiting prostitution. At various locations in Germany, the five federal pilot projects have tested new ways in which better and sustained assistance

Nevertheless, it is intended to send a clear message against hate crime and to prompt the investigating authorities to highlight those aspects of such offences at an early stage of their investigations and recognise their potential significance to the fixing of penalties. The amendment entered into force on 1 October 2023.

can be given for people engaged in prostitution to switch to a different occupation. They have, moreover, been flanked by the academic research activities of consultancy firm Interval GmbH since the beginning of 2023. The core findings from that project phase will be used to create joint guidelines for good practice, which are primarily to be made easily accessible to all specialist counselling providers and their cooperation partners. In addition, a comprehensive final report is to be published giving more in-depth information.

Since September 2023, the Ministry has, furthermore, been funding the NetSWork project run by bufaS, the alliance of counselling centres for sex workers in Germany. The aim is to create an interface for constructive cooperation between the federal and association levels, improve quality standards in counselling centres nationwide and strengthen their networks.

Human trafficking²¹

Combating human trafficking is a priority for the German Government. It pursues this goal by means of a holistic, human rights-based approach, continuously refining its strategies.

The principal international legal framework is Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, which was extensively amended in summer 2024. The member states have two years to transpose Directive (EU) 2024/1712 of 13 June 2024 amending that directive. The German Government is currently examining which provisions need to be enshrined in German law and will initiate the necessary steps to ensure this is implemented in good time. In close liaison with the *Länder* and civil society, it is developing a national action plan to fight human trafficking, which is to be adopted before the end of the present legislative term. The action plan is to address all forms of human trafficking and optimise the structured planning and efficient pooling of the German Government's measures to prevent and combat human trafficking.

Alongside it, the German Government is developing a national action plan to combat labour exploitation and forced labour. The objective is to minimise the risks of exploitative employment and structurally and sustainably to address precarious working conditions, labour exploitation and forced labour. This action plan is also to be adopted before the end of the present legislative term.

On 1 November 2022, the independent reporting agency on trafficking in human beings took

up its duties at the German Institute for Human Rights. In accordance with the Council of Europe Convention on Action against Trafficking in Human Beings, its work covers all forms of trafficking in human beings. Its duties comprise collecting and analysing data on human trafficking, evaluating Germany's measures to combat it on the basis of this data, and developing recommendations for action. The independent reporting agency's first periodic report will be published in autumn 2024. The work of the reporting agency will be funded by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth for the first four years.

The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth continues to lend its intensive support to KOK e.V., the German NGO network and coordination office against trafficking in human beings. KOK e.V. pools the competence and expertise of the specialised counselling centres for trafficked persons in Germany and channels it into federal legislation as well as national and international debate and public discourse.

The Federal Ministry of Labour and Social Affairs continues to support the Service Centre against Labour Exploitation, Forced Labour and Human Trafficking. The service centre supports the development of cooperation structures to combat labour exploitation and human trafficking nationwide, reinforces the capacities of the competent bodies, and places a focus on awareness-raising through training sessions, information portals and international dialogue.

21 UPR recommendations 76, 140, 141, 143, 144, 225, 233 and 271

The National Council against Sexual Violence Committed against Children and Adolescents works to ensure that children and adolescents in the digital realm are better protected from sexual violence. To that end, a risk-assessment instrument for sexual violence in the digital domain has been jointly developed with the *Bundeszentrale für Kinder- und Jugendmedienschutz* (federal media safety centre for children and young people) and further members of the national council's working group for protection from exploitation and for international cooperation. The instrument helps providers and developers to assess the risks that their services may entail.

To ensure that minors in Germany affected by human trafficking have accommodation appropriate to their needs, part of the function of the national council – building in part on the dialogue process and recommendations of the German Association for Public and Private Welfare – has been to work towards the joint creation of a model for needs-based accommodation and to examine existing provision in Germany with reference to international experience.

Since 2018, the Federal Criminal Police Office has been implementing the THB Liberi project, dedicated to combating human trafficking and

exploitation of children, juveniles and adolescents in Germany and Europe. A second phase is now ongoing and is set to continue until 2026. The objective of this project is to combat and prevent the exploitation of individuals in these age groups by organised criminal groups as sustainably as possible at inter-agency level and through close national and international cooperation. For the current term of the project, which will run under the heading THB Liberi II for the multidisciplinary fight against human trafficking until 2026, the relevant focal points of the previous project term will be maintained: online exploitation of minors and youths, exploitation by family structures and person-related evidence. In addition to assisting investigations and operational measures nationwide, the project also involves taking preventive action and adopting innovative approaches. In this way, the project is being used, for example, to test and deploy cutting-edge technical investigation tools such as Web crawler, an instrument that is currently being used successfully to detect potential child-trafficking victims on websites. Workshops are also being conducted with the aim of providing the relevant players, in particular the police, the justice system and NGOs, with a platform for the necessary specialist dialogue and further networking.

*Sexual and reproductive health and rights*²²

The current coalition agreement explicitly provides for measures to further strengthen sexual and reproductive health and the associated rights of women and girls.

To that end, the German Government has set up a commission on reproductive autonomy and reproductive medicine comprising experts from across various disciplines. This independent commission was tasked with examining the possibilities of governing pregnancy termination

²² UPR recommendations 160, 205 and 211

outside the scope of the German Criminal Code as well as options for the legalisation of egg-cell donation and altruistic surrogate maternity. Its final report was submitted to the German Government on 15 April 2024. The German Government is currently examining and evaluating the commission's findings and recommendations. The report is publicly accessible and forms an important basis for further academic, social and political discussions.

Furthermore, in accordance with the coalition agreement, the German Government agreed on the bill for a Second Act Amending the Act on Assistance to Avoid and Cope with Conflicts in Pregnancy (*Zweites Gesetz zur Änderung des Schwangerschaftskonfliktgesetzes*) on 24 January 2024, which was passed by the Bundestag on 5 July 2024 and will enter into force in autumn 2024. The purpose of the bill is to protect pregnant people more effectively from harassment outside facilities that provide advice on conflicts in pregnancy and/or carry out abortions. It was also intended to improve the availability of data on the regional distribution of facilities where abortions are carried out. For that reason, the bill also amends the provisions in the Act on Assistance to Avoid and Cope with Conflicts in Pregnancy relating to federal statistics on abortions.

The coalition agreement provides (on page 64) for pregnancy termination to be made part of initial and ongoing medical training.

The Regulation on the Licensing of Doctors (*Approbationsordnung für Ärzte*), which governs the minimum requirements of medical training,

already facilitates teaching on abortion in medical degree programmes. However, the actual design of the curriculum is the responsibility of the *Länder* and, within them, of faculties of medicine. They can take guidance from the national catalogue of skills-based learning objectives for medicine, which is currently optional for universities. The catalogue contains learning objectives outlining skills and understanding pertaining to medical and surgical abortion. A planned reform of the Regulation on the Licensing of Doctors is intended to make the catalogue a mandatory element of studying medicine. The conclusion of this project to amend the rules on medical training is currently delayed.

Responsibility for doctors' continuous training lies with the *Länder*, which have conferred this responsibility upon their medical councils. In relation to training for doctors, the Federal Ministry of Health and the Federal Chamber of Doctors have jointly created a blueprint for developing the training for doctors who undertake pregnancy terminations.²³

23 The blueprint is available (in German) on the homepage of the Federal Ministry of Health at www.bundesgesundheitsministerium.de/ministerium/meldungen/2020/konzept-zur-fortentwicklung-der-qualifizierung-von-aerztinnen-und-aerzten-die-schwangerschaftsabbrueche-vornehmen.html. For the implementation of this blueprint, the DGGG, the German gynaecology and obstetrics society, has developed a set of guidelines on the termination of pregnancy in the first trimester.

B5 Human rights of children and adolescents

Children and adolescents have their own rights, which must be respected, fostered and protected at all levels. Children's rights fall within the universal human rights that the German Government has pledged to uphold, alongside its EU partners, within the framework of international and European agreements, in particular the UN Convention on the Rights of the Child of 1989 and its three Optional Protocols. The Lisbon Treaty signed on 13 December 2007 also contains explicit provisions on protecting the rights of the child (Article 3 (3) and (5) of the Treaty on European Union).

The Convention on the Rights of the Child has been ratified by more countries than any other human rights agreement. In conjunction with the three Optional Protocols, it defines a comprehensive catalogue of legally binding international norms for the protection, advancement and inclusion of children. It contains four especially important principles: non-discrimination (Article 2), the primacy of the child's best interests (Article 3), the child's right to life and development (Article 6) and overall respect for the child's views (Article 12).

Inclusion of children and adolescents

Children and adolescents have a right to freely express their views on all matters affecting them, to be heard and for their views to be given due weight (Article 12 of the Convention on the Rights of the Child). The inclusion of children

The German Government is fervently committed to ensuring that these principles, along with all other provisions of the Convention, are recognised and effectively put into practice around the world.

The German Government is supported in this by civil-society organisations such as National Coalition Deutschland, the network for the implementation of the UN Convention on the Rights of the Child; the Monitoring Body at the German Institute for Human Rights; the German Children's Fund; the Child-Friendly Communities initiative; and UNICEF.²⁴ The German Government agreed in its coalition agreement to enshrine children's rights explicitly in the Basic Law. The amendment will be guided by the stipulations of the Convention on the Rights of the Child (see *chapter B 1* above).

The implementation of the Convention on the Rights of the Child in Germany is monitored on a regular basis by the UN Committee on the Rights of the Child. The basis for this are the state party reports submitted by the German Government – most recently the combined fifth and sixth periodic reports – and various associated comments.

and young people is a guiding principle for the German Government. The German Government has therefore undertaken to do more to promote the inclusion of children and adolescents. A key element of this is the German Government's

²⁴ For more information on cooperation with UNICEF and the German Government's international commitment, see *chapter B 4* on women's and children's rights.

Youth Strategy, which was developed and is being implemented in an interministerial and inclusion-oriented manner. On the basis of the coalition agreement for the 20th legislative term, the Youth Strategy is being taken to the next level in the form of a National Action Plan (NAP) for Child and Youth Participation. This places a special focus on expanding the involvement of young people at all political levels.

The NAP for Child and Youth Participation is being implemented as part of a broad-based dialogue process with the German Government, the *Länder*, local authorities and civil society, and with children and young people in particular. At its heart, it seeks to develop recommendations

for enhancing the opportunities for involvement available to young people. These recommendations will be submitted at the end of the process to the Federal Cabinet and the Conference of the Ministers of the *Länder* for Youth and Family Affairs.

The German Government also actively supports and promotes effective and direct youth involvement at the European level within the framework of the EU Youth Strategy, and in particular through the EU Youth Dialogue. The aim is to promote dialogue between young people and those exercising political responsibility and to involve young people in the implementation and ongoing development of European youth policy.

Early-years education and all-day care for equal opportunities

With the introduction of the legal entitlement to early-years support for children from the age of one in 2013, a wide range of measures were taken to enhance early-years education and childcare.

Since 2008, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has launched a total of five investment programmes to finance childcare to the tune of over 5.4 billion euro, which have been used to create more than 750,000 additional places for children until they start school. Since 2019, moreover, the German Government has provided funding for upgrading the quality and improving the inclusiveness of daycare, contributing a total of approximately 5.5 billion euro between 2019 and 2022. With the updated Children's Daycare Quality Act, the German Government will uphold this commitment, once again providing some four billion euro in 2025 and 2026 to support the *Länder* in enhancing the quality of daycare.

Through the All-Day Support for Children of Primary-School Age Act, a legal entitlement to all-day care for all children of primary-school age will be introduced incrementally from 1 August 2026 (see *chapter B 2*). By means of this Act, the German Government is supporting the *Länder* in the necessary expansion of their infrastructure. In order to facilitate participation in integration courses for people looking after children who are not of school age, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of the Interior, through the European Social Fund Plus (ESF+), promotes the ESF+ programme *Integrationskurs mit Kind Plus: Perspektive durch Qualifizierung* ("Integration course with a child Plus: Prospects through qualifications"). This programme is aimed at people attending integration courses whose children cannot yet make use of a childcare place in the regular system. The individuals who look after the children can gain qualifications as daycare workers during

the course of the programme (1 January 2024 to 31 December 2026). This is an opportunity to attract potential new skilled workers – including from among those completing the courses (see *chapter B 4*).

Access to mental health services²⁵

The spotlight has been turned up on young people's health, not least as a result of the COVID-19 pandemic. In its final report of 8 February 2023, the interministerial working group on the health impacts of COVID-19 on children and adolescents found that, in the wake of several overlapping crises (the pandemic, war, inflation and the climate crisis), many children and adolescents were and continue to be under persistent psychological stress. Fortunately, a large majority of children and young people are proving resilient in the face of these crises and continue to enjoy stable mental health. What is more, not every instance of psychological stress requires psychotherapy. However, psychosocial stresses can also lead to behavioural syndromes or, more rarely, mental disorders requiring treatment. Socio-economic disadvantages have an additional exacerbating effect. Although the number of psychotherapists and psychiatrists has grown significantly in recent years, there are still long waiting lists for treatment in some areas. Prevention and easy-access support contribute to the maintenance of mental health and can prevent conditions becoming chronic. That is why the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has launched the pilot Mental Health Coaches programme in schools.

The Federal Ministry of Education and Research is helping to strengthen early-years education via research focuses and projects, not least within its Framework Programme for Empirical Educational Research.

The Mental Health Coaches programme targets pupils at general and vocational secondary schools. At the start of the 2023/24 school year, more than 80 mental health coaches were deployed to over 100 schools across the country. The federal programme has consequently reached tens of thousands of pupils so far. Its objective is to bolster young people's resilience, mental health and well-being and to generate greater openness about the topic of mental health in schools.

These mental health coaches are educational specialists (such as psychologists and social workers) who offer preventive mental health services and are available to pupils as points of contact. They also broaden pupils' knowledge of mental health and teach them how to access more in-depth assistance and counselling services and establish initial contacts in the event of mental or social problems. In addition, the pilot programme is intended to foster dialogue and ties among specialists and highlight areas of current and future need in the field of mental health.

Looking to the future, the Enhancement of Local Healthcare Act (*Gesetz zur Stärkung der Gesundheitsversorgung in der Kommune*) is to improve access to psychotherapy for children and adolescents across the board.

²⁵ UPR recommendation 162

The bill adopted by the Federal Cabinet on 22 May 2024 contains the legislative basis for separate requirements planning for physicians and psychotherapists who provide children and adolescents with psychotherapy. This will ensure that the particular needs of this demographic are accounted for.

Federal Foundation for Early Childhood Intervention

Early childhood intervention provides easily accessible and non-discriminatory support for parents from pregnancy onwards and for families with children up to the age of three. Early childhood intervention specialists advise and assist parents with a view to reinforcing their relationship and caring skills. The aim is to give children the chance of healthy development and a non-violent upbringing.

Early childhood intervention services throughout Germany are organised within local networks and are directed in particular towards families in difficult circumstances, such as a high risk of poverty, a parent suffering a psychological condition, or a migrant or refugee background.

On the basis of the Federal Child Protection Act (*Bundeskinderschutzgesetz*) – specifically,

In adopting new provisions to combat bottlenecks in the supply of medicines that are important for children and adolescents in particular, the German Government has made considerable progress.

section 3 (4) of the Child Protection (Cooperation and Information) Act (*Gesetz zur Kooperation und Information im Kinderschutz*) – the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth set up the Federal Foundation for Early Childhood Intervention on 1 October 2017. The German Government provides the foundation with a standing annual budget, enshrined in legislation, of 51 million euro (see the Fifteenth Human Rights Report).

Maintained by the Federal Centre for Health Education in collaboration with the German Youth Institute, the National Centre for Early Prevention provides national quality-development and quality-assurance measures to help the foundation fulfil its purpose.

Coordination of support and advice services protecting children and adolescents from violence nationwide²⁶

The German Government is committed to improving access to specialist counselling for those affected by sexual violence in childhood or adolescence. The federal coordination bureau funded by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth to provide specialist counselling to combat sexual violence in childhood and youth is committed to ensuring

that counselling services are funded based on actual need and to closing gaps in care (see the Fifteenth Human Rights Report). One of the current priorities of the bureau's work is to improve access for people with disabilities to specialist counselling on sexual violence in childhood and adolescence.

Protection and help against the trafficking in and exploitation of children²⁷

In order to improve identification of trafficking in minors and their referral into the support system, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth funds ECPAT Germany, the working group for the protection of children against sexual exploitation. In the context of this support, ECPAT has conducted workshops on the implementation

of the federal cooperation blueprint since 2019. The blueprint sets out recommendations for cooperation between child and youth welfare services, the police, specialised counselling centres and other entities for the purpose of identifying human-trafficking cases and initiating effective assistance.²⁸

A child-friendly justice system²⁹

The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has supported the development of an online course as part of its federal pilot scheme for good child-protection procedure. Available via the Saarland child-protection platform (*kinderschutz-im-saarland.de*), the online course makes a valuable contribution to quality development and quality assurance for child-friendly justice. The e-learning provision

primarily targets family court judges as well as professionals working in child and youth welfare. The online version has, moreover, given rise to a handbook that is available free of charge as an important practical guide for specialists.³⁰

In 2021, the working group for a child-friendly justice system of the National Council against Sexual Violence Committed against Children and

26 UPR recommendations 135, 244 and 260

27 UPR recommendations 140, 225 and 271

28 ecpat.de/wp-content/uploads/2020/11/BKK-englisch.pdf

29 UPR recommendation 257

30 See (in German) link.springer.com/book/10.1007/978-3-662-66900-6

Adolescents drew up guidelines for good practice regarding the application of age-appropriate criteria to criminal proceedings and family court proceedings, which it published in 2022.³¹

In addition, the German Children's Fund, under a support scheme run by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, is currently developing a national web portal specialising in child-friendly justice. The portal will place extensive materials at the disposal of specialists in various fields who work with children in judicial proceedings.

In addition, a pilot project for a blended-learning further training course on the topic of the developmentally appropriate, complete and non-leading questioning of children, initiated by the Federal Ministry of Justice and supported by the departments of justice of the *Länder*, was successfully developed and made available

to the German Judicial Academy for further use. The course has been held there twice a year since 2023. The Sexual Violence against Children Act (*Gesetz zur Bekämpfung sexualisierter Gewalt gegen Kinder*) of 16 June 2021 further strengthened the legal position of children and adolescents in family court proceedings. In child custody proceedings, the obligation to hear the child was made age-independent and extended to include an obligation for the court to form a direct personal impression of the child. Furthermore, qualification requirements for family court judges and aptitude requirements for guardians *ad litem* were enshrined in law, including verifiable knowledge of children's developmental psychology and communication with children. Furthermore, the Federal Ministry of Justice is developing age-appropriate information material for children on proceedings in parent and child matters.

Protection of refugee children³²

All children have the right to protection, to a child-friendly environment, education and good healthcare, and to equal opportunities and social inclusion – regardless of their origins, gender, religion or residence status.

Minors fleeing their homes and arriving in Germany without parents or guardians are vulnerable to particular threats and must therefore be afforded special protection. In Germany, accommodating, providing for and taking care of unaccompanied foreign minors is chiefly the responsibility of child and youth welfare services.

The primacy of child and youth welfare services ensures that this particularly vulnerable group are housed, fed and looked after in a manner designed to safeguard children's well-being. In the asylum process, specially trained and experienced case workers are deployed for unaccompanied minor applicants, conducting hearings in a manner appropriate to their age and level of maturity in order to determine reasons for displacement specific to children.

Given the increase in the number of unaccompanied minors arriving since 2022, the *Länder*

31 See (in German) www.nationaler-rat.de/de/ergebnisse

32 UPR recommendations 259, 329, 339 and 340

and local authorities are confronting major challenges. In particular, there is a lack of accommodation places and skilled workers to provide the necessary care. The *Länder* responsible have therefore made temporary adjustments to standards, such as allocating more than one person per room, reducing staffing quotas and making greater use of suitable non-specialists and volunteers.

The German Government has intensified the dialogue with the *Länder* and local authorities and actively supports them in order to gauge the leeway offered by particular legislative proposals. Even in difficult circumstances, the state has a duty to guarantee the well-being of unaccompanied minors and to afford these children and adolescents the best possible protection.

The Federal Initiative to Protect Refugees and Migrants in Refugee Accommodation Centres, run jointly by UNICEF and the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, is continuing. Alongside the abovementioned projects, funding will go in 2023 and 2024 to the LISTEN UP! project, run in two *Länder* by Save the Children Deutschland with the aim

of trialling access to internal and external complaint channels for children.

Under section 44 (2a) in conjunction with section 53 (3) of the Asylum Act (*Asylgesetz*), the *Länder* are to take appropriate steps to protect women and vulnerable groups in reception centres and collective accommodation. It is apparent from the legislative statement of purpose that “vulnerable groups” as understood in this law specifically include minors. The Minimum Standards for the Protection of Refugees and Migrants in Refugee Accommodation Centres (fourth edition, April 2021), published as part of the federal initiative, can serve as guidelines for the development and implementation of protection strategies for specific accommodation facilities. Moreover, the German Government supports the *Länder*, local authorities and accommodation facilities by funding various other measures. The *Servicestelle Gewaltschutz* (“Service centre for protection against violence”), for example, holds online workshops on refugee children and adolescents in accommodation, covering foundations, awareness and guidelines for action.

Protection from discrimination³³

Like adults, children and adolescents face discrimination in complex forms – often relating to more than one dimension such as gender, origin, sexuality, social status and disability. School is the social arena where children and adolescents most frequently experience discrimination, or multiple discrimination. Under Germany’s constitutional division of powers, responsibility for

education lies primarily with the *Länder* (see *chapter B8* on their measures to combat group-based discrimination).

The Standing Conference of the Ministers of Education and Cultural Affairs of the *Länder* has issued recommendations on democracy as an objective, topic and practice of history and politics

33 UPR recommendations 250 and 268

education in schools³⁴, seeking to ensure that schools are venues of democracy in action, where the other person's dignity is writ large, tolerance and respect of other people and opinions is practised, moral courage is nurtured, democratic processes are upheld and conflicts are resolved without violence. Its recommendations on human rights education in schools³⁵ define it as one of the duties of schools to teach an attitude of sensitivity to and defence of human rights, impart the necessary knowledge and the appropriate discernment, skills and initiative, and encourage open and active engagement. Imparting democratic values and norms is part of teacher training, as is valuing and acknowledging diversity (see, for example, the teacher-training standards regarding education theory published by the Standing Conference, as updated on 7 October 2022³⁶).

The *Länder* have specific regulations and procedures for reporting and dealing with incidents of antisemitism, discrimination and extremism in schools. Such incidents are systematically recorded and processed within the relevant ministries of education and cultural affairs. Schools are required to report them to the competent supervisory authorities, which can then instigate a variety of steps depending on the severity and nature of each incident, including legal advice, school or psychological counselling, preventive measures and intervention. The reporting chains

are generally established by official instructions, directives or special staff regulations and cover numerous areas, including politically, religiously and ethnically motivated crimes and cases of violence and sexual harassment. The reporting systems are set up both to deal with acute incidents and to function at a preventive level to provide schools with resilient and safe learning environments. Schools receive support from various state and non-state bodies. There is also a range of specialised advisory services and networks for prevention and intervention.

The German Government takes the subject of discrimination very seriously and acknowledges its relevance within society. Through the federal Live Democracy! programme, in the area of shaping diversity, it particularly supports projects designed with an awareness of multiple discrimination and the interrelationships between different forms of group-based hostility.

See *chapter B 1* for information about the German Government's plan to enshrine children's rights in the Basic Law (UPR recommendations 254, 256, 265, 267 and 270).

34 Available (in German) at www.kmk.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2009/2009_03_06-Staerkung-Demokratieerziehung.pdf

35 Available (in German) at www.kmk.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/1980/1980_12_04-Menschenrechtserziehung.pdf

36 Available (in German) at www.kmk.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2004/2004_12_16-Standards-Lehrerbildung.pdf

*The German Government's commitment at the national and European levels to combating child sexual abuse, especially on the internet*³⁷

The fight against sexual abuse of children is one of the German Government's most urgent crime-policy priorities. The tasks that this involves are manifold, ranging from targeted prevention to effective investigation of crimes, swift prosecution, counselling and support for those affected, as well as steps to involve them in the relevant processes. In this context, the vital importance of investigating past offences is not to be underestimated, especially for the people affected.

The German Government is concerned about the sharp rise in the number of cases of sexual violence against children and about the dissemination of child pornography in cyberspace.³⁸ Statistics from law enforcement agencies and organisations in other countries also point to a considerable increase in sexual violence and sexual exploitation of children, including in the digital arena. Experience shows that unreported crime, meaning the proportion of offences that do not come to the attention of the police, is many times greater in this area.

To continue fighting sexual violence against children in the 20th legislative term (from 2021), the German Government aims to increase staffing levels at the Federal Criminal Police Office and to intensify the use of technical investigative support (including the use of artificial intelligence).³⁹

The increasing number of tip-offs is generating enormous amounts of digital data that need to be analysed by the police. The German law enforcement authorities are going to great lengths to expand their technical and human resources and to further improve procedures within the police network. The investigators' most important objective is to identify potentially ongoing abuse at an early stage and to prevent or end it as well as to delete depictions of abuse on the internet as quickly as possible in order to reduce their availability and thereby address the ongoing revictimisation of those affected.

Due to federal structures, these measures must be part of a comprehensive strategy for tackling abuse. This is assured by the police bodies connecting the federal level and the *Länder*, which have already addressed this issue and reached agreement on a coordinated reporting and deletion process.⁴⁰

Another focus is the media safety of children and adolescents. The Second Act Amending the Protection of Young Persons Act (*Zweites Gesetz zur Änderung des Jugendschutzgesetzes*), which entered into force in May 2021, adapts the media safety protections for minors to the realities of present-day media usage. This legislation seeks to facilitate the protection, empowerment and participation of children and adolescents.

37 UPR recommendations 263, 264 and 266

38 According to the Police Crime Statistics (*Polizeiliche Kriminalstatistik*), cases of child sexual abuse increased by 5.5% to over 16,300 cases in 2023. There was an increase of 7.4% to over 45,000 offences in connection with child pornographic content. This represents a threefold increase in cases since 2019.

39 2021-2025 coalition agreement between the Social Democratic Party of Germany (SPD), Alliance 90/The Greens and the Free Democratic Party (FDP)

40 Federal and *Land* Ministers and Senators of the Interior at their 217th session in Würzburg on 3 June 2022

Interactive internet services are required to set up precautionary measures such as help and complaints systems that are easy to find. The federal media safety centre for children and young people, *Bundeszentrale für Kinder- und Jugendmedien-schutz*, is tasked with developing binding rules and enforcing the law. Furthermore, within the centre, the Federal Review Board for Media Harmful to Minors is responsible for conducting proceedings to register websites on its index of harmful media. The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth continues to support cooperation with the internet sector to combat the sexual exploitation of children and adolescents online and, as part of this endeavour, funds *jugendschutz.net*, a centre of excellence for the protection of minors online operated by the Federation and the *Länder*, as well as the complaints offices of eco – Association of the Internet Industry and the Association for Voluntary Self-Regulation of Digital Media Service Providers (FSM e.V.). These bodies work closely with law enforcement authorities on deleting child pornographic content on the internet. Deletion statistics are recorded in the annual German Government report, compiled chiefly by the Federal Ministry of Justice and the Federal Ministry of the Interior and Community, on measures for the deletion of telemedia containing child pornographic content as defined by section 184b of the German Criminal Code.

In its efforts to tackle sexual violence against children and adolescents, the German Government intends to create measures and instruments that operate at very different levels. It is committed to effective prevention and intervention while at the same time providing assistance for people affected by sexual violence in childhood and adolescence.

The German Government adopted a bill to strengthen the structures combating sexual violence in June 2024. The provisions in that bill

include putting the office of the Independent Commissioner for Child Sexual Abuse Issues on a statutory footing and introducing an obligation to report regularly to the German Bundestag. The Survivors' Board set up within that office and the Independent Inquiry into Child Sexual Abuse Issues in Germany are continuing their important work. In addition, a centre for research into sexual violence against children and adolescents will start work before the end of 2024, tasked by the Independent Commissioner with preparing a nationwide survey of Year 9 classes seeking to better gauge the prevalence of unreported sexual violence online and offline. The National Council against Sexual Violence Committed Against Children and Adolescents is likewise to be retained. It is also important to talk about this subject more and to activate and support all adults, which is why Kerstin Claus, Independent Commissioner for Child Sexual Abuse Issues and the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth are continuing the joint information campaign and call to action *Schieb die Verantwortung nicht weg* ("Don't push the responsibility away").

The Supplementary Support System for Survivors of Sexual Abuse in Childhood or Adolescence has been in place since May 2013 in conjunction with the Sexual Abuse in Family Settings Fund and the Supplementary Support System for Survivors of Sexual Abuse in Institutional Settings. It supplements the social welfare system and provides survivors with assistance that is suited to their needs and easy to access.

To date, almost 32,000 survivors have applied for assistance from the Sexual Abuse Fund.

Alongside five *Länder*, ten non-governmental institutions provide access to help for people who have suffered sexual violence in institutional settings.

B6 Human rights of people with disabilities

Implementing the UNCRPD: NAP 2.0 and other developments

The entry into force of the UN Convention on the Rights of Persons with Disabilities (UNCRPD) in Germany on 26 March 2009 was an important milestone with respect to a human rights-based approach to policy for people with disabilities. Since then, policy for people with disabilities has been mainstreamed across all areas of life.

In terms of the implementation of the UNCRPD, a general strategy was adopted for the first time in June 2011 in the form of the National Action Plan (NAP), which brings together the disability policy objectives and measures of all of the ministries. The NAP was recast as NAP 2.0 in 2016.

On 4 May 2021, the Federal Ministry of Labour and Social Affairs, in its capacity as the focal point within government for the implementation of the UNCRPD (Article 33 (1) of the UNCRPD), published its update of NAP 2.0 as a Status Report. Almost all of the ministries participated in the update, with disability mainstreaming in mind, by adding to their measures and providing information on their current implementation status. Since 2016, some 212 new measures have been added to the catalogue. Privacy and awareness-raising are the areas that have witnessed the greatest growth. One focus of the update is on measures relating to the COVID-19 pandemic and/or to the digital transition and inclusion.

NAP 2.0 currently comprises 440 measures in 13 areas. In order to create the greatest possible

transparency, the NAP 2.0 catalogue of measures can be accessed online⁴¹ and can be updated and supplemented by all government departments on an ongoing basis. The progress made is regularly reported to the NAP Committee, which comprises representatives of disability, social and charitable organisations, management and labour, and academia, as well as the Federal Government Commissioner for Matters relating to Persons with Disabilities.

Monitoring of the domestic implementation of the UNCRPD is carried out by the independent monitoring body based at the German Institute for Human Rights (Article 33 (2) of the UNCRPD). Civil society is involved through bodies such as the NAP Committee and the Advisory Council on Inclusion – which falls under the remit of the Federal Government Commissioner for Matters relating to Persons with Disabilities as a focal point within government in accordance with Article 33 (1) of the UNCRPD – as well as events relating to disability policy, such as inclusion days (Article 33 (3) of the UNCRPD).

As a state party to the UNCRPD, Germany has also undertaken to report at regular intervals on the implementation of the UNCRPD. It submitted its combined second and third periodic reports to the UN Committee on the Rights of Persons with Disabilities at the end of September 2019. The committee published its Concluding Observations following the constructive dialogue held in Geneva. In them, the committee

41 See (in German) www.gemeinsam-einfach-machen.de

welcomed measures already taken, expressed points of criticism and made recommendations.

Germany is currently engaged in a follow-up process on the report, ensuring that civil society

Labour market access

A broad range of statutory funding instruments is available to promote participation in working life on an equal footing for people with disabilities and is being developed on an ongoing basis.

1 January 2024 saw the entry into force of the Act to Promote an Inclusive Labour Market (*Gesetz zur Förderung eines inklusiven Arbeitsmarktes*), which is intended to bring more people with disabilities into regular work, keep people with health impairments in employment and facilitate more effective targeted support for people with severe disabilities. The Act contains the following provisions in particular:

- increasing the compensatory levy payable by employers that, despite their statutory obligations, employ no-one with severe disabilities (fourth level)
- concentrating the revenue from the compensatory levy on fostering the employment of people with severe disabilities on the mainstream labour market

Education

Article 24 of the UN Convention on the Rights of Persons with Disabilities (UNCPRD) obliges states parties to create an inclusive education system at all levels. The main responsibility for implementing inclusive education lies with the

is actively involved. The objective of the follow-up process is to create a digital NAP 2.0 as an update to NAP 2.0.

- introducing an assumption of approval for integration office entitlements
- removing the cap on wage subsidies under the budget for work scheme

To further improve labour market inclusion for people with disabilities, the Federal Ministry of Labour and Social Affairs is preparing measures to continue the development of sheltered workshops. This work is based on a study commissioned by the Ministry into a transparent, sustainable and viable remuneration system for people with disabilities working in sheltered workshops and into their prospects on the mainstream labour market, which was published in September 2023. It is also informed by the findings of the structured dialogue on continuing the development of sheltered workshops, which the Ministry initiated after the study was published to examine and debate possible measures with all stakeholders in preparation for a legislative proposal.

Länder. In order to advance the goal of inclusive education, the Federation, within the scope of its competence, undertakes measures to raise awareness, improve the availability of reliable data and build networks between various players

(see the sections on education in the Status Report on the NAP).

The *Länder* are pursuing the objective of guaranteeing inclusive schooling – children, adolescents and young adults with and without disabilities learning together with full and effective inclusion for all – while consolidating and continuing to develop the standards that have been achieved so far in special-needs education, counselling and support. Against this backdrop, the Standing Conference of the Ministers of Education and Cultural Affairs of the *Länder* in the Federal Republic of Germany is successively revising its recommendations on the various focus areas relating to special-needs education, starting with the recommendations on school education, counselling and support for children and adolescents in the focus areas of learning (2019) and mental development (2021). The Standing Conference is, moreover, creating the necessary framework for teaching staff to acquire additional skills. At the beginning of 2015, the Standing Conference and the German Rectors' Conference adopted their joint recommendation *Lehrerbildung für eine Schule der Vielfalt* ("Teacher training for diverse schools"), which provides concrete guidance on how the expectations associated with teacher training for the inclusive classroom can be put into practice at universities. In 2020, the two Conferences adopted an interim report on the implementation of their joint declaration. The *Länder* provide regular updates regarding the progress made on putting inclusive education into practice, both in the bodies of the Standing Conference and in an overview that is reissued on a regular basis. The proportion of pupils receiving special-needs support

who attend general schools was at 44.1% in the 2022/23 school year, up 12.7 percentage points since 2013/14. In many of the *Länder*, general schools have been upgraded to inclusive mainstream schools or inclusive school alliances for specific aspects of special-needs education. These schools are particularly well equipped in terms of personnel, premises and equipment.

The Federal Ministry of Education and Research contributes to the implementation of the UN-CRPD and NAP 2.0 via the research focus on inclusive education within its Framework Programme for Empirical Educational Research.

Accordingly, the objective of the funding guideline *Förderungsbezogene Diagnostik in der inklusiven Bildung* ("Support-related diagnostics in inclusive education"), which is currently still in effect, is to increase the quality of diagnostics in heterogeneous systems and thereby also to improve the learning processes and outcomes of all learners. In terms of content, it thus follows on from the funding guideline *Qualifizierung des pädagogischen Personals für inklusive Bildung* ("Qualification of teaching staff for inclusive education", 2017-2021), which came to an end in 2021. The Federal Ministry of Education and Research and the *Länder* continue to fund and support the European Agency for Special Needs and Inclusive Education. The Standing Conference recommendations of 14 May 2020 on individualised support in vocational schools⁴² describe the success factors for developing teaching, human resources and organisations with a view to enabling young people, through individualised support, to act responsibly and participate with self-determination in a world

42 Available (in German) at www.kmk.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2020/2020_05_14-Individuelle-Foerderung-in-berufl-Schulen.pdf

and a working environment that are globalised and in transition.

In addition, there is consensus within the German Government and with the *Länder* that it must be possible, as a matter of principle, to enable more young people with disabilities to access the primary labour market through training. For this reason, the measures of the Federal Ministry of Education and Research to promote career guidance for young people – under the Vocational Orientation Programme – are also aimed at people with disabilities. The same applies to the dedicated funding from the Federal Ministry of Education and Research for *BOFplus*, the career orientation programme for people with experience of displacement and/or migration. There are good opportunities for young people with disabilities to enter the primary labour market through training either for a regulated occupation (section 64 of the Vocational Training Act (*Berufsbildungsgesetz*) / section 42p of the Crafts Code (*Handwerksordnung*)) or as a practical trainee (section 66 of the Vocational Training Act / section 42r of the Crafts Code). For success on that path, there are various support options both for young people with disabilities and for companies, which are implemented via local employment agencies. The careers-guidance measures provided by the *Länder* are also designed to be inclusive. In the *Länder*, therefore, there are numerous specific careers-guidance measures for pupils with special needs, on which regular reports are produced.⁴³

The new catalogue of benefits in the law on integration assistance for people with or facing the threat of significant disabilities, which entered

into force on 1 January 2020, also established and fleshed out the benefits supporting participation in education as a separate category. Especially within the framework of compulsory schooling, various forms of assistance are in place, such as classroom assistants and funding to support all-day schooling, so that children and adolescents with disabilities enjoy equal access to educational provision. Likewise, the assistance provided in the benefits catalogue for school or higher education or vocational training, further training or master's degrees is intended to enable people with disabilities to make use of educational provision on an equal footing.

Regulations and specific provisions have been enshrined in all the *Länder* to account for the needs of students with disabilities or chronic conditions and to ensure that they are not disadvantaged during their studies. The Higher Education Acts (*Hochschulgesetze*) of most *Länder* also require universities to provide or designate disabilities officers and/or diversity officers. Expanding long-term studies receiving funding will improve the availability of data on the situation of students and junior academics with disabilities or chronic conditions. Furthermore, as digital tools become more firmly established in university teaching and administration, helping not least to increase flexibility, inclusion opportunities for people with disabilities are enhanced.

Despite the measures and developments that have already taken place, the high-quality further development of a system in which young people with and without disabilities learn together with comprehensive and effective inclusion remains a long-term reform process that will take time.

43 Available (in German) at www.kmk.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2017/2017_12_07-Dokumentation-Berufliche-Orientierung-an-Schulen_01.pdf

Combating discrimination against children with disabilities

Within all undergraduate programmes for prospective teachers, learning how to approach heterogeneity and inclusion is a mandatory part of teacher training. A joint recommendation issued by the Standing Conference of the Ministers of Education and Cultural Affairs of the *Länder* and the German Rectors' Conference on teacher training for diverse schools⁴⁴ has been put into practice since 2015. An interim report from 2020⁴⁵ shows that acquiring transferable general and special-needs teaching skills is now understood in all of the *Länder* as an integral element of practical teacher training, and prospective teachers learn to develop an appreciative and professional attitude to inclusion.

Moreover, education on human rights as a cross-cutting issue has been mainstreamed as a set part of curricula throughout the country, particularly in subjects such as history; political, economic, social or general studies; languages; religious studies; and ethics/philosophy. This includes reflecting on the extent of group-based hostility and human rights violations in history and in the present day, such as attacks or discrimination against people with disabilities. The goal of human rights education is to strengthen and empower pupils and give them the tools to stand up for human rights, and thus for their own and others' rights, in their personal and social lives. In 2018, the Standing Conference adopted updated recommendations on human rights education in schools⁴⁶ that explicitly

address the rights and treatment of people with disabilities.

A range of different support systems for children and adolescents with disabilities have been responsible for integration assistance to date. Child and youth welfare providers under Book VIII of the Social Code (on child and youth services) are responsible for children and adolescents with psychological disabilities, while integration assistance for children and adolescents with physical or mental disabilities falls within the remit of integration support providers under Book IX of the Social Code. This separation of remits is to be made obsolete by a new law entering into force on 1 January 2028. The remits are to be consolidated under the umbrella of the child and youth welfare services (inclusive approach). This will eliminate the need to differentiate between young people with physical or mental disabilities on the one hand and young people with psychological disabilities or educational needs on the other in order to determine responsibility. Child and youth welfare services will consequently be more strongly geared in general towards children and adolescents with physical or mental disabilities. As a result, child and youth welfare provision, including easy-access services, will be more inclusive and will be opened up to children and adolescents with physical or mental disabilities.

44 Available (in German) at www.kmk.org/fileadmin/veroeffentlichungen_beschluesse/2015/2015_03_12-Schule-der-Vielfalt.pdf

45 Available (in German) at www.kmk.org/fileadmin/veroeffentlichungen_beschluesse/2020/2020_12_10-Zwischenbericht-Umsetzung-Schule-der-Vielfalt.pdf

46 Available (in German) at www.kmk.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/1980/1980_12_04-Menschenrechtserziehung.pdf

Healthcare benefits

The UN Committee on the Rights of Persons with Disabilities recommended improvements in access to healthcare for persons with disabilities in its Concluding Observations on Germany's initial report of 13 May 2015 (see paragraph 47/48).

For scenarios in which people with disabilities receiving integration assistance are dependent on the support of caregivers with whom they are familiar, to ensure that hospital treatment is carried out or for medical reasons, new regulations in section 44b of Book V of the Social Code (legislation on statutory health insurance) and section 113 (6) of Book IX of the Social Code (legislation on integration assistance) clarified with effect from 1 November 2022 who is liable for the costs incurred by those caregivers.

Under section 1830 of the German Civil Code (*Bürgerliches Gesetzbuch*) as amended with effect from 1 January 2023, sterilisation of adults incapable of consenting is now only possible where

the individual concerned agrees themselves – that is to say, where the intervention is in line with their natural will. The new provisions are better aligned with the right to self-determination of adults incapable of consenting as set out in the UNCRPD and the Istanbul Convention, while also leaving no gaps in protection to the detriment of the individuals concerned. In particular, they rule out sterilisation of adults who actually do not want to be sterilised but who voice no objection in order to avoid conflict with a custodian, family member or physician.

In the coalition agreement (on page 67), the coalition partners agreed to collaborate with all stakeholders to draw up an action plan for a diverse, inclusive and accessible health sector. This action plan will be drawn up by the Federal Ministry of Health in a participatory process involving stakeholders' associations and interest groups; it is to identify realistic and viable measures to dismantle barriers within healthcare provision. The aim is to complete the action plan in 2024.

Access to justice

In light of the Concluding Observations on Germany's initial report (2015), the German Government included measures to improve access to justice for people with disabilities and expand training in the Second Action Plan (NAP 2.0) to implement the UNCRPD of 28 June 2016 and its 2021 update.

Information is made available in a largely accessible manner, e.g. via the Accessibility of Documents for Blind and Visually Impaired People in Court Proceedings Ordinance (*Zugänglichmachungsverordnung*) and various

statutory instruments on the keeping and inspection of records.

People with hearing and/or speech impairments can choose whether they would prefer to use spoken, written or sign language in their communications with the judiciary. Accused persons in criminal proceedings who have impaired vision, hearing or speech receive mandatory defence counsel if they request it.

With the Reform of Guardianship and Custodianship Law Act of 4 May 2021 (*Gesetz zur Reform*

des Vormundschafts- und Betreuungsrechts, Federal Law Gazette I 2021, p. 882), which is to enter into force on 1 January 2023, the legislature has, among other things, improved access to custodianship proceedings for the individuals concerned and comprehensively modernised custodianship law with a view to better implementing the requirements set out in Article 12 of the UN-CRPD. As a result of the reform, the individuals concerned are better informed and more involved in all stages of custodianship proceedings, in particular in the judicial decision on whether and how to appoint a custodian, in the selection of the specific custodian, and also in their oversight by the custodianship court. In particular, section 275 (2) of the Act on Proceedings in Family Matters and in Matters of Non-contentious Jurisdiction (*Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit*) now stipulates that, when proceedings are initiated, the individuals concerned must be informed about the tasks of a custodian, the possible course of the proceedings and about possible costs, in a manner that is tailored as well

as possible to their capacities. This means not only the use of language that can be understood by laypersons, but also the provision of information in simple language and other accessible information material (cf. Bundestag printed paper 19/24445, pp. 329, 491). In addition, the role of the guardian *ad litem* as a spokesperson for the individual concerned within the proceedings has been fleshed out, and it has been made clear that the guardian *ad litem* has a duty to determine the will or, in the alternative, the probable will of the individual concerned and to assert this in the court proceedings (first sentence of section 276 (3) of the Act on Proceedings in Family Matters and in Matters of Non-contentious Jurisdiction). The guardian *ad litem*'s other duty, which remains in place, to inform the individual concerned of the object, course and potential result of the proceedings in a suitable manner and, if necessary, to support them in the exercise of their rights (second sentence of section 276 (3)) strengthens the individual's right to self-determination and constitutes a form of support in the exercise of rights.

Accessibility

Germany has transposed the European Accessibility Act by means of its Accessibility Reinforcement Act (*Barrierefreiheitsstärkungsgesetz*) and the accompanying statutory instrument. For the first time, the Act obliges private business stakeholders to manufacture and provide their products and services in an accessible manner. In so doing, it promotes equal and non-discriminatory access to information and communication materials, including information and communication technologies and systems, thereby implementing an important part of the UNCRPD. For Germany, this represents an important step towards achieving full accessibility.

The adoption of the Participation Strengthening Act (*TeilhabeStärkungsgesetz*) also added new statutory rules on assistance dogs in Germany to the Equality for Persons with Disabilities Act (*Behindertengleichstellungsgesetz*); these came into force on 1 July 2021. The Act stipulates that public authorities as well as owners, proprietors and operators of movable or immovable facilities and installations must not refuse people with disabilities access to their facilities and installations that the general public can enter and use on the grounds that they are accompanied by an assistance dog (which includes guide dogs for the blind); they have an obligation to tolerate the

animal's presence. The scope of the Equality for Persons with Disabilities Act has been extended in this regulatory area to include the private sector for the first time. The additional rules chiefly pertain to the following:

- the definition of assistance dogs
- the training and assessment of assistance dogs
- the authorisation of training centres for assistance dogs

Women and protection against violence

Women with disabilities experience sexual violence two to three times more frequently and physical violence twice as often as the average among the female population as a whole.

The UN Convention on the Rights of Persons with Disabilities (UNCRPD), which entered into force in Germany on 26 March 2009, assures women and girls with disabilities in particular, in Articles 6 and 16, that they will be protected from all forms of violence and abuse, taking gender-specific aspects into account. In addition to the provisions of the UNCRPD, Article 4 (3) of the Istanbul Convention – the Council of Europe Convention on preventing and combating violence against women and domestic violence, which entered into force on 1 February 2018 – requires that the Istanbul Convention be applied without discrimination to women with disabilities. In light of paragraph 36 of the Concluding Observations on Germany's initial report on the implementation of the UNCRPD, the issue of

- the accreditation of assessment centres for assistance dogs
- the conduct of a study to investigate the impact of the new rules

The legislative provisions are specified in more detail in the Assistance Dogs Ordinance (*Assistenzhundeverordnung*), which entered into force on 1 March 2023 and provides for a harmonised symbol for assistance dogs and an identity document pairing assistance dogs with their handlers.

protection against violence has been included in NAP 2.0 of 2016⁴⁷ and its 2021 update⁴⁸.

In connection with this, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth provided three years' worth of funding, until February 2024, for a project on political representation for women with disabilities run by Weibernetz e.V. In addition to promoting equality and equal rights, it also covered the aforementioned focal areas. Weibernetz e.V. is the only organisation run for women with disabilities by women with disabilities that operates nationwide.

A project on political representation for women with disabilities in the context of intersectionality, sexism, ableism and protection against violence began on 1 March 2024 and will run until 28 February 2027. It makes key contributions to the implementation of the UNCRPD. In particular, it takes account of the multiple

47 www.gemeinsam-einfach-machen.de/SharedDocs/Downloads/DE/AS/NAP2/Kurzfassung_zum_NAP20_English.pdf?__blob=publicationFile&v=4

48 www.gemeinsam-einfach-machen.de/SharedDocs/Downloads/DE/AS/NAP2/Statusbericht_NAP_EN.pdf?__blob=publicationFile&v=2

discrimination to which Article 6 (1) of the Convention recognises that women and girls with disabilities are subject and the requirement in Article 16 that establishes a state obligation to support and empower women with disabilities. Funding this project is intended to generate fresh impetus to improve the lives of women with impairments.

Thanks to the Participation Strengthening Act, service providers have been obliged since 1 June 2021 to provide suitable protections from violence, especially for women and girls with disabilities under section 37a of Book IX of the Social Code.

In line with the coalition agreement, the German Government plans to develop an interministerial overarching policy strategy to tackle violence, with the prevention of violence as well as the rights of those affected at its heart. The strategy will take into account the needs of vulnerable groups, such as women with disabilities and refugee women as well as LGBTIQ+ people. The basis for this will include a study published by the Federal Ministry of Labour and Social Affairs in September 2021 entitled *Gewaltschutzstrukturen für Menschen mit Behinderungen – Bestandsaufnahme und Empfehlungen* (“Structures for the protection against violence of people with disabilities – taking stock and recommendations”)⁴⁹ and two study reports published by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Labour and Social Affairs in July 2024 entitled *Gewalt und Gewaltschutz in Einrichtungen der Behindertenhilfe* (“Violence and protection against violence in institutions for people with

disabilities”) and *Sexuelle Belästigung, Gewalt und Gewaltschutz in Werkstätten für behinderte Menschen* (“Sexual harassment, violence and protection against violence in sheltered workshops”)⁵⁰.

The national Violence against Women support hotline (www.hilfetelefon.de) is available to many callers, including women with mental disabilities, who can receive counselling in accessible language, and women with hearing and/or speech disabilities, who can use the online chat function or sign language via video conferencing.

One of the measures to combat the structural shortage in support provision for women with disabilities affected by violence has been establishing the federal investment programme *Gemeinsam gegen Gewalt an Frauen* (“Ending violence against women together”). The programme has been providing around 30 million euro a year from 2020 to 2024 to fund structural measures to expand and improve access to women’s refuges and specialised counselling centres. Some 70 projects have been approved so far, with wide regional distribution. The measures funded have led to the creation of 340 new women’s refuges and to improvements, such as accessibility measures, to 416 existing places.

49 Available (in German) at www.bmas.de/SharedDocs/Downloads/DE/Publikationen/Forschungsberichte/fb-584-gewaltschutzstrukturen-fuer-menschen-mit-behinderungen.pdf?__blob=publicationFile&v=4

50 Available (in German) at www.bmas.de/DE/Service/Presse/Meldungen/2024/studie-zur-gewalt-in-einrichtungen-der-behindertenhilfe.html

Right to participate in public life

Implementation of the extensive realignment of integration assistance that was brought about by the Federal Participation Act (*Bundesteilhabegesetz*) continued during the reference period. Under this reform, integration assistance is to be systematically provided on a more people-centred basis in order to enable people with disabilities to lead autonomous lives.

At the end of 2022, the Federal Ministry of Labour and Social Affairs reported to the German Bundestag and Bundesrat on the status and interim findings of the projects accompanying the Federal Participation Act (Bundestag printed paper 20/5150). Some of the advances brought about by the Act have been clearly felt by those entitled to assistance, for example, through the significant improvements in the way income and assets are offset against payments. However, as the reform of the Federal Participation Act had not yet been fully implemented in practice, the report did not yet contain meaningful findings on a number of points. In view of this, the financial-investigation and impact-assessment research projects and the implementation-support project for the Federal Participation Act have been extended until the end of 2024. The results will be published when the projects have concluded.

In addition, regular close dialogue on the state of implementation continues with the *Länder* with a view to identifying difficulties and finding the best possible solutions together.

Under the constitutional principle of universal suffrage, all Germans have the right to vote and stand as candidates in Bundestag, Landtag and local elections (first sentence of Article 38 (1) and second sentence of Article 28 (1) of the Basic

Law). The principle of universal suffrage also applies to European elections (second sentence of section 1 (1) of the European Elections Act (*Europawahlgesetz*)). Neither people with disabilities nor people with diminished criminal responsibility are excluded from the right to vote.

One of the effects of the Reform of Guardianship and Custodianship Law Act of 4 May 2021, the provisions of which entered into force on 1 January 2023, is to comprehensively revise the central norms governing custodianship. The primacy of the wishes of persons under custodianship is now the central benchmark of custodianship law. The new regulations stipulate more clearly that the provisions of Article 12 of the UNCRPD also apply to custodianship law, that legal custodianship primarily ensures support for the affected person in exercising their legal capacity to act through their own autonomous action, and that custodians may only resort to acting as proxies if this is necessary to protect the person under custodianship. People under custodianship are more involved than before in the judicial decision on whether and how to appoint a custodian, in the selection of their specific custodian, and in the oversight of custodians by the custodianship court. With a view to ensuring the uniform quality of professional custodianship, there is now a formal registration procedure for professional custodians. They must demonstrate that they fulfil certain minimum criteria of personal and professional aptitude in order to be registered.

The UNCRPD also applies to people with dementia. They have long-term physical, mental, intellectual or sensory impairments that, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others (second sentence of Article 1

of the UNCRPD). The aim of the German Government's National Dementia Strategy is to improve the situation of people with dementia and their families in all spheres of life – through the development of structures that facilitate their participation in society where they live, support for family caregivers, medical and nursing care, and excellent research. Measures such as fostering

local network structures, projects to open up sports, cultural and educational institutions, and initiatives for far-reaching awareness-raising and stronger professional and volunteering sectors help to improve inclusion for people with dementia. The National Dementia Strategy is therefore an important building block in fulfilling the right to participate in public life

B7 Spotlight: Work to monitor and uphold the human rights of refugees and migrants on the EU's external borders and in the context of cooperative arrangements with non-EU countries

Situation on the EU's external borders

The media and NGOs as well as international organisations and European institutions criticise cases where the treatment of people seeking protection at the EU's external borders is problematic in terms of human rights.

The European Commission has repeatedly pointed out that asylum seekers at the external borders must be received properly and that the principle of non-refoulement must be upheld. In the context of drafting the reform to the Common European Asylum System (CEAS), it proposed the use of independent oversight mechanisms to guarantee

the protection of fundamental rights. Following its entry into force on 11 June 2024, the CEAS package will be applicable from June 2026 and will see the use of a monitoring system for screening and border procedures that will protect the fundamental rights of the people concerned. In Croatia, a national monitoring mechanism in collaboration with the European Commission has been in place since 2021 and is subject to ongoing review.

The German Government's priorities are respect for international and European law and the safeguarding of humanitarian standards.

Reform of the Common European Asylum System (CEAS)

The President of the European Parliament and the President of the Council signed the legislative acts for the reform of the Common European Asylum System (CEAS) on 14 May 2024; they

entered into force on 11 June 2024, triggering a two-year implementation period after which the new rules will apply.

The Asylum Procedure Regulation adopted as part of that reform introduces what is known as the border procedure, under which a decision on an asylum application can be taken at the EU's external borders in certain cases. The aim of these procedures conducted at the EU's external borders is to complete the asylum procedure swiftly and in line with the rule of law and human rights principles for people who have no discernible claim to international protection in the EU. The border procedure explicitly does not apply to unaccompanied minors, unless they pose a security threat.

For people with special reception needs or special procedural needs, the border procedure does not apply or ceases to apply where the necessary support cannot be provided in the context of that procedure. This may be the case, for example, for minors, elderly people, pregnant individuals or people with disabilities. Compelling medical grounds can be another reason for not applying the border procedure.

Agreement on migration and mobility partnerships

In their coalition agreement, the governing parties agreed on far-reaching reforms to initiate a paradigm shift towards reducing irregular migration and strengthening legal migration.

Specifically, the coalition agreement sets out the objective of concluding new, practicable agreements with key countries of origin characterised by a spirit of partnership and respect for human rights standards. The Federal Government Special Commissioner for Migration Agreements, Dr Joachim Stamp, has initiated and supported the conclusion of various migration and mobility partnerships. They include provisions to govern educational and economic migration as well as

In addition to this, the Screening Regulation introduces a new requirement that all third-country nationals or stateless persons arriving in the EU irregularly, regardless of whether they apply for protection, undergo efficient and mandatory screening within a short timeframe of a few days when they arrive via an external border or when they are apprehended in the country. The aim is better identification on arrival in the territory of the member states.

Screening will make it possible to establish more quickly which is the right procedure for each third-country national (standard asylum procedure, border procedure or return procedure). The member states are also required to introduce a vulnerability check to be conducted during the screening. The Screening Regulation contains provisions ensuring that fundamental rights and human rights are upheld.

cooperation on voluntary return. The migration partnerships address particular points specific to each country and reflect the values and interests of both parties. This includes respect for human rights standards, such as the International Labour Organization's general principles and operational guidelines for fair recruitment and the principles of ethical recruitment of the International Organization for Migration.

National developments – asylum-procedure counselling

In accordance with section 12a of the Asylum Act, since January 2023, the German Government has funded asylum-procedure counselling that is independent of the authorities, open-ended, free of charge, individual and voluntary and replaces the counselling formerly provided by the Federal Office for Migration and Refugees. The new provisions also introduced special legal advice for queer and other vulnerable people seeking protection, which is supplied by specialist counselling providers and funded by the Federal Ministry of the Interior and Community (section 12a (2) of the Asylum Act). Asylum-procedure counselling is intended for anyone seeking protection. Partaking of such counselling is voluntary. Asylum-procedure counselling independent of the authorities is intended to ensure that people seeking protection are informed of the purpose, structure and content of the asylum procedure and receive advice and support during the course of that procedure. It is also intended to help identify vulnerable people seeking protection. The Federal Office for Migration and Refugees gives grants to fund bodies providing asylum-procedure counselling. In the 2024 budget year, 25 million euro is earmarked to fund independent asylum-procedure counselling (up from 20 million euro in 2023). The aim is for such counselling to be available in all locations where the Federal Office for Migration and Refugees operates.

Integration of migrants

The long-term integration of people who have immigrated is politically and socially very important. Integration is meant to foster people's equal-opportunity participation in the key aspects of public life. The main instrument of federal integration policy is general and occupational language training within the integrated language programme. Options for accessing integration and occupational language courses have been expanded to encourage language learning from an early stage. At the end of 2022, the Act to Introduce New Residence Opportunities (*Gesetz zur Einführung eines Chancen-Aufenthaltsrechts*) expanded the target audience of integration courses to include all asylum seekers, irrespective of their prospects of staying in the country, and beneficiaries of the new residence opportunities.

Capacity-building in the realm of integration courses has played an important role. As a result of Russia's war of aggression against Ukraine, the number of course participants has risen sharply. In response, various measures have been undertaken to successfully expand capacities. The integration courses have seen record numbers of participants for several years in succession.

By offering nationwide migration advice services, the German Government aims to support minor and adult immigrants with their linguistic, labour-market and social integration. The German Government also funds programmes and measures that promote coexistence free of prejudice and discrimination. These include a federal programme entitled *Gesellschaftlicher Zusammenhalt – Vor Ort. Vernetzt. Verbunden* ("Social cohesion – Local. Integrated. Interconnected") and the federal Integration through Sport programme.

B8 Spotlight: Combating racism and other forms of group-based hostility

Combating racism in all its forms and supporting those affected

Minister of State Reem Alabali-Radovan was appointed as the Federal Government Commissioner for Anti-Racism following a Federal Cabinet decision on 23 February 2022. Her responsibilities include developing new initiatives and measures and promoting insights into structural racism. For example, she submitted a situation report entitled *Racism in Germany*⁵¹ in 2023, funds the development and expansion of community-based counselling in 32 locations across the country, supports survivors' initiatives undertaken by people affected by racist and antisemitic attacks, and has convened a panel of anti-racism experts that is developing a working definition of racism for administrative activities. The project *Kommunale Allianzen und Strategien gegen Rassismus und Hass – gemeinsam Entscheidungsträger:innen stärken (KomMA)* (municipal alliances and strategies against

racism and hate – working together to empower decision-makers) strengthens decision-makers in local government, politics and administrative authorities in dealing with hate and racist hostility by developing anti-racism strategy blueprints and support structures. It also assists the creation of local alliances as well as a national platform for combating hate and racism.

In an interministerial process, the German Government has drawn up a strategy to reinforce democracy and combat extremism, which it adopted by Federal Cabinet decision on 22 May 2024.⁵² It includes a range of strategic objectives and priorities for action to dismantle racism, antisemitism, antigypsyism, Islamophobia and other forms of group-based hostility, such as hostility towards LGBTIQ+ people.

Racial profiling and revision of the Federal Police Act

The Federal Police and the Federal Criminal Police Office are committed at all levels to ensuring that the issues of racism and extremism are and remain present in the minds of all employees on account of their special importance. The government bill adopted by the Federal Cabinet on 20 December 2023 to restructure the

Federal Police Act (*Bundespolizeigesetz*), while maintaining the self-image of the Federal Police in section 1 (1) (respect and freedom from discrimination), provides for the right to demand an inspection receipt documenting any situation-dependent inspection.

51 Racism in Germany (2023): www.integrationsbeauftragte.de/ib-de/medien/publikationen

52 "Together for democracy and against extremism – a German Government strategy for a strong, vigilant democracy and an open, diverse society", available (in German) at www.bmi.bund.de/SharedDocs/downloads/DE/publikationen/themen/ministerium/BMI24021.pdf?__blob=publicationFile&v=4

Parliamentary Commissioner for the Federal Police Authorities

The 2021 coalition agreement also provides for the creation of a Parliamentary Commissioner for the Federal Police Authorities as a point of contact at the German Bundestag with access rights and clearance to inspect records. The Act instituting that office (*Polizeibeauftragengesetz*) entered into force on 5 March 2024. The bill had been introduced from the floor of the German Bundestag. Its enactment fulfilled another important domestic policy plan from the coalition agreement. On 14 March 2024, the German Bundestag elected Uli Grötsch to the new office for a five-year term.

The new office is a federal equivalent to the comparable independent points of contact already in place in some of the *Länder*. From now on, there will be an independent point of contact at the German Bundestag, for both members of the public and police officers, dealing with all matters pertaining to the federal police authorities – which include the Federal Police, the Federal

Criminal Police Office and the Police of the German Bundestag. This reinforces not only people's rights and parliamentary scrutiny, but also overall trust in the police as an institution.

By petitioning the Parliamentary Commissioner, the general public and members of the police can raise possible structural shortcomings and mistakes or possible misconduct in individual cases. The Parliamentary Commissioner can also take action on their own initiative. To investigate petitions, they can make use of a wide range of powers: for example, they can interview people and access files. The Parliamentary Commissioner also has the right to demand access to police stations with or without prior arrangement. At least once a year, they make a report to the German Bundestag, bringing the concerns of the police into the political arena. They may publish additional reports and issue recommendations.

Criminal prosecution

Germany's criminal law also offers various options for prosecuting offences involving content or motives that evidence racism or other forms of contempt for humanity, depending on the circumstance of the particular case. The second sentence of section 46 (2) of the Criminal Code, for instance, explicitly includes "the offender's motives and objectives, in particular including racist, xenophobic, antisemitic or other motives evidencing contempt for humanity" among the circumstances that the court must weigh when fixing a penalty. The German Government is monitoring current developments in this area on an ongoing basis and is assessing whether

legislative action is required. In 2021, for example, antisemitic and other motives were added as an explicit part of the penalty fixing provisions in the second sentence of section 46 (2) of the Criminal Code (Federal Law Gazette I 2021, p. 441). These additions served to clarify and reaffirm the legal situation that was already in force, under which the newly added motives were covered by the wording "other motives evidencing contempt for humanity" and, as such, already had to be taken into consideration as an exacerbating factor when fixing penalties. Nevertheless, they are intended to send a clear message against hate crime and to prompt investigating authorities

to highlight those aspects of such offences at an early stage of their investigations and recognise their potential significance regarding the fixing of penalties. Statistical data on prosecutions relating to hate crime have been gathered in the *Länder* nationwide since the 2019 reporting year, and collated to form federal statistics at

Research into racism

The Federal Anti-Discrimination Agency has commissioned two expert opinions systematically setting out the state of research into discrimination risks in the sphere of police conduct and the justice system. One focus will be on the structural and institutional conditions of discriminatory conduct. In the research project on racism as a threat to social cohesion in the context of selected socio-institutional areas (2021-2024), researchers at the Research Institute for Social Cohesion are investigating questions of everyday racism in institutions. This is part of the package of measures compiled by the Cabinet Committee for the fight against racism and right-wing extremism (measure 15). The Federal Ministry of Education and Research finances research into right-wing extremism and racism via a separate

Civic education

In the context of efforts to deal with extremist and anti-democratic movements, it remains the goal of the Federal Agency for Civic Education to strengthen a resilient public that stands up to racism, right-wing extremism and anti-democratic speech by developing and promoting civic-education formats. The Agency pursues this

the Federal Office of Justice. The purpose of this data gathering is to create a meaningful basis for decisions on measures and instruments intended to combat such phenomena. To date, statistical data has been published for the 2019 and 2020 reporting years.

funding guideline. The projects that receive funding examine, for example, racism within the justice, healthcare and education systems.

The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has funded the National Discrimination and Racism Monitor (NaDiRa) at the German Centre for Integration and Migration Research (DeZIM) since 2020. This has laid the foundations for monitoring discrimination and racism in Germany on a long-term basis. Essential components of the monitoring strategy are surveys of the population as a whole, including (potential) victims of racism. Findings and recommendations for action are published on a regular basis.⁵³

objective with a wide range of cross-media initiatives such as print and online publications, teaching materials, events and study trips, as well as with nationwide support for civil-society stakeholders. It thus funds various measures to strengthen local and regional civil-society structures in the fight against these phenomena.

53 See www.rassismusmonitor.de/en/publications/

The Federal Agency for Civic Education runs the *Demokratie im Netz* (“Democracy online”) programme to boost education in the digital arena on dealing with right-wing extremism and all forms of group-based hostility. In collaboration with the Federal Ministry of the Interior and Community, the agency also runs the federal Cohesion through Participation programme, which supports multi-domain efforts to promote democratic participation and to combat extremism, particularly in rural areas. In its

funding programme *Antirassistische/rassismuskritische politische Bildung stärken!* (“Strengthening anti-racist civic education”), one of the agency’s objectives is to financially support migrants’ grassroots organisations and civic-education providers in analysing specific forms of racism and antisemitism, developing community-oriented strategies for action and methodologies for their anti-racist civic education, and putting these into practice in the long term.

Federal Live Democracy! programme

The federal Live Democracy! programme has been funding civil-society work to advance democracy and oppose all forms of extremism at the local, *Land* and federal levels since 2015. The funding volume for the federal programme has increased and currently stands at 182 million euro (2024). At the local level, the federal programme supports more than 350 local Partnerships for Democracy. At the *Land* level, democracy centres are being funded in each of Germany’s 16 *Länder* to support, among other things, civil-society counselling facilities for people affected by far-right and racist violence or by other forms of group-based hostility. In addition, at the

federal level, funding is provided for a range of competence networks and competence centres (on subjects including antisemitism, Islamophobia, antigypsyism, racism, right-wing extremism and online hate speech). Furthermore, new and innovative approaches are being tested in around 160 pilot projects in the fields of promoting democracy, shaping diversity and preventing extremism. The federal programme is currently in its second funding period, which ends in 2024. An update to the federal programme was put in place at the end of 2023; preparations are under way for its implementation during the third funding period, which begins in 2025.

Anti-Black racism and the UN’s International Decade for People of African Descent

Through the federal Live Democracy! programme, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has funded a centre of excellence concerned with racism against Black people since 2020, which was expanded into a network of excellence in 2021. There are also nine pilot projects being funded at this time that seek to ensure the further development and integration of different approaches to

racism prevention. The second funding period of the federal programme ends in 2024. To help put the UN’s International Decade for People of African Descent (2015-2024) into practice, the German Government committed itself to establishing a coordination office for the implementation of the International Decade. The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth officially established the coordination

office on 25 February 2022 together with the Federal Ministry of the Interior and Community and the Federal Government Commissioner for Integration. The coordination unit for the implementation of the International Decade comprises an office and an advisory board. The advisory board is made up of government representatives from the lead ministries, community representatives from academia and civil society, representatives of anti-discrimination and human rights organisations, and one body representing the *Länder*. In terms of subject matter, the work of the coordination office is guided by the UN's programme

of activities for the Decade entitled "recognition, justice and development". Important perspectives, challenges and recommendations pertaining to the life of Black people, Africans and people of African descent in Germany are discussed both at regular meetings of the advisory board and in the form of specialist discussions and expert opinions. The topics addressed include colonialism, economic security, housing, education, health, police conduct, representation and participation, as well as the realities of everyday life in various regions of Germany.

Combating antisemitism

As part of a preventive approach to tackling antisemitism, the Federal Ministry of the Interior and Community, led by the Federal Government Commissioner for Jewish Life in Germany and the Fight against Antisemitism, has developed a comprehensive package of measures in the form of the National Strategy against Antisemitism and for Jewish Life, which was adopted in November 2022.

From among the multitude of measures that have already been undertaken, four areas are given here as examples:

1. We are building integrated structures to fight antisemitism in the *Länder*. As part of this, an office for the Joint Federal and State Commission of antisemitism commissioners started work in August 2023, attached to the Federal Government Commissioner for Jewish Life in Germany and the Fight against Antisemitism.
2. We are engaged in the long term in combating online hatred and hate speech, in particular by systematically implementing the

Right-wing Extremism and Hate Crime Act (*Gesetz zur Bekämpfung des Rechtsextremismus und der Hasskriminalität*).

3. Within the framework of the German Islam Conference, there has, once again, been increased discussion about dealing with antisemitism in Muslim communities and the discourse around approaches to prevention. A boost to project funding in this field is currently being implemented.
4. The Jewish cultural fund established in March 2024 has created scope to fund projects in the field of contemporary Jewish culture, particularly for those on a smaller scale and/or in areas where access to Jewish culture is otherwise limited.

As part of the federal Live Democracy! programme, a specialised Competence Network on Antisemitism (KOMPAS) made up of experienced players in antisemitism prevention has been funded since the beginning of 2020. In addition, the Federal Ministry of Education and Research has

had a separate funding guideline for antisemitism research since 2021.

At the initiative of the Standing Conference of the Ministers of Education and Cultural Affairs of the *Länder*, a joint working group on antisemitism has been set up to flank the implementation

of its joint recommendation on dealing with antisemitism in schools and the joint declaration on teaching Jewish history, religion and culture in schools that the Standing Conference issued in conjunction with the Central Council of Jews in Germany.

Combating Islamophobia and anti-Muslim racism

Hostility towards Islam and Muslims is a challenge to society as a whole and one that all parts of society must tackle jointly and resolutely. The *Unabhängiger Expertenkreis Muslimfeindlichkeit*, an independent panel of experts on Islamophobia established by the German Government in 2020, examined the current and evolving manifestations of Islamophobia before presenting a report with recommendations for action in the summer of 2023. Under the aegis of the German Islam Conference, all the ministries and Federal Government Commissioners addressed by the panel jointly examined its recommendations and conducted a stocktake of the German Government's measures and initiatives to combat Islamophobia.

Through the federal Live Democracy! programme, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth is funding nine pilot projects and a competence network on preventing Islamophobia and anti-Muslim hostility. Anti-Muslim racism is also covered as a distinct phenomenon in the situation report *Racism in Germany* issued by the Anti-Racism Commissioner. Moreover, the Anti-Racism Commissioner is funding a pilot project raising awareness by means of public campaigns against anti-Muslim racism and professionalising the way in which governmental institutions deal with anti-Muslim racism.

Combating antigypsyism and nurturing the life of Sinti and Roma in Germany

Combating and preventing antigypsyism is a key concern of the German Government. In the coalition agreement, the German Government affirms its commitment to responding to the calls and recommendations of the 2021 report of the independent Expert Commission on Antigypsyism. The report gives an extensive depiction of the structural and institutional antigypsyism that Sinti and Roma face in Germany even 75 years after liberation from National Socialism. During the Bundestag debate on

14 December 2023, the calls issued by the Expert Commission on Antigypsyism were acknowledged and supported.

The German Government has instituted the office of Federal Government Commissioner for the Fight against Antigypsyism and for Sinti and Roma Life in Germany to coordinate its measures to combat antigypsyism and serve as a key point of contact for Sinti and Roma in Germany.

The Commissioner considers the call of the Expert Commission on Antigypsyism to create a commission to address the injustices committed against members of the Sinti and Roma peoples in Germany after 1945 to be an important element in combating the ongoing discrimination and exclusion to which members of that minority remain subject in almost all areas of life to this day.

The German Government and the *Länder* have decided to set up a standing Federation-*Länder* commission to fight antigypsyism and protect Sinti and Roma life. The standing commission helps to ensure more effective and well-coordinated policy for the protection and inclusion of Sinti and Roma.

To coordinate the activities involved in implementing the EU Roma Strategic Framework, Germany has set up a National Roma Contact Point for Sinti and Roma at the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth. Germany's national strategic framework Tackling Antigypsyism, Ensuring

Participation is being updated with reference to the recommendations of the Expert Commission on Antigypsyism.

The German Government has funded the independent civil-society Antigypsyism Reporting and Information Centre since 2021. Funding also goes to a competence network on antisemitism as part of the federal Live Democracy! programme. The Standing Conference of the Ministers of Education and Cultural Affairs of the *Länder*, together with the Central Council of German Sinti and Roma and the Alliance for Solidarity with the Sinti and Roma of Europe adopted a joint declaration on 8 December 2022 on the teaching of the history and present situation of Sinti and Roma in schools. In 2023 and 2024, the Federal Anti-Discrimination Agency has funded two community-based research projects on discrimination against Sinti and Roma, and it has initiated a dialogue process (2023-2025) with Sinti and Roma communities and associations to discuss anti-discrimination and equality data gathering for the purposes of raising the profile of and combating antigypsyism.

Combating anti-LGBTIQ+ hostility

The German Government appointed the first ever Federal Government Commissioner for the Acceptance of Sexual and Gender Diversity, also known as the Commissioner for LGBTIQ+ Equality, in January 2022. Sven Lehmann has held this post since then. The Commissioner for LGBTIQ+ Equality coordinates LGBTIQ+ policy proposals arising from the coalition agreement and gets them under way in collaboration with the relevant federal ministers. He serves as a point of contact for associations and organisations and functions as a link between the LGBTIQ+ community and the German Government. His core

responsibilities also include public relations work to raise awareness regarding the rights and concerns of LGBTIQ+ people and nurturing a social climate in which diversity is held in high regard.

The national action plan for the acceptance and protection of sexual and gender diversity, entitled *Aktionsplan "Queer Leben"*, was adopted in the Federal Cabinet in November 2022. It is a milestone in terms of advancing gay, lesbian, bisexual, transgender, intersex and queer people's rights. The objective of the action plan is to

fight discrimination and queerphobia, advance equality, and foster sexual and gender diversity. In pursuing it, the German Government is fulfilling an important intention laid down in the coalition agreement.

The action plan contains a package of measures covering six fields of action: legal recognition, inclusion, safety, health, strengthening advisory and community structures, and the international dimension.

A number of measures from the action plan have already been implemented, such as repealing the Transsexuals Act and passing the Gender Recognition (Self-Determination) Act; adding gender-based and sexual orientation-based motives to the Criminal Code as factors increasing the severity of penalties; abolishing the blood donation ban for men who have sex with men and for trans people; creating a legal basis for nationwide asylum-procedure counselling independent of the authorities, including special legal counselling for LGBTIQ+ and otherwise vulnerable people seeking protection; revising the Federal Office for Migration and Refugees staff regulations regarding asylum; and eliminating the so-called

“discretion” rule (under which LGBTIQ+ individuals could be refused asylum and expected to live in denial of their sexual orientation or gender identity).

Alongside implementation of the measures in the national action plan for the acceptance and protection of sexual and gender diversity, a participatory process has been undertaken that has channelled the perspectives of LGBTIQ+ people, charitable associations, trade unions and other civil-society organisations into the final design of those measures. Over a 15-month period, more than 200 individuals from federal ministries, the *Länder* and civil society took part in 14 working groups that met for over 53 sessions in total. Each of those working groups composed a recommendations document.⁵⁴ The recommendations are issued on behalf of civil society and, by making specific suggestions, support the competent federal ministry in its implementation of the measures from the action plan.

The German Government will submit a report on the implementation of the action plan to the German Bundestag and the Bundesrat at the end of 2024.

54 All the recommendations documents are available (in German) for download here: www.bmfsfj.de/bmfsfj/themen/gleichstellung/queerpolitik-und-geschlechtliche-vielfalt/aktionsplan-queer-leben/beteiligungsprozess-und-empfehlungspapiere-zum-aktionsplan-222198

B9 Rights of older people

Implementing the 2023-2024 Action Plan for Human Rights

In line with its 2023-2024 Action Plan for Human Rights, the German Government has worked to promote the full and effective implementation of the aims of the Madrid International Plan of Action on Ageing (MIPAA) and its Regional Implementation Strategy (RIS). In so doing, it has worked in particular to improve the realisation of older people's human rights. The German Government actively supports the work of the Standing Working Group on Ageing of the UN Economic Commission for Europe (UNECE SWGA), which convenes in Geneva on an annual basis. Germany is represented in the SWGA Bureau and is Vice-Chair of SWGA.

The German Government was also involved in the discussions of the Open Ended Working Group on Ageing (OEWGA) in New York and was an active member of the informal core group. Between the 13th and 14th sessions of the

OEWGA (2023-2024), an intersessional, questionnaire-based procedure was carried out that culminated in OEWGA decision 14/1 of 24 May 2024. In that decision, the OEWGA acknowledges the member states' responses to the questionnaire identifying possible gaps, from their point of view, in the implementation or creation of legislation to protect the human rights of older persons and the best ways to address those gaps. After it was passed, the General Assembly negotiated a draft resolution on the way forward, which was adopted on 13 August 2024. The resolution declares the OEWGA to have completed its mandate and urges relevant United Nations bodies to consider the substance of the May 2024 decision. In the course of the 79th session of the General Assembly, a high-level meeting is to be held to discuss the next steps for protecting the rights of older persons.

Preventing negative stereotypes that lead to ageist discrimination 55

Perceptions of age

The Images of Ageing programme has created a platform for bringing the way ageing is perceived – a topic extensively covered by the Sixth Report on Ageing (2010) – into the wider public discourse. The intention is not only to highlight the effects of specific images of ageing in various spheres of life, but also to make all players in society more aware of the potentially adverse effects of certain images of age.

The Images of Ageing programme therefore underlines the skills and strengths of older people and is developing a new dominant image of ageing, without losing sight of those who need help and support. It is intended to help ensure that senior citizens can dedicate their time unhindered by outdated assumptions. The programme is pursuing this aim through numerous campaigns and initiatives under the motto *Alter neu denken* ("Rethinking age"). In 2022/2023, the *Viel(f)ALT*

photography competition on the diversity of life in old age was held in collaboration with BAGSO, Germany's National Association of Senior Citizens' Organisations. The photographs submitted for it are now being used to create a touring exhibition. At the same time, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth maintains a presence at various fairs to raise public awareness of realistic images of ageing.

People with dementia

The Federal Cabinet adopted the National Dementia Strategy on 1 July 2020. Over 160 measures are to be implemented by 2026 that will make a significant contribution to improving conditions for people with dementia and their family members at all levels of society. The strategy focuses on the inclusion of people with dementia in society, support for them and their families, the ongoing development of medical and nursing care, and support for excellent research into dementia. Many of the over 160 measures have already been implemented. The National Dementia Strategy website provides regular updates on progress.⁵⁶

The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth provides information about dementia on the *Wegweiser Demenz* ("Guide to dementia") service portal. In the forums, those affected and their family members can share views about the various facets of living with dementia. As part of the federal programme Local Alliances for People with Dementia, 117 dementia networks are being funded in order to establish and expand structures that foster inclusion and support for people with dementia and their families. The

networks receive specialist support from a nationwide network office at BAGSO. Run by the federal music association BMCO with funding from the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, the pilot programme *Länger fit durch Musik* ("Staying fit longer through music") supports amateur music ensembles not only in opening their doors to people with dementia, but also in keeping them in the ensembles, with or without family members, giving them a place of constructive collaboration, creativity and well-being and fostering their sense of involvement.

The Federal Ministry of Health funds numerous measures under the National Dementia Strategy, including research projects and pilot schemes. One of these is *Demenz Partner* ("Dementia partners"), a hands-on initiative run by the Alzheimer's society Deutsche Alzheimer Gesellschaft e.V. with funding from the Federal Ministry of Health until the end of 2023. Its aim is to raise awareness of different forms of dementia and the needs of people with dementia and their families.

Support for family caregivers

The Work-life Balance Directive Transposition Act (*Vereinbarkeitsrichtlinienumsetzungsgesetz*), which transposes Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 into national law and entered into force on 24 December 2022, created options within the Caregiver Leave Act (*Pflegezeitgesetz*) and the Family Caregiver Leave Act (*Familienpflegezeitgesetz*), for businesses with fewer than 15 or 25 employees respectively, to release employees from their duties on a voluntary basis, by agreement with their employer. Employers must

⁵⁶ www.nationale-demenzstrategie.de/english

respond to such applications within four weeks. If they turn down an application, they must justify that decision. Under such voluntary agreements, employees remain protected from dismissal during their period of leave, and family caregivers are entitled to an interest-free loan to mitigate the loss of revenue resulting from their caring responsibilities. Given that the employees of small businesses tend to be women, and family caregivers tend to be women, the change also advances economic gender equality.

One of the achievements of the Care Support and Relief Act (*Pflegeunterstützungs- und -entlastungsgesetz*) of 19 June 2023 has been to initiate important improvements in benefits for recipients of care and their family members. To ease the burden on care recipients amid rising costs and to support their family members, the level of the benefits paid under statutory long-term-care insurance will increase in stages as a result of the Act. One focus here is on out-patient care. As a first step, the main long-term-care insurance benefits for the domestic setting (long-term-care allowance, home care) were raised by 5% as of 1 January 2024. Further increases will follow on 1 January 2025 and 1 January 2028, affecting all long-term-care insurance benefits both in domestic settings and in full-time and part-time residential care. Since 1 January 2024, family members have been able to claim care support allowance for up to ten working days for each care recipient per year. Moreover, under the Care Support and Relief Act, the benefits for stand-in care and respite care will be merged on 1 July 2025 into a combined annual allowance for stand-in and respite care. This will mean a total of up to 3539 euro per calendar year for stand-in and respite care in the future, which those entitled to it can use flexibly, as they choose, for either or both types of care.

Preventing and easing loneliness and social isolation and strengthening intergenerational cohesion

The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth is funding around 530 multigenerational centres across the country as part of the 2021-2028 federal programme *Mehrgenerationenhaus. Miteinander – Füreinander* (“Multigenerational centre. With each other – for each other”). The aim of the federal programme is to help create scope for development and fair opportunities for participation for all people living in Germany and thereby bring about the convergence and improvement of living standards across all regions of Germany. Four cross-cutting tasks must be taken into account by all multigenerational centres when implementing the federal programme: intergenerational work, social inclusion, voluntary work and holistic care in the community. Multigenerational centres strengthen people’s participation in society and thus help to prevent involuntary loneliness.

In the course of encounters between generations, people gain understanding for each other and progress is made towards dispelling stereotypical perceptions of age. The multigenerational centres help enable older people with limitations to participate in society and counteract their social isolation.

Loneliness is a social challenge, and several million people of all age groups feel lonely in Germany. Feelings of loneliness were heightened during the COVID-19 pandemic. In June 2022, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth took the lead in developing a German Government strategy to counter loneliness. Containing numerous measures to prevent and ease loneliness, the German Federal Government’s strategy to counter

loneliness was adopted by the Federal Cabinet on 13 December 2023. The strategy encompasses all age groups and all people who may be affected by loneliness as a result of their lifestyles in particular phases of their lives. Its objective is to shine a stronger light on and tackle loneliness.

One element of the strategy are various projects funded by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth that advocate for lonely people's needs. They include measures to combat loneliness in old age, such as the pilot project *Miteinander – Füreinander: Kontakt und Gemeinschaft im Alter* promoting togetherness and community in old age, which is run by Malteser Hilfsdienst e.V., the Health and First Aid Service of the German Association of the Order of Malta. It has been reaching out mainly to senior citizens of a particularly advanced age at around 110 locations since July 2020 and will continue its activities until December 2024.

With a view to enabling older people to lead autonomous and active lives and to protect them from loneliness and isolation, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth also launched the new ESF+ programme *Stärkung der Teilhabe älterer Menschen – gegen Einsamkeit und soziale Isolation* to strengthen the participation of older people and tackle loneliness and social isolation. The ESF+ programme will fund socially innovative measures for addressing loneliness in old age from October 2022 to the end of September 2027. The programme is geared towards older employees aged 60 plus. Its objective is to enhance their level of participation in society and stop them suffering from social isolation and loneliness.

The Loneliness Network launched in February 2022 by the Institute for Social Work and Social Education pools knowledge for concrete services and venues to combat loneliness in all age groups. The Loneliness Network raises the profile of existing activities and brings together those working to counteract loneliness.

An overview of support measures in the fight against loneliness, not least for older people, is available on the website of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth.⁵⁷

Ageing at home

The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth provides information on various aspects of living in old age and supports pilot projects implementing innovative and flagship strategies. The new *AGIL* pilot project for age-appropriate, communal and inclusive living started in March 2024. Funding is intended for practical projects that demonstrate how people can manage to lead autonomous lives in old age and remain in their own homes and familiar environments. The construction and investment projects highlight different areas. In addition to promoting digital and technology-assisted living, the focus is on strengthening communities and new forms of living within a community that incorporate care, counselling, participation and welfare components (*Gemeinschaftliches Wohnen plus* – “Shared housing plus”). Community-based forms of housing facilitate care structures independent of the family and can thus support independent living in old age when assistance is needed. The Federal Ministry for Family Affairs, Senior Citizens, Women and

⁵⁷ See (in German) www.bmfsfj.de/bmfsfj/themen/engagement-und-gesellschaft/strategie-gegen-einsamkeit/modellprojekte-gegen-einsamkeit-228616

Youth also supports community living by funding the knowledge-sharing and network-building project *Wissen, Informationen, Netzwerke – WIN für Gemeinschaftliches Wohnen*. This support and information service, run by FORUM Gemeinschaftliches Wohnen e.V., helps project-implementing organisations and initiatives to plan and develop shared housing projects.

Promoting inclusion through education and digital sovereignty

The desire to experience and learn new things is independent of age. Education in later life contributes to social inclusion, well-being and health. In a society of increased life expectancy, it is becoming ever more important. Digital literacy is a particularly vital field of learning. From online banking, to making doctor's appointments online, to enjoying video calls with family – the digital transformation can be enriching and can simplify day-to-day life. The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth aims to open up the opportunities posed by the digital transformation and education to all older people – regardless of gender, educational background, income bracket, place of residence or disability. It therefore supports older people's active involvement in public life through various measures in the fields of education and the digital transformation.

With the Digital Pact for Old Age, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth supports efforts to boost the social inclusion and active involvement of older people in a digitalised world. A total of 300 venues nationwide

are receiving funding until 2025, where volunteers support older people in using digital technology. A growing network of allies are raising awareness of the interests and needs of older people in the digital transformation.⁵⁸ Within the *Digitaler Engel* ("Digital Angel") PLUS project, two mobile teams of advisers help older people across Germany with their questions about smartphones, tablets, etc.⁵⁹ The *KI für ein gutes Altern* ("Ageing well with AI") project teaches older people and senior citizens organisation skills relating to artificial intelligence.⁶⁰ *Bildung und Lernen im Alter*, a service centre for education and learning in later life, advises education providers on successfully creating programmes for older people.⁶¹

BAGSO Secretariat for International Policy on Ageing

Since 2017, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has funded the BAGSO Secretariat for International Policy on Ageing, which functions as an interface between senior citizens' organisations and international political actors. BAGSO representatives took part in international meetings of EU and UN bodies during the reference period in order to defend the interests of older people. At the UN level, the meetings of the OEWGA in New York and SWGA in Geneva are worthy of mention here. By supporting the Secretariat, the German Government is fulfilling its obligations under both the Second International Plan of Action on Ageing and the EU Council Conclusions of 9 October 2020 as they pertain to cooperation with civil society on policy making for older people in the European and international context.

58 See (in German) www.digitalpakt-alter.de

59 See (in German) www.digitaler-engel.org

60 See (in German) ki-und-alter.de

61 See (in German) www.wissensdurstig.de

C

*Human rights in
German foreign and
development policy*

C1 Human rights in the bilateral and multilateral relations of the Federal Republic of Germany and in the framework of the Common Foreign and Security Policy of the European Union, including the signing and ratification of international agreements

Due not least to its high level of development and of domestic protection of basic rights, the Federal Republic of Germany enjoys a great degree of international credibility; this credibility represents a mandate and an obligation for us. In bilateral relations and within the EU, we advocate in substantial ways for human rights and for human rights policy. In international bodies, especially the UN General Assembly, the UN

Human Rights Council, the OSCE and the Council of Europe, we clearly call out human rights shortcomings and work to redress them. In view of new areas requiring regulation and the associated security challenges, such as climate change and the digital era, we are campaigning to develop the human rights acquis further.

Human rights are not an internal affair of states or part of their *domaine réservé*, nor are they the sole preserve of particular human rights bodies. It often takes international involvement to make human rights objectives achievable.

The following paragraphs outline the main instruments, players and issues that form the framework of German human rights policy.



Federal Minister for Foreign Affairs Annalena Baerbock
at the European Court of Human Rights in Strasbourg
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Instruments

In the context of its bilateral relations, the German Government uses a number of instruments and formats to pursue its human rights aspirations. Foremost among these are the human rights dialogues that are conducted in various forms and formats – bilaterally or through the EU, separately or as an integral part of a general political dialogue – with a previously agreed agenda in each case. The German Government acts either alone or in the framework of the Common Foreign and Security Policy (CFSP) of the EU in conjunction with its EU partners. The EU alone maintains regular human rights dialogues with some 40 non-EU states.

Besides the practical advancement of human rights, the German Government also pursues its human rights policy by addressing the subject critically in bilateral talks with countries in which violations of human rights occur or through various forms of public criticism or condemnation. The latter may, for example, take the form of statements made by the German Government or by the EU. In addition, specific human rights situations may be addressed in multilateral forums such as the UN Human Rights Council or the Third Committee of the UN General Assembly. Stronger action may involve terminating or “freezing” existing cooperative ventures or agreements, for example withdrawing tariff concessions. The firmest response, ultimately, is to impose sanctions. Under its human rights sanctions regime, for example, the EU has listed numerous individuals and entities. The range of human rights policy instruments provides scope to adopt the most fitting and effective approach possible to a given situation.

At the regional and the international level, Germany is committed, within the framework of

its human rights policy and the CFSP, to the active use and continued development of the human rights instruments created by the various international organisations. Regardless of the tier of governance and the forum, mainstreaming a human rights-based approach throughout all policy areas remains a duty and an instrument of German human rights policy. In the international organisations, too, the German Government strives to gain acceptance for a human rights-based approach.

Besides states and groups of states, non-governmental organisations (NGOs) also play a particularly important role in the establishment and implementation of human rights obligations. Germany has long been pressing for the expansion of these indispensable participatory rights of NGOs. Business enterprises operating internationally, through their activities and their responsibility for their employees, are also directly involved in upholding and enforcing human rights standards.

Humanitarian and development policy engagement as a contribution to the realisation of human rights

Along with the relevant provisions of international humanitarian law, the law relating to refugees and the humanitarian resolutions of the UN General Assembly, human rights are one of the cornerstones of international humanitarian assistance. The aim of humanitarian assistance is to protect and preserve the lives and dignity of people affected by crises, conflicts and natural disasters and to ease their suffering. To achieve this, the German Government supports the humanitarian work of the United Nations, the Red Cross and Red Crescent movements and selected NGOs in various crisis contexts; it is by far one of the largest contributors worldwide. In addition, the German Government is resolutely committed to making humanitarian assistance more efficient and effective. It therefore cooperates intensively

with its partners, including in international reform forums such as the Grand Bargain and on successfully operationalising the humanitarian-development-peace nexus. By means of specific aid measures designed to meet the needs of people in distress, humanitarian assistance can make a meaningful contribution to the realisation of human rights.

International and regional human rights agreements also form the framework of Germany's development cooperation. When German state development cooperation measures are conducted in collaboration with partner governments, all involved have a shared duty to respect, protect and advance human rights.

Promoting the rule of law

The rule of law is a necessary and fundamental condition for protecting, respecting, guaranteeing and enforcing human rights and for the stable conditions within a country that go along with this. When the state and its institutions are bound by the law, its citizens are protected against despotism and unequal treatment. Personal and economic activity as well as political participation are thus encouraged. Citizens who know their rights

and freedoms, and can defend these against the power of the state before independent courts regardless of their own status and income, strengthen the social balance and enhance the potential of their state. The German Government's work to promote the rule of law is guided, among other things, by the interministerial strategy for promoting the rule of law in the fields of crisis prevention, conflict resolution and peacebuilding.

Support for mechanisms of international justice

The German Government has a particular interest in supporting mechanisms of international justice, especially the system of criminal jurisdiction with the International Criminal Court (ICC). The task of the ICC is to prosecute the

perpetrators of the most serious crimes that affect the international community as a whole. These include genocide, crimes against humanity, war crimes and the crime of aggression.

Germany is the second-largest contributor to the ICC budget after Japan (2024 contribution: 21.6 million euro = 11.6% of the total budget). Beyond this, the German Government supports the ICC with voluntary contributions to its Trust Fund for Victims and its Trust Fund for Family Visits (approximately 4.5 million euro since 2002) plus, in view of exceptional strains on the court – currently, its investigations regarding the war in Ukraine – an additional voluntary sum of one million euro and the secondment of experts. The German Government is strongly committed to promoting international acceptance of the Rome Statute and the ICC, is lending political support and is an active participant in the current reform debate.

Furthermore, the German Government supports the special criminal courts, tribunals and

successor mechanisms set up by the international community for the investigation of the most serious crimes in the former Yugoslavia, Rwanda, Cambodia, Kosovo, Sierra Leone and the Central African Republic. It provides this support politically, financially, with personnel and by means of judicial and enforcement assistance. Germany seconds various experts to those institutions, and a number of those who have been convicted are serving their custodial sentences in Germany.

The German Government also supports international investigative mechanisms in situations where the jurisdiction of the ICC has not been established, such as in respect of crimes committed in Myanmar, Syria and by ISIS in Iraq. These mechanisms are used to collect and secure evidence and to compile specific files to enable the competent courts to prosecute at a later date.

Human rights and Bundeswehr missions abroad

The Bundeswehr is an indispensable instrument of German foreign and security policy and the guarantor of Germany's deterrence and defence capability. It thereby also serves to protect human rights and fundamental freedoms. Its core mandate is national and collective defence. All tasks assigned to it are subordinate to this mandate. In the context of international crisis management, the Bundeswehr, alongside its partners and embedded in international organisations, also contributes to the maintenance of peace and to prevention, management and rehabilitation with respect to international crises. When it comes to protecting human rights, the United Nations is the primary frame of reference. It also contributes by means of international cooperation to reinforcing the rules-based international order. Further tasks of the Bundeswehr include national crisis preparedness and risk prevention.

Through homeland defence, disaster relief, rescuing and returning individuals to other countries or collaborating on the liberation of hostages abroad, the Bundeswehr contributes, alongside its core mandate, to the resilience of state and society. In performing its duties, the Bundeswehr complies with the requirements of international law, especially as regards human rights and international humanitarian law.

The Bundeswehr supports UN peacekeeping work with military contributions. Protecting and advancing human rights is an integral feature of the activities of multidimensional UN peacekeeping operations. The Bundeswehr has provided service personnel to UNMISS, the United Nations Mission in South Sudan, since 2011. The mission mandate includes monitoring and investigating violations of human rights. A German

contingent supported MINUSMA, the United Nations Multidimensional Integrated Stabilization Mission in Mali, from 2013 to 2023. In cooperation with local institutions and civil society,

MINUSMA fostered respect for human rights and supported the Malian Government in the pursuit of justice for human rights abuses.

The German Government's Enable & Enhance Initiative

In the framework of the German Government's Enable & Enhance Initiative, for which the Federal Foreign Office and the Federal Ministry of Defence are jointly responsible, the competent ministries help partners to assume responsibility for their own and their region's security by providing advice, training, equipment and infrastructure. This also involves instilling principles of the rule of law, observance and protection of human rights, and compliance with international humanitarian law, as exemplified by Germany's

funding for the support that the United Nations Institute for Training and Research (UNITAR) provides to African peacekeeping training centres. The use and retention or return of items provided as part of the Enable & Enhance Initiative are normally the subject of an end-use certificate, which refers, for example, to the applicable provisions of international law and, in particular, to those of international humanitarian law, human rights instruments and refugee law.

Displacement and migration

In recent years, international and internal displacement have been rising sharply and continuously around the world. At the end of 2023, more than 117 million people had been forcibly displaced. Around 75% of them are living in geographical proximity to the places of origin, in low to middle-income countries, many of them in fragile situations. At the same time, periods of displacement are getting longer and longer.

Within the European Union, the German Government advocates for a comprehensive and human rights-based approach in cooperation with non-EU countries on displacement and migration. The components of this approach are enshrined in the Asylum and Migration Management Regulation; they include promoting legal pathways, supporting countries and communities hosting migrants and refugees, preventing

irregular migration and combating smuggling and trafficking in human beings, mitigating the root causes and drivers of irregular migration and forced displacement, and pursuing an effective return policy. The EU intends to use roughly 10% of its Neighbourhood, Development and International Cooperation Instrument (NDI-CI) Global Europe (total funding for 2021-2027: approx. 79.5 billion euro) to support migration management and to combat the causes of irregular migration.

Just under half of all international migrants are women (48.1%). Not only irregular migrants but also children, people with disabilities and members of minorities are particularly vulnerable to violence and unlawful treatment in the context of displacement and migration. To reduce the risks of human rights violations during

displacement and migration, there is a need for close international cooperation between countries of destination, such as Germany, and countries of origin and transit.

People who have been displaced or are going through migration processes are subject to many hazards that put them in an especially vulnerable position vis-à-vis other sections of the population. Besides physical dangers (injuries, violence, etc.), they often have no access to basic services and local labour markets. They lack savings and have lost their family and neighbourhood networks, with the result that they often find themselves in extremely precarious circumstances. Furthermore, refugees, forcibly displaced people and migrants are often exposed to xenophobia and discrimination. This is particularly true of women and girls, who, especially when fleeing their homes, are at heightened risk of gender-based violence and discrimination.

Through its crisis instruments, the German Government makes a significant contribution to preventing and eliminating discrimination in cases of displacement and fragile contexts. Its measures aim to strengthen equal participation in political, economic and social life for all people, irrespective of their sex, gender identity or sexual orientation. By taking gender-transformative approaches, they help break down discriminatory gender roles and increase the autonomy of women and marginalised groups who have been displaced. Particular attention is paid to considering and addressing multiple discrimination.

Displacement

The German Government supports the people fleeing their homes themselves as well as countries and communities of transit and final destination. The goal is to enable refugees and internally displaced people to live in dignity and offer them decent prospects. Its measures comprise assistance with accommodation, access to basic services, education, training and employment opportunities, integration of refugees into host societies, and provision of infrastructure, food, and medical and psychosocial care. In this context, increasing use is being made of digital media for purposes of information, education and networking, such as online higher education programmes for refugees.

At the Global Refugee Forum (GRF) in December 2023 – the largest international forum for the protection of refugees and the implementation of the Global Compact on Refugees – the international community launched a number of strategic, multi-stakeholder and cross-sectoral initiatives as important support measures to promote the international protection of refugees. The German Government also plays an active role in the GRF in light of its special position as a major humanitarian and development donor and one of the top host countries for refugees. Through a range of important voluntary commitments in such areas as climate and displacement, the systematic inclusion of refugee children in education, gender-based violence, mental health and psychosocial support, and social security, the German Government makes a significant contribution that is primarily intended also to support host countries.

Migration

It is consistent with the principle of responsibility-sharing among states to promote safe, orderly and regular migration while minimising the risks of irregular migration.

Development-focused migration policy supports the German Government's skilled immigration policy and fosters safe and regular migration by means of concrete initiatives. Currently established in nine countries, the centres for migration and development support people throughout the migration cycle and raise awareness of the dangers of irregular migration, with a particular focus on women and vulnerable groups. The Making Migration Work for Development programme supports partner countries in making their migration policy sustainable, development focused and gender responsive.

The implementation of the Global Compact for Safe, Orderly and Regular Migration (GCM) is taking place at the global, regional, national and local levels. Germany supports the GCM's capacity-building mechanism through its Migration Multi-Partner Trust Fund (MMPTF). By January 2024, the MMPTF had received approximately 57 million US dollars in funding (cumulative contributions). Germany has contributed almost 20 million US dollars, making it the fund's leading donor (ahead of the United States; there are 22 donors in total). Germany's rotating position on the Steering Committee ended in June 2022. Regional reviews of the GCM's implementation take place every four years. For Europe/the UN-ECE region, the latest regional review took place in March 2024, with Germany's participation. The findings of the regional reviews form the basis of the International Migration Review Forum, which is next planned for 2026.

The aim is to intensify cooperation with important countries of origin, transit countries and host countries through balanced, tailored, flexible and mutually beneficial partnerships. Under the leadership of its Special Commissioner for Migration Agreements, Dr Joachim Stamp, the German Government is drawing up new, practicable agreements with key countries of origin characterised by a spirit of partnership, respect for human rights standards and a holistic approach. These agreements are to encompass overall concepts such as the expansion of economic cooperation, technology transfer, visa facilitations, qualification schemes for the German labour market, job portals and cooperation on the return of rejected asylum seekers. The first important partnerships have already been established by means of an agreement with Georgia in December 2023, the institution of working structures with Morocco in January 2024, and agreements with Kenya and Uzbekistan in September 2024.



Event on feminist foreign policy on the margins of the UN General Assembly in New York © Thomas Trutschel/AA/photothek.de

C2 The human rights-based approach in feminist foreign policy and the feminist development policy of the Federal Ministry for Economic Cooperation and Development. Spotlight: Gender justice and equality for girls, women and marginalised groups; implementation and impact of the Guidelines for Shaping Feminist Foreign Policy

The German Government has committed itself to strengthening the rights, resources and representation of women and girls around the world in line with its feminist foreign policy, which is an integral component and common thread of Germany's foreign policy. In concrete terms, feminist foreign policy is put into practice both in the devising of Germany's foreign policy

and internally in the institutional structure of its ministries.

The Federal Ministry for Economic Cooperation and Development has been pursuing a feminist development policy since 2022.⁶² One objective of feminist foreign and development policy is gender equality around the world. Another

62 www.bmz.de/resource/blob/153806/bmz-strategy-feminist-development-policy.pdf

focus is on protecting marginalised groups. This means protecting people facing discrimination and marginalisation on the basis of their gender identity, origins, religion, disabilities, sexual orientation or other characteristics.

Key fields of action for feminist foreign and development policy are strengthening the rights, representation and resources of women and marginalised groups worldwide. Although 189 states have now signed the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the legal framework for the protection or advancement of women is patchy in many countries. Around the world, also in Germany, women and marginalised groups are underrepresented in political, economic and social decision-making processes, which is why the German Government is actively

promoting greater representation of women and marginalised groups in all areas of society. After all, it advocates for women and marginalised groups to have equal access to and control over resources of all kinds. This encompasses access to financial, labour and natural resources, as well as intangible resources such as education and networks.

Gender justice is also a key factor for the International Climate Initiative (ICI). Since 2022, new ICI projects have been designed to prevent and eliminate gender-based discrimination. LGBTIQ+ people are explicitly mentioned in the ICI Gender Action Plan. The intention is to unlock the potential of all involved and thereby contribute to better protection for the climate and biodiversity.

The human rights-based approach in feminist foreign policy

The ten Guidelines for Shaping Feminist Foreign Policy lay the foundations for a values-led feminist foreign policy and set out the aspiration that all Federal Foreign Office plans, initiatives and projects will take into account the different situations and interests of women and marginalised groups. At the same time, the conduct of foreign policy places a particular focus on protecting or supporting women and marginalised groups.

In multilateral bodies, Germany defends the standards that have been achieved for women's rights, sexual and reproductive health and rights, the role of families and LGBTIQ+ rights against the attempts by some states and well-connected interest groups to water them down, and we are advocating for their further development.

The German Government is seeking to advance feminist foreign policy together with the 17 countries of the Feminist Foreign Policy Plus (FFP+) Group at the United Nations in New York. The group adopted a joint Political Declaration on Feminist Approaches to Foreign Policy in 2023, which it spelled out in more detail in a further political declaration in September 2024.

The German Government is strengthening and using the multilateral mechanisms and instruments created to uphold and defend the rights of women and marginalised groups. For example, Germany advocated for establishing a fact-finding mission for the Islamic Republic of Iran following the protests of September 2022, which was mandated by UN Human Rights Council Resolution S35/1 to investigate alleged human

rights violations related to the protests, especially with respect to women and children.

Germany also successfully advocated in the Human Rights Council for the appointment of a UN Special Rapporteur on Afghanistan after the Taliban seized power. The Special Rapporteur monitors the human rights situation in Afghanistan, particularly as it pertains to women and children.

Given that the massive restrictions that the de-facto government in Afghanistan has placed on the rights of women and girls violate Afghanistan's obligations under CEDAW, Germany, together with the Netherlands, Australia and Canada, has decided to draw the de-facto government's attention to the international obligations arising from CEDAW and to take further legal steps depending on the outcome of the initiative. The relevant dispute settlement procedure for the interpretation or application of the convention, which is provided for in Article 29 of CEDAW, began when Afghanistan was formally notified on 25 September 2024. A broad, cross-regional group of states is lending the initiative political support.

In addition, Germany supports investigative authorities and NGOs documenting the sexual violence that took place in the terrorist attack carried out by Hamas in Israel on 7 October 2023. It advocates for access to humanitarian assistance, particularly for women and children, in the Gaza Strip and Lebanon.

A network incorporating partner countries such as Canada, Mexico and Spain promotes joint consular work in accordance with the principles of feminist foreign policy.

Feminist foreign policy makes its impact felt not only abroad, but also on the domestic stage. A

key aspect of the internal structural realignments taking place under the aegis of feminist foreign policy is gender budgeting. Gender budgeting means that financial planning is analysed from a gender perspective and expenditure may be re-allocated for the purposes of advancing gender justice. The aim is to mainstream gender budgeting across all Federal Foreign Office project funding by the end of the legislative term and to extend it in stages to the FFO's entire budget. In a first stage, 5.5 billion euro in funding has come under gender budgeting since spring 2023, 81% of which has been categorised. On the reference date, 21 December 2023, around 69% of the funding was classed as gender sensitive, 2.3% was classed as gender transformative and 28.6% was classed as gender neutral.

Another important measure has been the appointment of the Feminist Foreign Policy Ambassador, who raises the profile of feminist foreign policy abroad, promotes gender mainstreaming and coordinates national and international partnerships.

Alongside this, the Federal Foreign Office is working on successively raising the proportion of women in top positions at Germany's missions abroad. Almost one in three missions abroad are now headed by women, which is double the rate in 2018. Moreover, the Federal Foreign Office is raising awareness among its own staff in the interests of unbiased and appreciative attitudes to diversity and gender justice.

The human rights-based approach in the feminist development policy of the Federal Ministry for Economic Cooperation and Development

The Federal Ministry for Economic Cooperation and Development has been pursuing feminist development policy since 2022, which centres around dismantling discriminatory structures, social norms, gender roles and stereotypes, and power imbalances. This is because systemic change is essential to the pursuit of the 17 Sustainable Development Goals (SDGs) of the 2030 Agenda.

The Ministry has set out the objectives of its feminist development policy in its strategy: Feminist Development Policy – For Just and Strong Societies Worldwide. Its key starting points are the “three Rs”, namely strengthening rights and dismantling discriminatory laws and norms; ensuring equal access to resources; and enhancing the representation of women, girls and marginalised groups, thereby strengthening their means of exercising influence. Feminist development policy takes the human rights-based approach and is based on partnership, participation and a post-colonial, anti-racist understanding of development policy. Cooperation with civil-society organisations, particularly women’s rights, LGBTIQ+ and other human rights organisations, plays a prominent role. These organisations possess essential knowledge of the challenges and opportunities existing at the grassroots level, mobilise community involvement, and work to dismantle power structures and gender roles.

Implementing the human rights-based approach has been mandatory for Germany’s state development cooperation since the Federal Ministry for Economic Cooperation and Development published its first human rights strategy in 2011. This approach determines how the Federal Ministry for Economic Cooperation and

Development and the governmental implementing organisations shape the substance of development cooperation and what objectives are set in collaboration with partner countries. The human rights-based approach thus has a significant bearing on how Germany’s development cooperation operates and is also one of the key instruments of the Federal Ministry for Economic Cooperation and Development’s feminist development policy.

Within that framework, Germany’s state development cooperation is active in three areas:

- Firstly, human rights objectives and principles – such as non-discrimination, participation and accountability – are mainstreamed, that is to say, taken into consideration across all projects and sectors of cooperation.
- Secondly, it implements specific human rights measures to foster, for example, human rights institutions, the rights of marginalised groups, or other key players in the pursuit of human rights.
- Thirdly, the German Government engages in constant dialogue on development policy with the governments of its partner countries and with multilateral partners. Within that dialogue, it builds on shared international obligations to respect, protect and guarantee human rights.

In the context of its human rights-based approach, the Federal Ministry for Economic Cooperation and Development sees individuals not as people in need but as bearers of rights. Development cooperation is intended to help put them

in a position to know, demand and exercise their rights. States and their institutions, on the other hand, are seen as bearers of obligations, and development cooperation is intended to enhance their capacities to uphold human rights. Two further aspects are important with regard to the implementation of the human rights-based approach. For one thing, development policy that seeks to help eliminate discrimination and inequality within a society in the long term must be transformative. For another, there can be intersectionality, where various categories of discrimination – such as gender, age, disabilities, sexual orientation, ethnic origin and/or extreme poverty – reinforce one another. To understand discrimination, it is therefore not enough to look at one categorisation or one group in isolation.

Feminist development policy: Current state and implementation

The Federal Ministry for Economic Cooperation and Development implements its feminist development policy at several levels: at the level of bilateral development cooperation, in collaboration with the international community and in institutional terms within the Ministry itself.

The Federal Ministry for Economic Cooperation and Development is gearing development cooperation more strongly towards advancing gender equality. By 2025, 93% of newly granted project funding is to flow into measures that contribute to equality between the sexes. In 2023, measures pursuing the advancement of gender equality as a secondary or primary objective already accounted for 75.5% of newly granted funding. That was up from 64% in 2021. Alongside this quantitative increase, the Ministry is improving the quality of the feminist aspect of its development cooperation. Together with its partners,

the Ministry is expanding gender-transformative approaches in its projects, seeking to overcome discriminatory gender roles and social norms. In this context, Germany's development cooperation specifically works with men and boys as well as with male decision-makers and local, traditional and religious authorities as important agents of change. At the same time, the Ministry and its partners are, to an increasing extent, incorporating an intersectional perspective into its projects that examines the overlaps and interactions between different characteristics of discrimination.

At the international level, strong allies and feminist coalitions are key to putting feminist development policy into practice. The Federal Ministry for Economic Cooperation and Development strengthens collaboration in and with organisations and international bodies and brings the objectives of feminist development policy to bear, also using its role in the supervisory bodies of multilateral organisations to do so. To expand gender-transformative approaches on a global scale, it supports, for example, the UN Trust Fund to End Violence against Women. Through that trust fund, UN Women supports feminist organisations that promote social change and the eradication of gender-based violence. Together with like-minded partners and in agile alliances with others, the Federal Ministry for Economic Cooperation and Development is firmly opposed to the movement away from gender justice and advocates for LGBTIQ+ people's human rights and the realisation of sexual and reproductive health and rights (SRHR). For example, it supports the work of the United Nations Population Fund (UNFPA) and the International Planned Parenthood Federation (IPPF) in order, among other objectives, to ensure that women, girls and marginalised groups have access to antenatal and postnatal care, contraception and sex education

and to guarantee their right to bodily autonomy. During Germany's Presidency of the G7 in 2022, the G7 made a commitment to combat intersectional discrimination and violence against LGBTIQ+ people. Efforts to fulfil that commitment have included increased cooperation with civil society and human rights defenders.

Another part of feminist development policy is engaging in continuous reflection and adaptation regarding one's own structures, procedures and modes of operation. The Federal Ministry for Economic Cooperation and Development has therefore initiated a continuous learning and reform process within the Ministry itself. It is using new and adapted training concepts to enhance its staff's skills in respect of the key points of feminist, post-colonial and anti-racist development policy. This involves, for example, raising awareness, accumulating applicable and practical knowledge and fostering institutional knowledge. In addition, the Ministry is engaged in a participatory and self-critical process to examine the role of colonial continuities.

To make the implementation of feminist development policy transparent and verifiable, the Ministry published its Third Development Policy Action Plan on Gender Equality at the end of 2023. The action plan defines goals, measures and indicators for the years 2023 to 2027. A supporting study evaluates gender-transformative and intersectional approaches within Germany's development cooperation and identifies what factors are relevant to successful implementation.

In drawing up the strategy and the action plan, the Ministry conducted an intensive dialogue with civil-society organisations, experts from the

Global South and North, and academics, then incorporated the ideas and experience gathered. The implementation of the action plan will be monitored by an international body comprising representatives of civil society from the Global South and North, the academic community and others. A half-time report in 2025 will create space for a reciprocal exchange of views and reflection on the outcomes.

Human Rights Strategy for German Development Policy

Germany's development policy is guided by interests and values. Human rights constitute a key guiding principle. The Federal Ministry for Economic Cooperation and Development has defined certain quality criteria as hallmarks of its development policy. The Human Rights Strategy for German Development Policy⁶³ published in November 2023 replaces the Ministry's previous human rights strategy and underpins the status of human rights, gender equality and disability inclusion as one of these quality criteria. It serves to mainstream this criterion across all areas of state development cooperation. The key mechanism for this is the human rights-based approach. The strategy contains requirements for policy-making as well as for the framing of state development cooperation measures, including an assessment of risks to human rights during the preparation of any project.

The strategy was created in a participatory and transparent process involving governmental implementing organisations, civil society, research institutes and the Youth Advisory Council of the Federal Ministry for Economic Cooperation and

63 www.bmz.de/resource/blob/209208/bmz-menschenrechtskonzept-a4-en.pdf

Development. The paper takes particular account of analysis from academia (especially an evaluation of the Ministry's previous human rights strategy conducted by DEval, the German Institute for Development Evaluation) and civil society regarding the design and implementation of the human rights-based approach taken in development cooperation to date. The key changes include the following:

- ensuring even closer dovetailing with the procedural requirements and the operational level of development cooperation
- placing a stronger focus on supporting the rights of marginalised individuals and groups
- introducing the OECD DAC marker for inclusion and empowerment of persons with disabilities
- drafting an institutional child protection policy for the Federal Ministry for Economic Cooperation and Development and drawing up minimum standards for governmental implementing organisations
- putting in place a systematic monitoring system for the development of the human rights portfolio in development cooperation
- establishing a broad-based and participatory dialogue process to review the human rights complaints mechanisms in state development cooperation
- supporting measures to investigate and address systematic human rights abuses in violent conflicts, as a contribution to processes uncovering the truth and strengthening the development of constitutional democracy and forward-looking human rights-based approaches

Focus on marginalised groups

Human rights and sustainable development are interdependent. Consequently, the overall guiding principle of the 2030 Agenda, “leave no one behind”, also applies to the human rights-based approach in Germany's development cooperation under the new human rights strategy. The goal – likewise in line with the 2030 Agenda – is to provide the greatest support to those suffering particular marginalisation and “to reach the furthest behind first”.

The new Human Rights Strategy for German Development Policy pays special attention to the rights of women, children and adolescents, Indigenous groups, and LGBTIQ+ people. Development cooperation is intended to place a focus on

the intersectionality between different characteristics of discrimination and inequalities. Work to advocate for LGBTIQ+ people's human rights is guided by the Federal Government LGBTI Inclusion Strategy for Foreign Policy and Development Cooperation. The implementation report on the inclusion strategy is planned for 2024.

Alongside this, the Federal Ministry for Economic Cooperation and Development places a particular focus on disabled people's human rights. Around 16% of the global population, more than one billion people, are living with at least one disability. Disability is, as a rule, seen as a social category rather than a medical diagnosis. About 80% of people with disabilities live in countries

where average incomes are low or mid-level. Demographic change and the increase in chronic illnesses as well as violence and environmental disasters are driving a further increase in the percentage of the population who have disabilities. As a result of the interactions between poverty and disability, people with disabilities are at greater risk of poverty.

The German Government is therefore pursuing an inclusive development policy that helps to ensure that the rights of people with disabilities are respected, protected and promoted, thereby contributing to the implementation of Article 32 (International cooperation) of the UN Convention on the Rights of Persons with Disabilities (CRPD). The CRPD defines inclusion as a key element of social development processes and contains binding requirements to make development projects inclusive.

The German Government will underline its responsibility under the CRPD by co-hosting the Global Disability Summit (GDS) in Berlin on 2 and 3 April 2025. The Federal Ministry for Economic Cooperation and Development has taken over management of the GDS process for the German Government, in collaboration with the Kingdom of Jordan and the International Disability Alliance (IDA). Unique in the world, this forum is intended to flank the implementation of the CRPD and, above all, support developing and newly industrialised countries in fulfilling their CRPD obligations. At the international level, the Federal Ministry for Economic Cooperation and Development also assists the UN Partnership on the Rights of Persons with Disabilities (UNPRPD) via the UNPRPD Multi-Partner Trust Fund, not least with the implementation of joint

country programmes. The German Government is, moreover, a member of the Steering Committee of the Global Action on Disability (GLAD) Network.

The Federal Ministry for Economic Cooperation and Development introduced the OECD DAC marker for inclusion and empowerment of persons with disabilities for Germany's development cooperation on 1 January 2024. The marker makes it possible to better gauge the contribution of development cooperation measures to the implementation of the CRPD and consequently to the equal participation of people with disabilities, thereby also contributing to the monitoring of the human rights strategy.

Working to advance LGBTIQ+ rights is also an integral component of the German Government's feminist foreign policy and the development policy conducted by the Federal Ministry for Economic Cooperation and Development. LGBTIQ+ people are affected disproportionately often by poverty, violence and discrimination. They are also denied equal access to education and healthcare as well as to the labour market.⁶⁴ Although the rights of LGBTIQ+ people are subject to international human rights protection, these rights are often violated. As of 2024, consensual sex acts between same-sex partners are criminalised in 61 countries and even carry the death penalty in six countries. At the same time, the increasingly active anti-gender movement seeks, by means of violence and restrictions on the human rights of LGBTIQ+ people, to reverse progress that has been made on equality and diversity. In its national action plan for the acceptance and protection of sexual and gender diversity, *Aktionsplan "Queer Leben"*, the German

64 www.ohchr.org/en/calls-for-input/report-socio-cultural-and-economic-inclusion-lgbt-people

Government has defined specific implementation targets for its international involvement and followed up on them with civil society.

Both the Federal Foreign Office and the Federal Ministry for Economic Cooperation and Development fund measures specifically to strengthen LGBTIQ+ rights and to mainstream LGBTIQ+ people's concerns in governmental and civil-society projects.

Within the framework of bilateral state development cooperation and support for ecclesiastical aid agencies, the Federal Ministry for Economic Cooperation and Development finances relevant projects primarily in Latin America, Asia and Africa. In addition, it funds pilot projects to trial innovative approaches to strengthen LGBTIQ+ human rights in a number of partner countries. Another focus is on improving the availability of data and information about LGBTIQ+ people and addressing their needs and their demands more effectively. The Federal Ministry for Economic Cooperation and Development also supports the LGBTI Inclusion Index of the UN Development Programme (UNDP) to improve the availability of data on LGBTIQ+ people and the inequalities that exist in a number of partner countries.

In 2023, the Federal Foreign Office more than doubled its worldwide funding for LGBTIQ+ NGOs compared to the previous year, providing

around four million euro. Its missions abroad support a wide range of projects, from legal assistance and protective measures for activists to political campaigning and cultural events. In addition, numerous activists under threat have been granted political asylum in Germany or have spent temporary periods of safe residence there. The German Government has, both privately and publicly, raised the subject of both critical and positive situations in particular countries, such as the new anti-LGBTIQ+ legislation in Russia, Uganda and Iraq as well as the decriminalisation of homosexuality in Mauritius and the introduction of same-sex marriage in Thailand. It continued to build on its international leadership role by assuming the chairmanship of the Equal Rights Coalition (ERC) alongside Mexico from 2022 to 2024. The ERC Conference chaired by the Federal Foreign Minister in Berlin in December 2024 is to launch new measures to combat violence and discrimination. Germany has also strengthened its role in the United Nations, not least through its support for the UN Independent Expert on sexual orientation and gender identity and the first Human Rights Council resolution on discrimination against intersex people. With its intervention in the European Commission proceedings against Hungary for that country's anti-LGBTIQ+ legislation, the German Government joined its EU partners in sending a strong message in support of equal rights.



Federal Minister for Foreign Affairs Annalena Baerbock speaking at the 55th session of the UN Human Rights Council in Geneva, 26 February 2024
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C3 Cooperation with the UN (particularly the UN Human Rights Council), NATO, the Council of Europe and the OSCE

United Nations

Germany actively promotes human rights in all of the bodies and organs of the United Nations.

UN Human Rights Council

In the autumn of 2022, the General Assembly re-elected Germany to serve as a member of the UN Human Rights Council for a term of three years (2023-2025). The 167 votes for Germany were an expression of its credibility and the confidence that the international community has in Germany's human rights work. This includes

addressing critical situations in individual countries and human rights issues at the three annual meetings of the Council, each lasting between four and five weeks, and actively contributing to the special and urgent sessions of the Council, such as those on Iran, Ukraine and the Sudan. The German Government used the UN Human Rights Council and its Universal Periodic Review (UPR) to publicly address human rights situations that give cause for concern and to encourage other states to do likewise.

75 years of the Universal Declaration of Human Rights and Germany undergoing the UPR

In 2023, the Universal Declaration of Human Rights turned 75. It provides the foundations of inalienable, indivisible and universal human rights on which all other human rights agreements are built. The UN High Commissioner for Human Rights marked the occasion by holding a High-level Event entitled Human Rights 75 in Geneva on 11 and 12 December 2023, to reaffirm and renew the international community's commitment to human rights. Luise Amtsberg, Federal Government Commissioner for Human Rights Policy and Humanitarian Assistance, attended on behalf of the German Government. At the summit, she underscored Germany's commitment in three areas:

- protecting human rights in Germany, as demonstrated by Germany's UPR hearing on 9 November 2023
- Germany's work to protect human rights around the world as part of its values-based, feminist foreign policy
- Germany's close cooperation with the UN system, particularly with the Office of the High Commissioner for Human Rights

On 9 November 2023, on the principle that human rights begin at home, Germany successfully submitted itself for the fourth time to the UN Human Rights Council's Universal Periodic Review, following previous UPRs in 2009, 2013 and 2018. It thereby fulfilled its aspiration to reflect on and critically examine the review of the human rights situation in Germany, which underpins our credibility in the United Nations.

Some 124 UN member states raised numerous human rights challenges: racism, hate speech and hate crimes, antisemitism, antigypsyism, LGBTIQ+ rights, gender equality, gender-based violence, particularly against women, protecting children's rights, the rights of people with disabilities, dealing with statelessness (particularly in relation to the registration of newborns), climate change and the ratification of international agreements, particularly the UN Migrant Workers Convention. The large turnout and high-level participation in the hearing is evidence of both the recognition and the expectations directed towards Germany in the field of human rights.

The German delegation, led by the Federal Government Commissioner for Human Rights Policy and Humanitarian Assistance, made it very clear, by drawing its membership from across all federal ministries, that protecting and continuing to develop human rights is the responsibility and aim of the entire German Government. The fact that all the ministry representatives actively expressed views underlined that human rights ambition as embraced in practice. The Bundestag Committee on Human Rights and Humanitarian Aid observed the hearing. Together with a delegation of German civil society from the Human Rights Forum (*Forum Menschenrechte*) and the German Institute for Human Rights, civil society and the German Government jointly hosted a side event after the hearing, which allowed them to highlight the close and constructive relationship between civil society and government in Germany. During the process of drafting Germany's periodic report, the Federal Government Commissioner for Human Rights Policy and Humanitarian Assistance, Luise Amtsberg, arranged two dialogue sessions with civil society and ministry representatives to discuss civil-society

perspectives. Also in the follow-up to the hearing, when the German Government was drawing up its acceptance report, it held further dialogue with civil society and the relevant ministries in order to gauge their impressions of the hearing and their assessments regarding the recommendations made.

Special Procedures of the UN Human Rights Council, treaty bodies and national human rights institutions

During the reference period, Germany also underwent periodic reviews on its implementation of the UN Convention on the Rights of Persons with Disabilities, the Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) (see *chapter B 1*) and the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (see *chapter B 4*). Germany also handed in its periodic reports for the International Covenant on Economic, Social and Cultural Rights (ICESCR) (see *chapter B 2*) and the UN Convention against Torture (CAT) (see *chapter B 1*).

In 2023, moreover, the German Government withdrew the reservation it expressed at ratification regarding the Optional Protocol to the International Covenant on Civil and Political Rights, specifically in respect of limitations on the right of individuals to submit applications in matters of discrimination, and acceded to the Optional Protocol to the ICESCR.

Germany advocates across the board for the independence of treaty bodies and special rapporteurs of the Human Rights Council, supports

the involvement of representatives of civil society and NGOs, and promotes the independence of the High Commissioner and the OHCHR. Germany has issued a standing invitation to the mandate holders of the Human Rights Council. In that context, it received visits from the UN Special Rapporteur in the field of cultural rights in autumn 2022 and the UN Special Rapporteur on counter-terrorism and human rights in autumn 2023.

During the reference period, the following independent members of treaty bodies tasked with monitoring the implementation of various human rights agreements came from Germany:

- Marina Langfeldt, member of the Subcommittee on Prevention of Torture (SPT) until the end of 2022; succeeded at the start of 2023 by Dr Martin Zinkler, who was re-elected in October 2024
- Barbara Lochbihler, member of the Committee on Enforced Disappearances (CED), re-elected in June 2023 with the highest vote share of all the candidates
- Michael Windfuhr, member of the Committee on Economic, Social and Cultural Rights (CESCR), re-elected in April 2024 for a third term
- Professor Mehrdad Payandeh, member of the Committee on the Elimination of Racial Discrimination (CERD)

Germany supports the Global Alliance of National Human Rights Institutions (GANHRI) in its aim to enhance the connectivity of national human rights institutions (NHRIs) and to feed their expertise into the relevant human rights-related processes and mechanisms of the UN. In autumn 2023, Germany sponsored the resolution

on national human rights institutions in the UN General Assembly. It was adopted by consensus

and met with widespread support among the member states.



Federal Minister for Foreign Affairs Annalena Baerbock meeting Volker Türk, United Nations High Commissioner for Human Rights, 26 February 2024 © Janine Schmitz/AA/photothek.de

Cooperation with the Office of the High Commissioner for Human Rights

During the reference period, Germany maintained its close cooperation with the Office of the High Commissioner for Human Rights (OHCHR), from top-level political talks to operational discussions at working level. It also succeeded in further expanding support for the OHCHR, in line with the objective laid down in the coalition agreement. Germany's contribution funds work on a large number of topics and country-specific matters, such as ensuring that human rights

violations in, for example, the Russian-occupied areas of Ukraine are investigated and supporting the work of treaty bodies, the special rapporteurs, and the presences of the OHCHR around the world. In addition, Germany funds a number of Junior Professional Officer (JPO) positions in the field of human rights. In September 2024, the German Government nominated Niels Annen as Germany's candidate to succeed Filippo Grandi as UN High Commissioner for Refugees.

UN General Assembly, specifically the Third Committee and the Commission on the Status of Women

Germany also campaigns for human rights in the context of the UN General Assembly.

Germany's engagement in the Third Committee of the 77th and 78th sessions of the General Assembly concentrated mainly on the worrying human rights situations in Iran, Myanmar, North Korea, Syria and Ukraine. Following the start of Russia's war of aggression against Ukraine, Germany pushed in the General Assembly for Russia's membership rights on the Human Rights Council to be suspended. In autumn 2023, Russia failed to secure re-election to the Human Rights Council. The German Government had also campaigned for that outcome.

As a result of the Hamas terrorist attack on Israel on 7 October 2023, the Middle East conflict played a prominent role at the 78th session of the General Assembly, in some cases also influencing voting behaviour and the co-sponsoring of related resolutions.

Together with Spain, we were able in the resolution on the human rights to safe drinking water and sanitation to further develop the text on the right to a clean environment, the protection of aquatic ecosystems and climate action. In the resolution on national human rights institutions, the focus was on combating climate change and how doing so would have positive implications for the achievement of the SDGs. Together with Brazil, Germany once again brought the resolution on the right to privacy in the digital age before the Third Committee of the General Assembly. Germany also supported joint declarations on the human rights situation in China on a regular basis.

In the Third Committee of the General Assembly, Germany also advocated for the abolition of the death penalty. Its commitment to that objective led Germany to host the 8th World Congress Against the Death Penalty in Berlin from 15 to 18 November 2022.

An unwavering commitment to women's rights, not least in the face of growing resistance, is another core element of feminist foreign policy. Alongside resources and representation, rights are one of the three Rs, and thus at the heart of Germany's approach.

In 2022, as Co-Chair of the 66th session of the UN Commission on the Status of Women (CSW), Germany led the negotiations on the Agreed Conclusions document with great success. Here, for the first time, UN member states adopted specific measures to strengthen women's rights and the consistent inclusion of women and girls in tackling climate change. The Agreed Conclusions particularly acknowledge the role of young women as climate activists. They also recognise the negative impacts of climate change on the rights of women and girls worldwide. These include an increase in gender-based violence, a lack of access to sexual and reproductive health services, risks to maternal and neonatal health, the burden of additional domestic and care work, interruptions to (formal) education, the loss of resources with which to make a living, and also the risks associated with climate-induced displacement and migration.

The remit of the United Nations Open-ended Working Group on Ageing (OEWGA) was to examine the existing international framework for the human rights of older persons and identify possible gaps. It was also mandated to propose how these might be addressed, assessing the feasibility of potential instruments and measures.

In spring 2022, Germany became a member of an informal transregional core group that significantly advanced the work of the OEWGA in New York. At the group's initiative, the UN member states adopted a decision at the OEWGA session in spring 2024 spotlighting areas where there may be gaps in implementation and/or legislation regarding the protection of human rights and identifying possible measures to close those gaps. On 13 August, the General Assembly adopted a resolution by consensus that declares the OEWGA to have completed its work, urges relevant United Nations bodies to further consider the OEWGA decision and requests that a high-level meeting be held at the 79th session of the General Assembly to define next steps.

The review and appraisal of the Madrid International Plan of Action on Ageing (MIPAA), the second global action plan on ageing, continues via the Regional Implementation Strategy (RIS), which is the responsibility of the UNECE Standing Working Group on Ageing (SWGGA). In 2022, the fourth review and appraisal cycle for the MIPAA was completed, and the OEWGA assessed the work conducted over the past 20 years. It was decided at the UNECE Ministerial Conference in Rome, titled MIPAA+20 – A Sustainable World for All Ages, to reformulate the RIS to build on the progress of the past 20 years and incorporate new challenges such as those associated with digitalisation. In addition, the SWGGA is intended to handle all other matters relating to older people, such as the WHO Decade of Healthy Ageing, in order to promote a holistic approach within the wider UNECE.

UN Security Council

As co-founder and Co-Chair (with Switzerland) of the Human Rights/Conflict Prevention Caucus, Germany has committed itself to mainstreaming human rights more effectively in the work of the UN Security Council and to emphasising the importance of human rights in conflict prevention and peace and security. In its capacity as a UN member state, Germany has continued to push to strengthen human rights in the Security Council's work, particularly in connection with the Women, Peace and Security (WPS) agenda, the issue of children and armed conflict, and bolstering human rights in regional contexts (North Korea). On 12 June, for example, we were one of 58 co-signatories to a joint statement on the human rights situation in the Democratic People's Republic of Korea that was released to the press prior to the Security Council meeting on the subject.

UN Secretary-General António Guterres launched the Action for Peacekeeping (A4P) reform initiative in pursuit of the same goal back in 2018. The UN Secretariat runs an excellence initiative to promote the implementation of A4P. As an A4P Champion, Germany is particularly active in the fields of politics, peacebuilding and sustaining peace, training and capacity-building, and women, peace and security.

Women, peace and security

Studies have shown that societies are more peaceful and stable when women participate fully and gender justice is fostered. Peace agreements that women have played a significant role in negotiating are more successful and robust. The equal participation of women and marginalised groups as well as the inclusiveness of peace and

reconstruction processes, a critical examination of the past and post-conflict rehabilitation are indispensable to lasting peace. Not least for that reason, one of the priorities of Germany's work in international bodies between 2022 and 2024, including the United Nations, has been to continue the process of embedding and implementing the UN's Women, Peace and Security (WPS) agenda. The German Government adopted its third national Action Plan for the Women, Peace and Security Agenda to this end in March 2021. Measures under this national action plan include stepping up WPS-related activities around the world through our missions abroad, involving civil society even more fully in WPS implementation, and launching new funding initiatives. The German Government supports numerous local initiatives empowering women in security contexts – for example, in the Pakistani security sector, in Iraq, and in Ethiopia as it draws up its own national action plan. More than 60 of Germany's missions abroad have WPS officers, who are working to advance the WPS agenda in their regions according to the local context.

The German Government consistently campaigns within the UN for a stronger WPS agenda backed by effective instruments for its realisation. Accordingly, Germany is the largest donor to the Women's Peace and Humanitarian Fund (WPHF) at the UN. The WPHF funds the establishment and networking of women-led civil-society organisations and female mediators and their participation in crisis prevention and peace negotiations. As a member of the Compact on Women, Peace and Security and Humanitarian Action (WPS-HA), Germany acts as a catalyst to promote and harmonise policy action alongside other "champions", international organisations (including UN Women and the OECD) and civil society. Germany is the largest donor to the Peacebuilding Fund, the UN's instrument for

investing in crisis prevention and peacebuilding. As a member of the Peacebuilding Commission, which administers the fund, Germany systematically advocates for the involvement of women in peace talks.

The German Government is working to combat sexual and gender-based violence in armed conflicts. In Ukraine, for example, the German Government supported the work of the team of experts under the UN Secretary-General's Special Representative on Sexual Violence in Conflict as well as projects providing psychosocial and medical care to those affected. The German Government also supported projects making psychosocial support available to female victims of conflict and survivors in rural areas of Nepal and Cameroon, where support structures can be particularly remote.

In the sphere of conflict prevention and stabilisation, Germany implemented projects on four continents that involve women in formal and informal peace processes as mediators, negotiators, technical experts and process observers. Germany is also strongly committed to the equal implementation of the WPS agenda both online and offline. At the UN level, Germany is one of the donors behind the Women in International Security and Cyberspace (WiC) Fellowship, a joint initiative of the like-minded partner countries Australia, Canada, the United Kingdom, the Netherlands, New Zealand and the United States. The aim is to foster greater and more active participation by female diplomats from under-represented states in UN discussions on international peacekeeping and security, with a focus on responsible conduct in cyberspace on the part of states. The specific focus here is on the UN's Open-ended Working Group (OEWG) on the security of and in the use of information and communications technologies (ICTs)

2021-2025, which is tasked with examining international cybersecurity and, in particular, the establishment of rules for responsible state conduct in cyberspace.

Germany supports the African Union in developing a network of female mediators within the framework of the African Peace and Security Architecture. The African Women Leaders Network (AWLN), co-founded by Germany, has grown into a vibrant platform for exchange and promoting equality and now has a presence in 30 African countries. The network is a core element of Germany's commitment to implementing the WPS agenda and thus of feminist foreign policy.

The UN Secretary-General launched the Action for Peacekeeping (A4P) reform initiative in 2018. The UN Secretariat runs an excellence initiative to promote the implementation of A4P. In that context, the Federal Ministry of Defence

is engaged, as an A4P Champion, in subject areas including women, peace and security. Various individual projects received funding during the reference period. They included support for the Elsie Initiative to enable more female peacekeepers to participate in UN peace operations. Its purpose is to increase the share of women in uniform in accordance with the UN Uniformed Gender Parity Strategy, which Germany has pledged to implement. Support also went to the Female Military Officers Course. In the context of improving networking among female peacekeepers in UN peace operations, the Federal Ministry of Defence collaborated with the UN Secretariat's Department of Peace Operations to launch the Pilot Network for Uniformed Women Peacekeepers. The aim of the network is to enable female peacekeepers to obtain important information about life on deployment and to communicate with one another across regions.



Memorial ceremony in Kyiv on 21 May 2024 for Ukrainian children killed in the war © Thomas Trutschel/AA/photothek.de

Children and armed conflict

The German Government supports the work of the UN Special Representative of the Secretary-General for Children and Armed Conflict (CAAC). Since the mandate was created 25 years ago, it has, among other things, played a decisive role in freeing tens of thousands of children from armed groups and conflicts. The German Government is active in New York, Brussels, Geneva and in 12 other countries, in intergovernmental groups of friends to protect children against the consequences of armed conflict and against recruitment as child soldiers for deployment in armed conflicts. During the reference period, the German Government supported the Office of the Special Representative of the Secretary-General

for Children and Armed Conflict in creating a set of guidelines for UN personnel in conflict regions to improve humanitarian access to children. The guidelines are to be presented in autumn 2024. Moreover, the German Government provided funding to civil-society organisations that document human rights violations against children in armed conflict and build on that to call for stronger protection for children by means of direct local action, e.g. in Colombia, Nepal and the Palestinian territories. The German Government also works to help children conceived as a result of rape in conflicts and supports, for instance, a project in Nepal helping to ensure that their births are registered.

UN Security Council Group of Friends of Accountability Following the Aggression against Ukraine

As an advocate of accountability for all violations of human and other rights, Germany supports the UN Security Council Group of Friends of Accountability Following the Aggression against Ukraine. The group was founded on 25 March 2022 as an informal interregional forum for like-minded states. In this setting as in others, Germany has condemned Russia's war of aggression against Ukraine on multiple occasions as a flagrant breach of the rules-based international order and the UN Charter and has called for accountability for the war crimes that have been committed. The Group of Friends regularly speaks in the Security Council about the situation in Ukraine, most recently represented by the Minister of Foreign Affairs of the Netherlands, who addressed the subject on 23 February 2024 to mark the second anniversary of Russia's act of aggression. The Group of Friends currently comprises 49 UN member states and the EU (as of March 2024).

UNESCO

UNESCO, the UN Educational, Scientific and Cultural Organization, is the lead body in the UN system for matters concerning the right to education, artistic and academic freedom, freedom of the press, and the safety of journalists, academics and artists. It brings violations of these principles into the public domain by means of press releases from the Director-General, arranges capacity-building measures such as

continuing-development courses for journalists, lawyers and judges, and publishes relevant recommendations for action and global reports. In the context of Russia's illegal war of aggression against Ukraine, UNESCO provides protective equipment for journalists and organises training on working in war zones. Complaints from individuals about violations of human rights within UNESCO's sphere of competence (including the rights to take part in cultural life and to share in scientific advancement alongside the aforementioned rights) are examined in closed sessions of the UNESCO Executive Board Committee on Conventions and Recommendations. Germany was a member of the committee from 2022 to 2024. Other contributions to the defence of human rights cover the UNESCO International Coalition of Inclusive and Sustainable Cities (IC-CAR), education on human rights, civic education, and initiatives to combat antisemitism and promote Holocaust education.

The German Government also cooperates with a range of UN organisations, funds and programmes. One of the aims of this cooperation is to fulfil Germany's human rights obligations both nationally and internationally with the aid of the UN. For this purpose, in addition to making its core contribution to the various UN bodies through the UN budget, the German Government supports the various entities through voluntary and project-related contributions, such as those made to UNICEF and UN Women.⁶⁵

⁶⁵ See the German Government report on cooperation between the Federal Republic of Germany and the UN for 2022-2023 (in German) at www.auswaertiges-amt.de/resource/blob/2644334/2d9de62520053313b90e17d6184d0c03/vn-zweijahresbericht-data.pdf

Council of Europe

The German Government continues to advocate for the effective use and further development of the Council of Europe instruments for protecting human rights, as well as for even closer cooperation between the Council of Europe and other international organisations, especially the EU, the OSCE and the UN. The German Government reports regularly to the Bundestag and the Bundesrat on the activity of the Council of Europe, including its work in the field of human rights. The latest report concerns 2023.

The Council of Europe's work in 2023 was dominated by the Summit of Heads of State and Government held in Reykjavík on 16 and 17 May 2023, which Federal Chancellor Scholz and Minister of State Lührmann attended. Only the fourth to be held in the 75-year history of the organisation, the summit – in response to Russia's illegal war of aggression against Ukraine, and in part at Germany's initiative – agreed on new instruments for fulfilling the Council of Europe's mandate, the most important of which included the Register of Damage caused by the Aggression of the Russian Federation against Ukraine. The German Government emphatically supports the EU's accession to the Council of Europe conventions. During the reference period, the EU ratified the Istanbul Convention and continued consultations on accession to the European Convention on Human Rights.

The German Government lends political and financial support to the work of the institutions of the Council of Europe with responsibility for human rights, the rule of law and democracy. Germany is one of the Council of Europe's

four major funders, contributing over 13% of its budget (385 million euro) in 2024. The German Government also provides the Council with voluntary contributions to, for example, improve the enforcement of European Court of Human Rights (ECtHR) judgments, fight discrimination and violence against women, and strengthen democracy and the rule of law.

The Federal Ministry of Justice publishes annual reports on the decisions of the ECtHR in cases against the Federal Republic of Germany, on the enforcement of those judgments, and on the decisions of the Court in cases against other states.⁶⁶ Professor Anja Seibert-Fohr has been the German judge at the ECtHR since January 2020. The German Government advocates strongly for the judgments of the ECtHR to be enforced in full in all member states.

The German Government also regularly briefs the Council of Europe on its implementation of the Revised European Social Charter, which Germany ratified in 2021, and works within the framework of the relevant bodies, particularly the Governance Committee, and high-level conferences to strengthen social rights. Most recently, the German Government was represented by the Federal Ministry of Labour and Social Affairs at the High-Level Conference on the European Social Charter in Vilnius on 4 July 2024.

The German Government supports the European Roma Institute for Arts and Culture (ERIAN), which also receives institutional funding from the Council of Europe. The ERIAN Board includes representatives of the German Government from

66 See (in German) www.bmj.de/DE/themen/menschenrechte/eu_gerichtshof/EGMR_Verfahren/egmr_verfahren_node.html

the Federal Ministry of the Interior and Community and the Federal Foreign Office. The purpose of the Institute is to make Roma culture better

known in Europe and thus to effectively combat negative attitudes towards this minority.

Organization for Security and Co-operation in Europe

The German Government actively pursues its human rights policy also within the framework of the Organization for Security and Co-operation in Europe (OSCE). The human dimension of security, which aims to ensure compliance with democratic and human rights norms within the OSCE area, remains a priority for Germany's efforts. During the reference period, the German Government's focus was on respect for fundamental freedoms, the rule of law, gender justice, freedom of expression and freedom of the media, work to promote tolerance and non-discrimination, and the rights of national minorities.

Along with its EU partners, Germany strove to ensure that all OSCE participating states were meeting their obligations in the human dimension and advancing human rights protections in their own countries and regionally. Germany therefore repeatedly took part in the joint invocation of the Vienna and Moscow Mechanisms by a majority of OSCE participating states. The mechanisms are used to monitor participating states' implementation of their commitments in the OSCE human dimension. During the reference period, three expert reports under the Moscow Mechanism have been published on human rights violations perpetrated in the course of Russia's war of aggression against Ukraine and on human rights violations in Belarus. Under the Vienna Mechanism, participating states addressed questions to Russia and Belarus regarding compliance with relevant OSCE principles in connection with the treatment of political prisoners. In addition, in the Permanent Council of

the OSCE and other forums, the German Government regularly addressed violations of human rights together with its EU partners and called for fundamental freedoms, the principles of the rule of law, and democratic standards to be upheld, in some cases supplementing these joint declarations with national statements.

Germany is the second-largest contributor to the OSCE, funding approximately 11% of its budget. Its annual compulsory contribution was some 15 million euro in 2023, following the removal of the contribution for the OSCE Special Monitoring Mission (SMM) to Ukraine, which had to be closed because Russia blocked its extension. During the reference period, the German Government also supported projects seeking to strengthen human rights and democracy with a total funding volume of around 20 million euro. The projects' aims included strengthening the rule of law and good governance, protecting human rights and fundamental freedoms, supporting civil society, promoting electoral reforms and election observation, strengthening gender justice, and combating gender-based violence. They also advanced the protection of human rights defenders, freedom of the media and expression, the protection of national minorities, and tolerance and non-discrimination.

In addition, Germany assisted the OSCE by sending experts to serve for long periods in OSCE institutions and field missions, 43 being seconded in the reference period in 2022, 50 in 2023 and 44 on 15 July 2024. In addition, the German

Government campaigned vigorously for the retention of the OSCE field missions and the full exercise of their mandates. Germany provided funding, personnel and political support for the activities of the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the High Commissioner on National Minorities, and the Representative on Freedom of the Media, in part to maintain the independence of these three OSCE institutions in the field of human rights.

Alongside this, the German Government lent political and financial support for the organisation of an annual human rights conference arranged by successive OSCE Chairs with the involvement of civil society, as the usual annual Human Dimension Implementation Meeting could not be held because it was still being blocked, primarily by Russia. Together with its partners, Germany also continued to press for unhindered access for NGOs and representatives of civil society to OSCE events.

ODIHR renders a particularly tangible contribution in the sphere of human rights by monitoring adherence to democratic standards through the instrument of election observation. In close cooperation with the Venice Commission of the Council of Europe, ODIHR assists OSCE participating states in improving their electoral laws and election administration. As in the other areas of ODIHR's work, Germany makes extensive voluntary contributions to election-related activities. It agreed to ODIHR's request for the short-term secondment of German election observers, and provided 10-15% of all members of its election observation missions in each case. This was made possible by a pool of specially trained volunteer experts selected and assigned by the Centre for International Peace Operations (ZIF). Through ZIF, the German Government seconded more than 550 German observers to

ODIHR election observation missions during the reference period.

In the OSCE context as elsewhere, combating antisemitism is a constant priority of Germany's human rights policy. Accordingly, the Federal Government Commissioner for the Fight against Antisemitism and the Federal Foreign Office Special Representative for Issues Relating to Antisemitism took part in a conference held by the Chair on the fight against antisemitism in the OSCE region in April 2024. Germany also participated in the work of the OSCE to curtail the spread of hate speech online by taking part in the Meeting of National Contact Points, as well as contributing to the reports published by ODIHR each November entitled Hate Crimes in the OSCE Region: Incidents and Responses. The German Government also helped to fund a project to support the victims of hate crimes.

Furthermore, through declarations and project support, the German Government champions gender justice, human rights and the protection of women.

Germany also worked to fight torture and other cruel, inhuman and degrading treatment or punishment, as well as sexual and gender-based violence, including by providing support for a project to protect those in prison against such violence.

A further priority was to promote projects to strengthen civil society, support human rights defenders and uphold human rights in countries such as Ukraine. Russia's war of aggression in Ukraine prompted the German Government to boost its project support in this field. Since the end of February 2022, for example, it has backed an ODIHR project to document human rights violations.

NATO

During the reference period, the German Government was actively involved in the NATO work strands to reinforce human rights in all operational fields, focusing on human security; women, peace and security; and the climate-security nexus.

Together with like-minded states, the German Government continues to press for the great importance of human security, the Women, Peace and Security (WPS) agenda and the climate-security nexus to be taken into consideration and implemented as a cross-cutting task throughout NATO's remit, as also enshrined in the NATO Strategic Concept.

The adoption of its Human Security Approach and Guiding Principles in 2022, which Germany actively pushed for, further highlights the significance of this field as a cross-cutting task for NATO.

The NATO Policy on Women, Peace and Security was updated in spring 2024 and endorsed by the NATO Foreign Ministers in April 2024. The German Government supports NATO's commitment

to promoting gender equality and to integrating gender perspectives into all NATO activities, in political, civil and military structures ranging from policy and planning, through training and development, to missions and operations.

Women nonetheless remain underrepresented within NATO, especially in leadership positions. The German Government is working within the organisation to reduce this imbalance. It attaches particular importance to implementing UN Security Council Resolution 1325. In its Strategic Concept, NATO undertakes to continue advancing gender equality.

To strengthen expertise at NATO Headquarters, Germany seconds an expert to the staff of the Special Representative for Women, Peace and Security. In addition, Germany is seeking to fill a WPS position in Tunisia within the framework of NATO's defence capacity building. The same applies to two other positions in the field of climate and security – one for the new NATO Climate Change and Security Centre of Excellence and one for NATO Mission Iraq.

C4 Civil and political rights worldwide

Germany advocates worldwide for respect for civil and political rights and freedoms.

Together with its EU partners, Germany has been pursuing an active policy against the death penalty for many years, not least in the UN and OSCE frameworks. The EU Guidelines to EU Policy towards third countries on the death penalty define the abolition of the death penalty as a key human rights goal of the Common Foreign and Security Policy (CFSP). Often with EU partners, the German Government makes diplomatic démarches and public statements, either with a view to influencing the general practice of individual states or trying to prevent the death penalty being carried out in specific cases. During the reference period, it made such démarches towards 45 partner governments to canvass support for complete abolition. The Federal Government Commissioner for Human Rights Policy and Humanitarian Assistance, in particular, made numerous statements in individual cases around the world.

At the international level, a further resolution on the death penalty (A/HRC/RES/48/9) was pushed through with German support during the 48th session of the UN Human Rights Council in October 2021. It calls upon states to abolish the death penalty and to respect the rights of individuals who have been sentenced to death. In Universal Periodic Reviews (UPRs), too, Germany recommends the abolition of the death penalty and ratification of the corresponding Second Optional Protocol to the International Covenant on Civil and Political Rights. Since 2017, Germany has been part of the Support Group of the Madrid-based International Commission against the Death Penalty (ICDP).

Moreover, the German Government has supported multiple projects seeking to abolish the death penalty in its efforts to achieve moratoria and the prohibition of capital punishment.

Particularly worth mentioning is the 8th World Congress Against the Death Penalty, which was held in Berlin from 15 to 18 November 2022 under the auspices of the Federal Foreign Minister. The Congress brought together governments and civil-society players from more than 90 countries to launch new initiatives to abolish the death penalty worldwide.

As a state party to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UN Convention against Torture – CAT), to its Optional Protocol (OPCAT) and to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (European Anti-torture Convention), Germany is committed to the aims of those instruments (see also *chapter B 1*). The German Government engages consistently and continuously in the fight against torture and abuse.

In the United Nations, Germany and partners from the EU sponsor a comprehensive anti-torture resolution every year in the General Assembly. These resolutions strongly urge all states to ratify the UN Convention against Torture. In addition, Germany promotes the development of national preventive mechanisms to assist the Subcommittee on Prevention of Torture (SPT) created by OPCAT.

Germany regularly recommends ratification of the Convention against Torture and its Optional Protocol within the framework of the UPR

procedure in the UN Human Rights Council. One country to which it has made the recommendation is Latvia, which acceded to the Optional Protocol during the reference period.

The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), a Council of Europe body established following the adoption of the European Anti-torture Convention, has the task of protecting detained persons from torture. In line with the CPT's country-focused approach, delegations from the CPT pay periodic as well as ad hoc visits to a large number of member states to check on the treatment of these people. The CPT made its seventh regular visit to Germany during the reference period. Its report and the response of the German Government are available on the CPT's website.⁶⁷

During the reference period, the Federal Foreign Office helped to fund anti-torture projects in Rwanda, Kenya, Jordan, Syria, Egypt, Hungary, Moldova, Russia and the Democratic Republic of the Congo, as well as in the OSCE region. Germany is one of the largest supporters of the UN Voluntary Fund for Victims of Torture and the Special Fund of the Optional Protocol to the UN Convention against Torture (OPCAT Special Fund), to which the German Government contributed 560,000 euro in 2020 and 543,000 euro in 2021, with another substantial contribution to these funds in 2022.

Combating racism and all forms of group-based hostility is one of the cornerstones of Germany's foreign policy engagement across the board, including the arts, education, science and research, and especially in our international cooperation.

The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) is the primary weapon in the fight against racism, racial discrimination, xenophobia and related intolerance. Since 2020, Professor Mehrdad Payandeh has been the independent German expert on the Committee on the Elimination of Racial Discrimination (CERD), the body of independent experts that monitors implementation of the convention (see also *chapter B 1*).

Within the United Nations, we actively support the fight against racism in a variety of ways. For example, Germany initiated an Anti-Racism Roundtable in New York in 2021. In March 2022, Germany used its Human Rights Council resolution on the right to adequate housing to address the issues of racism and institutional discrimination in particular.

In the OSCE, Germany supports the Personal Representatives of the OSCE Chairperson-in-Office tasked with addressing tolerance issues, namely the Personal Representative on Combating Anti-Semitism, the Personal Representative on Combating Intolerance and Discrimination against Muslims, and the Personal Representative on Combating Racism, Xenophobia and Discrimination, also Focusing on Intolerance and Discrimination against Christians and Members of Other Religions. Germany also provides funding for OSCE projects to improve tolerance, advance non-discrimination, and support victims of hate crimes. The latter endeavour is further supported by an expert from the Federal Ministry of Justice. Germany was also involved in the work of the OSCE to curtail the spread of hate speech online by taking part in the Meeting of National Contact Points, as well as contributing

67 www.coe.int/en/web/cpt

to the reports published by ODIHR each November, entitled Hate Crimes in the OSCE Region: Incidents and Responses.

In the Council of Europe, the German Government plays an active part in the No Hate Speech movement, thereby making a significant contribution to the fight against often racially motivated hate crime. It is also helping to develop recommendations for all Council of Europe member states in its capacity as a member of the Committee of Experts on Combating Hate Speech, which convened for the first time in September 2020.

Protection against violence and discrimination on the grounds of sexual orientation and gender identity is an important element of the German Government's human rights policy. It is formalised in the National Action Plan for Human Rights and the LGBTI Inclusion Strategy, which guide our foreign policy and development cooperation. The protection against violence and discrimination that is established in international law by the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) specifically also applies to people whose human rights are violated on account of their sexual orientation or gender identity. As it pursues its feminist foreign policy, Germany is therefore committed to protecting and promoting the rights of LGBTIQ+ people worldwide.

At its 32nd regular session in June 2016, the UN Human Rights Council agreed to appoint an independent expert dedicated to issues of violence and discrimination based on sexual orientation or gender identity. The expert's regular reports have firmly established LGBTIQ+ rights on the Council's agenda. The independent expert's mandate was extended in June 2022. Germany

co-sponsored the resolution in question, which had been initiated by a group of Latin American states, and made démarches to numerous governments to canvass support. In the G7 context, we explicitly emphasised the vital role played by the UN's independent expert.

Furthermore, during the reference period Germany joined Mexico as State Co-Chair of the Equal Rights Coalition. The Coalition is an intergovernmental body of 42 states and more than 100 NGOs dedicated to promoting protection against violence and discrimination on the grounds of sexual orientation and gender identity. In addition, the German Government continues to provide funding to projects upholding the human rights of LGBTIQ+ individuals, backing initiatives in over 25 countries during the reference period. Promoting the rights of LGBTIQ+ people ranks highly also in Germany's development cooperation (see *chapter C 2* on the human rights-based approach in German development policy).

The UN Convention on the Rights of Persons with Disabilities (CRPD) is the international regulatory framework for the German Government's efforts to combat discrimination against people with disabilities. The German Government staunchly advocates for the ratification and implementation of the CRPD both within the European Union and the United Nations and in its bilateral relations. Germany is also involved in the Global Action on Disability (GLAD) Network, a body coordinating bilateral and multilateral donors. It was decided in 2022 that Germany and Jordan will co-host the third Global Disability Summit in 2025. Unique in the world, this forum is intended to flank the implementation of the CRPD and, above all, support developing and newly industrialised countries in fulfilling their CRPD obligations. In addition to its extensive

portfolio of development cooperation work (see *chapter C 2*), during the reference period the German Government also supported projects on the rights of people with disabilities in Russia, Ukraine, Iraq, Tajikistan and North Macedonia.

Protecting and championing freedom of religion or belief is a key component of the German Government's human rights policy. At the international level, this freedom is guaranteed primarily by Article 18 of the International Covenant on Civil and Political Rights (ICCPR). Furthermore, Article 2 (1) of the ICCPR and Article 2 (2) of the ICESCR require states to guarantee the rights enshrined in the respective covenants without distinction of any kind, including on the basis of religion. Religious minorities are also protected by the UN General Assembly's 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. Nevertheless, the right to choose or reject one's religion freely, such as freedom to practise one's own religion or embrace one's own ideology, is severely restricted in parts of the world. The effects of such restrictions are felt in particular by religious, ethnic and ideological minorities, displaced persons, women and LGBTIQ+ people.

Together with its EU partners, the German Government regularly sponsors resolutions on this issue in the UN General Assembly and Human Rights Council, as it did during the reference period, thereby reaffirming its particular priority to unequivocally condemn all forms of religious intolerance. Protection for freedom of religion or belief and for the rights of members of religious minorities is a regular subject of EU Council Conclusions, statements and *démarches* relating to individual cases in non-EU countries.

The argument that continued for years within the UN between the EU and its Western partners

on the one hand and the Islamic countries on the other over the concept of "defamation of religions", which is not compatible with the idea of human rights as individual rights, did not surface with the previous intensity in the reference period, although there are still leanings in that direction. Tensions came to light once again in the 8th Istanbul Process meeting, organised by Pakistan, and meant that the event was not fully able to echo the success of previous meetings. The point of reference here remains the reconciliatory Resolution A/HRC/RES/16/18, which was adopted in the UN Human Rights Council in 2011.

The office of a Federal Government Commissioner for Freedom of Religion or Belief was established in 2018. The Commissioner is based at the Federal Ministry for Economic Cooperation and Development. It is intended that they will report to the German Government on the global situation concerning freedom of religion or belief at two-year intervals, following on from the Federal Government's Second Report on the Global Status of Freedom of Religion and Thought, which was published in 2020. The country section of the Federal Government's Third Report, published in November 2023, contains reports on the situation with regard to freedom of religion or belief in selected countries. The thematic part provides information on two current challenges facing efforts to guarantee worldwide freedom of religion or belief, namely Indigenous peoples and the right to freedom of religion or belief, and the contribution of religions to sustainable development.

Germany works internationally to reinforce human rights both online and offline, because they apply equally to the virtual and real worlds. While digital technologies present new opportunities to connect and collaborate, they also pose risks to realisation of human rights around the

world. Human rights defenders and media professionals are particularly affected by this.

Enforcing the judgments of the European Court of Human Rights is one of the keystones of the system of protections established under the European Convention on Human Rights. When monitoring how member states implement those judgments, Germany, in close coordination with our like-minded partners in the Council of Europe Committee of Ministers, calls on the governments concerned to take the necessary action. Germany has, for many years, supported the work of the ECtHR with voluntary donations and by seconding judicial personnel to the Court.

The enforced disappearance of individuals is an instrument of state repression all over the world. The victims are regularly subjected to other violations of human rights, such as torture, denial of the right to be heard before a court, or serious disruptions of family life and invasions of privacy. The International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED, also known as the UN Enforced Disappearances Convention) establishes, among other things, the obligation to prosecute those responsible for enforced disappearances. It also outlaws secret detention, establishes information rights for relatives and improves the legal position of victims by prescribing reparation and compensation (see also *chapter B 1*).

Protecting human rights defenders has long been a key component of the German Government's human rights policy. The reference period saw a further deterioration in the situation of human rights defenders around the world. The COVID-19 outbreak further exacerbated matters. The scope for activism on the part of civil society has shrunk. One example is the increasingly restrictive legal regulation of the work of NGOs.

The German Government is observing this trend with deep concern and working to address it as described below.

During the reference period, the German Government used the UN Human Rights Council in Geneva as a forum for publicly drawing attention to the plight of human rights defenders in many countries. In Universal Periodic Reviews (UPRs), the German Government made specific recommendations with a view to improving conditions for human rights defenders. It also made public statements criticising the human rights situation in countries such as China, Egypt, Iran and Russia. Moreover, Norway sponsored resolutions in the UN Human Rights Council and the UN General Assembly to protect human rights defenders. The German Government supported these resolutions and strove to ensure that they contained specific and strong wording that takes due account of the needs of human rights defenders.

The Franco-German Prize for Human Rights and the Rule of Law has been awarded since 2016 to bolster the work of human rights defenders in their own countries and make it more widely known throughout the world. Each year, this prize is awarded to up to 15 figures worldwide who have displayed outstanding commitment to protecting human rights and promoting the rule of law in the most diverse areas, such as women's rights, the abolition of the death penalty and LGBTIQ+ rights. Each candidate is proposed jointly by the French and German missions abroad, which then conduct the award ceremony in the host country, thereby reflecting the close cooperation between France and Germany that also extends to the realm of human rights. Added to all this are the services of the shelter programmes, such as the Elisabeth Selbert Initiative, as well as the Federal Foreign Office's public

and, in some cases, undisclosed involvement in individual cases.

In the UN Human Rights Council, in the Third Committee of the UN General Assembly (which is responsible for human rights) and in other international forums such as the OSCE, the German Government champions the protection of human rights defenders and clearly condemns reprisals against them. It supports the mandate and the aims of the UN Special Rapporteur on the situation of human rights defenders, who regularly conducts country visits and draws attention to the difficult situations that human rights defenders face. Mary Lawlor was appointed as the new Special Rapporteur in May 2020.

In the Council of Europe, working to protect human rights defenders and to prevent and eradicate impunity for perpetrators of serious human rights violations remain priorities. The Guidelines for eradicating impunity for serious human rights violations, which were adopted by the Committee of Ministers in 2011, provide one of the foundations for these efforts. The guidelines urge states to fight impunity as a matter of justice for the victims, as a deterrent to fresh violations, and to uphold public trust in the rule of law. The Council of Europe's Steering Committee for Human Rights (CDDH) has tasked a drafting group chaired by Dr Hans-Jörg Behrens from the Federal Ministry of Justice with updating the guidelines. The Council of Europe Commissioner for Human Rights is also deeply committed to these goals.

In numerous countries, Germany's state development cooperation supports the work of human rights defenders and human rights organisations in civil society. This is done primarily in the context of human rights and governance projects.

In the field of non-governmental development cooperation, private and ecclesiastical aid agencies and political foundations support human rights defenders and human rights organisations in civil society worldwide, for example in Colombia, Mexico, Nicaragua, Uganda, India, Bangladesh, Cambodia and the Philippines.

Within the framework of the Civil Peace Service, for example, the Peace Brigades International (PBI) organisation supports and protects human rights defenders in Guatemala, Honduras, Indonesia, Kenya, Colombia, Mexico and Nepal by providing volunteer specialist escorts.

The German Government supports the Resilience Fund set up by the Global Initiative against Transnational Organized Crime to aid human rights defenders in settings characterised by violence and crime. The UN Special Rapporteur on the situation of human rights defenders emphasised the particular risks that they face in conflict and post-conflict situations in her 2020 report to the UN Human Rights Council.

Since April 2022, the Federal Government Commissioner for Culture and the Media has supported the European Fund for Journalism in Exile (JX Fund), which helps media professionals to continue working immediately after fleeing war zones and crisis-torn regions. It bolsters independent media and the establishment of new and durable editorial structures in exile, ensuring that their content continues to reach audiences in their home countries. Since 2019, the Commissioner has also supported the European Centre for Press and Media Freedom (ECPMF) in Leipzig, enabling it, among other things, to pay stipends to media professionals seeking a safe haven under its Journalists-in-Residence programme. It is important to the German Government that financial aid under all support initiatives for

media professionals in exile is organised and distributed independently of the administration. In practical terms, this means that the German Government exercises no influence whatsoever over the selection of the individuals and specific journalistic work that are to be supported. Funding as well as safe residence in Germany for journalists and media professionals at risk in other countries are also provided through the Hannah Arendt Initiative, which the Federal Foreign Office and the Commissioner established in 2022.

The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and International Labour Organization (ILO) Convention No 169 on Indigenous and Tribal Peoples form the standard-setting international legal framework for the German Government's commitment to the rights of Indigenous peoples in its foreign and development policy. A particular focus during the reference period was on the situation of human rights defenders and the need for representatives of Indigenous peoples, and especially

women and children, to have a proper say in all matters affecting them. Historically, Indigenous peoples have faced multiple discrimination and have been disproportionately affected and threatened by the negative impacts of globalisation and both climate change and climate action.

The German Government also supported the Global Initiative to Address and Prevent Criminalization, Violence, and Impunity Against Indigenous Peoples. This campaign was initiated in 2018 on the basis of the report on attacks against and criminalisation of Indigenous human rights defenders and available prevention and protection measures submitted by the Special Rapporteur on the rights of Indigenous Peoples. Its mission is to strengthen Indigenous human rights defenders and draw attention to violations of the collective rights of Indigenous population groups. During the reference period, the German Government supported projects to advance the rights of Indigenous peoples, particularly in Latin America.

C5 Spotlight: The fight against impunity

The German Government dedicates special attention to the fight against impunity for human rights violations and crimes under international law. The focus is on supporting existing international criminal justice and investigative mechanisms and creating new ones. These mechanisms make an important contribution to the prosecution and investigation of human rights violations and crimes against international law and to the pursuit of justice for the victims. In addition, the German Government takes steps to facilitate and advance national proceedings on the basis of the Code of Crimes Against International Law (*Völkerstrafgesetzbuch*) and the principle of universal

jurisdiction it enshrines. The German Government also advocates for the consistent and coordinated use of the EU sanctions regime to protect human rights.

Led by its conviction that the most serious crimes that affect the international community as a whole – genocide, crimes against humanity, war crimes and the crime of aggression – must not go unpunished, the German Government is committed to ensuring that the International Criminal Court (ICC) is as effective, functional, independent and therefore credible as possible. The ICC is an independent and permanent

international criminal court connected to the UN system which has jurisdiction for the most serious crimes that affect the international community as a whole. The German Government supports the ICC with funding and personnel. Germany contributed around 20 million euro in 2023 and around 21.6 million euro in 2024, making it the largest contributor after Japan. Germany also supports the work of the ICC by seconding experts to it. Moreover, the German Government cooperates with the organs of the ICC on the basis of close collaboration and trust. To that end, Germany – as a long-standing state party to the ICC – regularly fulfils its commitment to judicial assistance arising from the Rome Statute and its transposition in the Act on International Cooperation with the International Criminal Court (*Gesetz über die Zusammenarbeit mit dem Internationalen Strafgerichtshof*). This Act offers various possibilities for judicial cooperation, including surrender, transit, enforcement assistance and other types of mutual assistance. The focus for the German Government is on those other types of mutual assistance, such as questioning of witnesses.

Besides the ICC, the German Government also supports special tribunals and investigative mechanisms created ad hoc in response to specific crisis situations.

For example, Germany is the fourth-largest contributor – at 6.1% of the budget – to the International Residual Mechanism for Criminal Tribunals (IRMCT), which performs various residual functions of the former international criminal tribunals for Rwanda and the former Yugoslavia. These include locating fugitive war criminals, conducting pending judicial proceedings, monitoring the enforcement of judgments, and supporting national jurisdictions. Judge Claudia Hoefler has been working at the IRMCT since

21 February 2019. Germany also provides judicial assistance to the Mechanism, with four of the prison sentences handed down by the International Criminal Tribunal for the Former Yugoslavia currently being served in Germany.

Furthermore, Germany cooperates with the Kosovo Specialist Chambers (KSC), which was established to adjudicate on serious crimes, primarily those committed by members of the UÇK, or Kosovo Liberation Army. The KSC has jurisdiction over crimes against humanity, war crimes and other crimes under Kosovar law. It is financed in part from EU funds, and Germany supplies personnel. Three German judges are currently working at the KSC: Thomas Laker, Kai Ambos and Christoph Barthe. Germany has also seconded three other members of staff to the Chambers.

The Special Criminal Court (SCC) in the Central African Republic is a hybrid criminal justice mechanism within the justice system of the Central African Republic. It is tasked with investigating and punishing human rights violations and war crimes perpetrated in the context of the armed conflicts that have taken place there. Germany primarily supports the SCC by supplying personnel; it has seconded the Deputy Chief Registrar since September 2022 and one of the judges of the Pre-trial Chamber since October 2024.

From 2006 until the end of June 2024, Germany provided around 14.55 million US dollars in total to support the Extraordinary Chambers in the Courts of Cambodia (ECCC), or Khmer Rouge Tribunal, meaning it was the sixth-largest contributor and part of the principal donors group. The ECCC's mandate is to prosecute those responsible for the crimes of the Khmer Rouge between 1975 and 1979. On 1 January 2023, having concluded its judicial proceedings, the ECCC

assumed residual functions, tasked in particular with disseminating information and ensuring its ruling is enforced.

The UN Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD) has received 4.7 million euro in funding from Germany since 2019. The UN Security Council created UNITAD on 21 September 2017 to support the Iraqi justice system and other states in collecting, preserving and storing evidence of crimes committed by Da'esh in Iraq. This has in the past made it possible to, for example, expand investigations into crimes committed by Da'esh against Yazidi women and men and support domestic authorities with judicial proceedings. From September 2021 to March 2024, UNITAD was led by Germany's Christian Ritscher. UNITAD's mandate ended on 17 September 2024 since the Iraqi Government declined the option of extending operations beyond that date.

Since 2016, Germany has provided political and financial support to the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM Syria). In August 2023, the German Government signed an agreement on making a voluntary contribution for the Strategic Plan 2023-2025. In the UN General Assembly on 24 April 2024, the German Government emphasised the good working relationship between the Federal Public Prosecutor General and the IIIM Syria and called on the member states to cooperate with the mechanism, too. The IIIM Syria collects, secures and analyses evidence for future criminal proceedings at the national and international level. In 2023, information was supplied to assist with 164 investigations and

23 collections of evidence were made available to the competent jurisdictions. Up to 120 requests for assistance are expected in 2024.

Germany is committed to ensuring that the crimes against international law in Myanmar are investigated. In particular, it supports the work of the International Investigative Mechanism for Myanmar (IIMM), established by the UN Human Rights Council, which documents serious human rights violations and other breaches of international law and collects evidence to hold those responsible to account. Moreover, Germany intervened on 15 November 2023 in the genocide case brought by the Gambia against Myanmar before the International Court of Justice (ICJ). The ICJ declared the intervention admissible on 3 July 2024.

The International Accountability Platform for Belarus (IAPB) is a documentation mechanism that the German Government initiated alongside Denmark, the United Kingdom and international partners in March 2021. This mechanism is intended to facilitate future criminal prosecutions for serious human rights violations in Belarus and receives financial support from Germany.

Since the start of Russia's illegal war of aggression against Ukraine, the German Government has been pushing intensively at the international level for the crimes against international law committed by Russia to be investigated and for those responsible to be prosecuted and punished. From May 2022 to October 2024, Germany provided personnel to reinforce the Atrocity Crimes Advisory Group (ACA) as it cooperates with the Office of the Prosecutor General of Ukraine to document and investigate Russian crimes against international law committed in Ukraine. Germany also supports the civilian EU Advisory Mission (EUAM) Ukraine, which has had an extended

mandate since 2022 to support the Ukrainian authorities in their investigations on international crimes. Germany is currently seconding 14 experts to EUAM Ukraine. Moreover, the International Centre for the Prosecution of the Crime of Aggression against Ukraine (ICPA) began its work on 3 July 2023. The ICPA is embedded in Eurojust, where it supports the activities of the joint investigation team comprising Estonia, Lithuania, Latvia, Poland, Romania and Slovakia, which was set up on 25 March 2022. It is tasked with collecting, analysing and storing evidence to demonstrate the crime of aggression in connection with the war against Ukraine and preserving it for future trials. There are currently lawyers from Ukraine, Estonia, Lithuania, Latvia, Poland and Romania and a Special Prosecutor for the Crime of Aggression from the United States working at the ICPA. The Prosecutor of the ICC also cooperates with the ICPA. Germany is currently seeking to establish close collaboration with the ICPA at the personnel level. The German Government is also prepared to support Ukraine in bringing those responsible for Russia's aggression against Ukraine to justice. It is therefore pushing for the establishment of a hybrid special tribunal that would derive its jurisdiction from Ukrainian law. Its legitimacy would be reinforced by international elements such as an international location, international judges and lawyers, the application of principles of international law, and the broadest possible cross-regional support. In parallel, the German Government is committed to reforming the Rome Statute of the ICC to strengthen and, as far as possible, universalise its jurisdiction regarding the crime of aggression.

Germany also provides judicial assistance for cross-border criminal prosecutions. This assistance encompasses, for instance, extradition and the implementation of search requests. The German Government is working continuously to

improve international cooperation on the prosecution of core crimes under international criminal law. On 14 February 2024, the German Government signed the multilateral Ljubljana-The Hague Convention on International Cooperation in the Investigation and Prosecution of the Crime of Genocide, Crimes against Humanity, War Crimes and other International Crimes.

The German Government is taking concrete steps also at the international level to combat impunity for the perpetrators of crimes against international law.

In June 2024, at the initiative of the Federal Ministry of Justice, the Bundestag passed the Act on the Further Development of International Criminal Law (*Gesetz zur Fortentwicklung des Völkerstrafrechts*), which entered into force in August 2024. The Act responds to the need for revision in connection with war crimes and crimes against humanity, particularly in the area of sexual violence. New offences of sexual slavery, sexual assault and enforced termination of pregnancy were added to the German Code of Crimes Against International Law (*Völkerstrafgesetzbuch*); in addition, the offence of forced pregnancy was expanded to include gender-neutral and age-neutral language. Sexual orientation has now been included as an impermissible ground for persecuting an identifiable group or collectivity by removing or substantially restricting their fundamental human rights. Other new offences include employing weapons the fragments of which escape detection by X-rays and employing laser weapons designed to cause permanent blindness. Finally, the criterion requiring the authorities to have received enquiries about a disappeared person's whereabouts has been removed from the definition of enforced disappearance. Furthermore, section 234b of the German Criminal Code (*Strafgesetzbuch*) now

enshrines enforced disappearance as a separate offence. An additional focus of the Act is on reinforcing victims' rights, specifically by creating the option of private accessory prosecutions for offences under the Code of Crimes Against International Law and making it easier to access psychosocial assistance in connection with a trial. To enhance the public impact of proceedings and judgments in cases of international criminal law, it is now permitted to record proceedings in such cases for posterity and for research purposes; foreign media representatives will be better able to access interpretation services in the courtroom.

Numerous significant proceedings have already been concluded on the basis of the Code of Crimes Against International Law. One example is the *al-Khatib* trial before the Koblenz Higher Regional Court, which drew a great deal of attention as the first time that former representatives of the Syrian Government had been prosecuted for state torture; the verdicts of February 2021 and January 2022 (now final) found against them. Another notable case is that being heard before the Frankfurt Higher Regional Court since January 2022, in which the Syrian former doctor Alaa M. is accused of having tortured, killed and sexually abused people in military hospitals.

Moreover, the German Government intends to continue expanding the capacities available in Germany for proceedings under the Code of Crimes Against International Law. Accordingly, a third international criminal law division was created in the Office of the Public Prosecutor General of the Federal Court of Justice on 1 January 2023 to deal primarily with proceedings relating to international armed conflict in Ukraine. The associated structural investigation has led to an investigation into a number of individuals identified by name who are accused of killing or injuring civilians in Hostomel on 25 February 2022.

Finally, the German Government advocates for the EU sanctions regime for the protection of human rights to be used in close consultation with our international partners.

Germany is working within the EU to ensure that sanctions are adopted with a view to clearly calling out those responsible for serious human rights violations and pushing for changes in behaviour or policy. The EU made regular use of its global human rights sanctions regime with this in mind during the reference period. For instance, it approved sanctions in response to serious human rights violations perpetrated in Russia, most recently in connection with the death of Alexei Navalny, and by the Wagner Group in Africa, to discrimination against women and girls by the Taliban in Afghanistan, and to violence committed by extremist Israeli settlers against Palestinians in the West Bank. The EU also issued a number of sanctions packages in response to sexual violence committed around the world during the reference period. On repeated occasions during the reference period, the EU responded to serious human rights violations in Iran by adopting restrictive measures under the human rights sanctions regime specific to Iran.

For more on the fight against impunity within the framework of the Council of Europe, see *chapter C 4*.

C6 Economic, social and cultural rights

The economic, social and cultural rights enshrined in the ICESCR⁶⁸ are closely related to the 2030 Agenda for Sustainable Development, which the 193 member states of the United Nations agreed in September 2015.⁶⁹ One of the German Government's main objectives during the negotiation process was to enshrine the protection and promotion of human rights in the 2030 Agenda as a permanent aim and to draw attention to the mutual dependence of sustainable development and human rights. Germany's feminist foreign policy reinforces its commitment to the UN's 2030 Agenda and the 17 SDGs it contains.

Many of the SDGs are directly geared towards advancing economic, social and cultural rights. For example, ending poverty in all its forms (SDG 1), ending hunger across the globe (SDG 2) and reducing inequality (SDG 10) are intended to help strengthen economic, social and cultural rights. Several others also relate directly to those rights, such as SDG 3 (good health and well-being) and SDG 4 (quality education).

Promoting economic, social and cultural rights thus remains an important means of reducing poverty and inequality, which is a particular focus of development policy in this legislative term.

It is estimated that there are still up to 712 million people living in extreme poverty and around 1.1 billion in multidimensional poverty, which, alongside insufficient income, comprises a lack of decent work, healthcare, education and social

security. Advancing social security, universal access to basic services, decent employment, political representation for all groups in society and a socially responsible approach to the climate and energy transition are therefore steps that both reduce poverty and inequality and foster economic, social and cultural rights. One example of this is the support for the UN's Global Accelerator for Jobs and Social Protection for Just Transitions via an integrated coordination and financing mechanism in cooperation with the World Bank and the ILO. The aim is to create 400 million decent jobs and give four billion people access to social security, thereby contributing to a direct reduction of poverty and inequality. As there are currently huge gaps in the funding and coverage of social security in many low and middle-income countries, the Federal Ministry for Economic Cooperation and Development is pushing for better coordination and cooperation among international partners at the global and national level to generate efficiency gains and mobilise additional international funding.

At the same time, however, the 2030 Agenda is also the first instrument designed to drive forward a global and national transition to more sustainable lifestyles and business practices in government, business and society with a view to protecting the planet as the basis of life for future generations.

Germany's development cooperation is committed to aligning its measures, objectives and strategies with the human rights-based approach. In the domain of non-governmental

68 International Covenant on Economic, Social and Cultural Rights

69 See also *chapter B2* on economic, social and cultural rights in Germany.

development cooperation, too, the German Government supports NGOs that contribute to improvements in the exercise of economic, social and cultural rights.

Under Brazil's Presidency of the G20, the newly founded Empowerment of Women Working

Right to health

The right to the highest possible standard of physical and mental health, which also encompasses the right to bodily autonomy and to universal non-discriminatory access to medical care of good quality, has not yet been sufficiently realised in many countries.

This is particularly true of sexual and reproductive health and rights. Some 300,000 women and girls are still dying every year because of complications in pregnancy and childbirth. The great majority of these deaths would be completely avoidable with proper access to antenatal and obstetric care. Equally, millions of women and girls in the Global South would like to avoid pregnancy, but are unable to do so, in part because they do not have sufficient access to contraceptives. To help sexual and reproductive health and rights become a reality for more of them, Germany is playing an active role both at the bilateral level and with its multilateral partners, such as the UN Population Fund (UNFPA), the International Planned Parenthood Federation (IPPF) and the Global Financing Facility for

Right to adequate food

To realise the human right to adequate food, the German Government strives to establish that right in international political processes and to

Group, initiated by Germany and others, started work for the first time. Together with Mexico, Germany raised the issue of care work at the G20 and established it both in the relevant ministerial declarations and the G20 Leaders' Declaration from the Rio summit.

Women, Children and Adolescents (GFF). The Federal Ministry for Economic Cooperation and Development's initiative on Rights-based Family Planning and Reproductive Health for All particularly helps women and girls in partner countries to access sexual and reproductive health services, including contraception and obstetric care, and exercise their associated rights.

The right not to be discriminated against, in particular, is often violated in this context, especially in the case of sections of the population that are already marginalised or subject to discrimination. Women and girls, people with diseases such as leprosy, HIV-positive people, people with disabilities, and lesbian, gay, bisexual, transgender and intersex (LGBTIQ+) people are often exposed to considerable stigmatisation and discrimination. Discrimination on the basis of sexual orientation or gender identity is also a major obstacle to access to effective information on HIV and other sexually transmissible infections and to their prevention and treatment.

expedite the creation of conditions conducive to food security and sustainable nutrition.

As the fourth-largest contributor to the Food and Agriculture Organization of the UN (FAO), the German Government cooperates closely with the FAO and the Committee on World Food Security (CFS).

As the lead ministry for FAO matters, the Federal Ministry of Food and Agriculture has supported the FAO since 2002 with resources from the Bilateral Trust Fund to consolidate the role of the FAO as a repository of knowledge and to improve the global food situation. By funding projects, the Ministry helps to support the FAO in the fulfilment of its mandate, to offer technical cooperation and, through policy advice, to promote suitable legal and institutional conditions to advance the realisation of the right to adequate food.

The aim of the projects is to develop innovative strategies to foster sustainable food security and combat hunger and malnutrition, to apply these in pilot countries and to realise the right to adequate food in real-world settings. Work in the multilateral context is also intended to strengthen the international discourse on the necessary transformation of food systems, and to place fulfilling the right to adequate food front and centre as a means of tackling multiple crises.

A further aim of the German Government is to strengthen the role of the CFS. The Federal Ministry of Food and Agriculture therefore provides ongoing political, substantive, staffing and financial support to the CFS. This includes drafting and implementing rights-based instruments relating to global food security. During the reference period, the focus was on drawing up voluntary guidelines and policy recommendations on women's and girls' empowerment, collection and use of data, reducing inequalities and enhanced valorisation of CFS policy products. The CFS policy products are also particularly important in connection with the UN Food Security Summit

(UNFSS) and its follow-up process of stocktaking moments. The German Government attaches great political importance to the UNFSS and its follow-up process as a means of achieving sustainable food systems and driving forward progress on the 2030 Agenda; it contributes to the process both financially and at the level of subject matter. The national dialogue process conducted by the Federal Ministry of Food and Agriculture has been a cornerstone of that endeavour, taking up the baton from the UNFSS and bringing together all food system players. Having taken part in the UNFSS+2 Stocktaking Moment in 2023, Germany will also be an active participant in the UNFSS+4 Stocktaking Moment in 2025.

During the reference period, over and above the Bilateral Cooperation Programme within the ambit of the Federal Ministry of Food and Agriculture, the German Government has continued to work primarily with newly industrialised countries in Europe, Asia, Africa and South America that play a significant role in terms of agricultural policy to promote farming methods that are both sustainable and effective. Developed in close consultation with the respective partner countries, the cooperation projects are intended to advance focus areas for a sustainable agricultural and food sector. These include food security, especially in an age of rapid population growth, and the study and testing of modern practices and techniques for arable and livestock farming with a view to a resource and climate-friendly future. In addition, partner countries receive help to develop and adapt their legal rules, standards and certification processes to gain better access to the international market and international trade in agricultural products. This then cultivates closer trade relations and mutual understanding on matters of agricultural policy.

With the International Research Cooperation for Global Food Security funding programme, the German Government, through its Federal Ministry of Food and Agriculture, supports applied-research projects between German research establishments and those in countries and regions that are seriously affected by hunger and malnutrition (Sub-Saharan Africa, Southern Asia and South-east Asia). There have been three calls for proposals to date – in 2013, 2016 and 2019 – as part of the Food Quality topic cycle, each prioritising different parts of the agricultural value chain. Since 2022, two calls for proposals have been issued under the new Innovative Sustainable Production Systems topic cycle. The most recent call for research proposals was published in summer 2024 on agroecological innovations for territorial markets. The funding package for each call for proposals amounts to some nine million to ten million euro. This instrument supports the development of needs-based findings and solutions with the aid of approaches based on open science and inter and cross-disciplinary applied research. In addition, interregional cooperation and international exchange foster the growth of research networks and establish long-term partnerships. Doctoral candidates from partner countries are also supported by the Federal Ministry of Food and Agriculture. Last but not least, the programme thus contributes to capacity development in those countries.

The right to adequate food guides the work of the Federal Ministry for Economic Cooperation and Development on the transformation of agricultural and food systems, which is one of its core focuses. Through its special initiative on this issue, the Federal Ministry for Economic

Cooperation and Development promotes sustainable and inclusive agricultural and food systems, paying particular attention to marginalised groups. The global Food and Nutrition Security, Enhanced Resilience to Food Crises programme⁷⁰, for instance, helps enable women in particular to provide themselves and their infants with a sufficient and balanced diet at all times. A multi-sectoral approach is taken here: (a) diversifying cultivation and introducing improved cultivation methods for year-round availability of healthy food, (b) providing food education to enhance knowledge of nutrition and hygiene, and (c) improving financial access to food via measures to increase household incomes and temporary social transfer payments.

The aim of the global Responsible Land Policy programme is to improve access to land, which is a major prerequisite for food security and rural development, for women and marginalised groups in particular.⁷¹

The UN World Food Programme (WFP) is the German Government's main multilateral partner in the fight against hunger and in the effort to improve food security worldwide. The German Government plays a proactive role on the WFP Executive Board and was the Programme's second-largest donor during the reference period.

The Federal Foreign Office supports WFP programmes in crisis situations, in the Middle East and Africa, for example, within the framework of its humanitarian assistance. Russia's war of aggression against Ukraine has heightened global food insecurity as well as dragging Ukraine into the spotlight as a new crisis context. The scale of

70 www.giz.de/en/worldwide/32194.html

71 www.giz.de/en/worldwide/138859.html

humanitarian assistance for the WFP has grown in response to this. The WFP programmes supported by the Federal Foreign Office are in the areas of food and nutrition aid and logistics. The paramount aims are to prevent and reduce disease and deaths resulting from hunger and malnutrition and to safeguard the availability of necessities in crisis situations. Support also goes to innovative measures in the field of anticipatory humanitarian assistance.

Through the transitional development assistance it offers, the Federal Ministry for Economic Cooperation and Development supports the WFP's efforts to achieve lasting improvements in food security and access to the necessities of life. This makes people more able to withstand outbreaks of hunger in countries with protracted, complex and recurring crises and conflicts, and in countries with stable conditions but volatile food situations. The thematic focus here is on strengthening resilience by means of multi-sectoral packages of measures with a geographical focus on the Sahel region, Central and East Africa, the Syrian Arc and Yemen. In addition, in line with UN reforms and the humanitarian-development-peace (HDP) nexus approach, the Federal Ministry for Economic Cooperation and Development is increasingly supporting joint UNICEF and WFP resilience programmes in which the UN agencies work towards common goals.

Since 2016, the Federal Ministry for Economic Cooperation and Development, the Federal Foreign Office and the Bavarian State Government have been jointly funding the WFP Innovation Accelerator in Munich, which monitors and supports innovative ideas for combating hunger through to their practical application.

As a result of its focus, the International Fund for Agricultural Development (IFAD), a specialised

UN agency and simultaneously a development bank dedicated to rural development and the empowerment of small-scale farmers, provides special expertise that the projects and programmes of other financial institutions cannot offer. The measures and projects mainly prioritise those sections of the population worst affected by poverty in rural and often remote and fragile regions of developing and newly industrialised countries where IFAD, with its clearly defined target group and specifications, is particularly needed. IFAD's focus means that it actively works to implement the economic and social rights of small-scale farmers and people affected by poverty in developing countries (including via the "leave no one behind" principle). Its replenishment programme agreed among the member states sets various specific targets and indicators. In the present replenishment period (2022-2024 for IFAD), Germany is one of the largest donors to the Fund and also makes a considerable financial contribution to thematic initiatives and programmes. As a member of the Fund's Executive Board, Germany plays an active part in shaping its programme of work.

IFAD also jointly heads the Decent Work For Equitable Food Systems Coalition, which seeks to ensure that small-scale farmers can subsist on their income and that their working conditions are not detrimental to their health and social security. Alongside this, IFAD holds a regular institutionalised dialogue with representatives of Indigenous groups, farmers and women.

The Global Forum for Food and Agriculture (GFFA) is an international conference on matters relating to food and agricultural policy. For 16 years now, it has taken place at the start of International Green Week Berlin. An international gathering of some 2000 visitors from the realms of politics, business, research and civil

society engages in discussion on a key topic. The final day of the conference, the highlight of the GFFA, sees the world's largest informal meeting of agriculture ministers. Some 70 ministers of agriculture from around the world and high-level representatives of more than ten international organisations adopt a joint political communiqué on the key topic that has been the theme of the GFFA in question. Delegations from a total of 153 countries have attended previous GFFAs. Issues addressed by the GFFA in recent years were transforming food systems: a global response to multiple crises (2023) and food systems for our future: joining forces for a zero hunger world (2024).

June 2024 saw the 15th Policies against Hunger conference, organised by the Federal Ministry

of Food and Agriculture and titled Twenty Years of Action: Advancing the Human Right to Food. Marking the 20th anniversary of the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, the participants took stock of the progress made towards implementing the right to adequate food at the national and international levels. Back in 2023, the 14th conference focused on human rights-based approaches to food systems transformation. An irregular series of conferences that have been held since 2001, Policies against Hunger focuses on making the human right to adequate food a reality and is intended to help place hunger and malnutrition at the centre of international discourse on food security.

Rights to water and sanitation

Closely linked to the right to food are the human rights to safe drinking water and sanitation, which are derived, on the basis of General Comment No. 15 of the UN Committee on Economic, Social and Cultural Rights (2002), from the right to an adequate standard of living, enshrined in Article 11 of the ICESCR, and the right to health, enshrined in Article 12 of the ICESCR. In 2015, UN General Assembly Resolution 70/169 recognised what had been the human right to safe drinking water and sanitation as two separate human rights. According to the latest UN-Water Synthesis Report (2023) on the SDG 6⁷² indicators monitored by UN-Water,⁷³ 2.4 billion people live in water-stressed countries, millions of women and girls spend hours every day fetching water,

and 420 million people still practice open defecation. The importance of sanitation in particular is still often underestimated: diseases and subsequent undernourishment resulting from the lack of toilets and hygiene facilities claim the lives of more children than malaria, AIDS and measles put together. Unhygienic conditions pose a particularly serious health risk to girls and women, given the special hygiene needs relating to pregnancy, childbirth and even menstruation. Where gender-appropriate sanitary facilities are lacking, women and girls are exposed to an increased risk of sexual abuse and often have no safe and dignified means of dealing with their menstrual needs. In addition, stigmatisation and a lack of education have far-reaching implications

72 SDG 6: Ensure availability and sustainable management of water and sanitation for all

73 www.unwater.org/publications/sdg-6-synthesis-report-2018-water-and-sanitation

for the exercise of a number of rights and thus prevent girls and women from realising their full potential.

The depletion of global freshwater resources, caused by overuse, pollution, inappropriate water consumption and the impacts of climate change, poses a long-term threat to worldwide drinking water supplies and sanitation. Only sustainable and integrated management of water resources and cooperation between states sharing cross-border river basins and lakes can counteract this trend. Germany's development work therefore particularly advocates for strengthening river and lake basin organisations in the Global South. The German Government is one of the largest contributors within the Team Europe Initiative on Transboundary Water Management in Africa. It thereby contributes to the realisation of the human rights to clean drinking water and sanitation and fosters regional stability, peace and security through greater cooperation on shared water resources between the countries concerned. In the UN General Assembly and Human Rights Council, Germany has traditionally striven jointly with Spain to promote the human rights to safe drinking water and sanitation, and it sponsors resolutions on that subject on a regular basis.

These resolutions continuously develop and strengthen the rights to clean water and sanitation. Affordable access to safe drinking water and sanitation was recently added to the resolution.

Right to housing

The right to adequate housing has traditionally been another priority of the German Government's human rights policy in the realm of economic, social and cultural rights. Although there is no dedicated article in the ICESCR, the right to

During the reference period, Germany continued to provide financial and substantive support for the mandate of the corresponding Special Rapporteur, which was established in 2008. This included events in Geneva and New York as well as associated resolutions. The office has been held since October 2020 by Professor Pedro Arrojo of Spain. In September 2022, the mandate was extended for another three years until 2025. The UN Water Conference was held in New York from 22 to 24 March 2023 as a midterm review of the Decade for Action on water for sustainable development. It was only the second UN conference on the subject of water in almost 50 years. At the conference, Germany lobbied successfully for, among other things, discussion of ways to reinforce UN water governance. The conclusions reached by the conference now contain, for example, the need to appoint a United Nations Special Envoy on Water, the organisation of regular UN Water Conferences and the establishment of a system-wide approach to water, including steps to strengthen UN-Water, an internal coordination mechanism financially supported by Germany. The UN General Assembly adopted a resolution in September 2023 to enable another UN Water Conference to be held in 2026 and provide for the creation of a UN System-wide Strategy for Water and Sanitation (SWS), which was officially presented in July 2024.

housing is enshrined in Article 11 (1) of the covenant as part of the right to an adequate standard of living. The German Government's support for the work of the UN Special Rapporteur on the right to adequate housing includes financial

input and assistance for advocacy projects that advance the right to housing. In addition, as part of its development cooperation, it supports

Environmental rights

The human right to a clean, healthy and sustainable environment was recognised by the UN Human Rights Council for the first time on 5 October 2021 and by the UN General Assembly on 28 July 2022. This sends a strong political message in the fight against anthropogenic climate change and in favour of conserving a healthy and liveable environment. The right to a healthy environment derives from the synthesis of many other human rights and is the basis on which they exist. Specifi-

Work-related rights

Workers' rights and protections in the workplace, especially in newly industrialised and developing countries, remain inadequate. Creating good jobs and decent working conditions therefore continue to be key objectives that are pursued by the German Government's policy initiatives and the Federal Ministry for Economic Cooperation and Development's Agenda for Decent Work Worldwide and Core Area Strategy on Sustainable Economic Development, Training and Employment. One of the global SDGs is to "promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all". Germany's development cooperation is aligned with that goal and supports its partner countries in generating better employment prospects by, for example, providing advice on economic and labour market conditions such as labour laws and standards. Cooperation with the ILO and its initiatives plays a prominent role in this regard.

initiatives and programmes that aim to make the right to adequate housing a reality.

cally, it derives from the right to an adequate standard of living that is enshrined in the ICESCR. The German Government has to date supported and worked intensively on recognition for the right to a healthy environment and was one of the driving forces behind the successful adoption of the resolutions. Discussions are currently under way within the Council of Europe and the German Government on how the right will be further shaped and fleshed out at the normative level.

The ILO, the UN's first specialised agency, develops procedures to establish, review and implement international labour and social standards, particularly in the form of conventions, in partnership with its member states and employers' and workers' representatives. The ILO's primary aims are to promote decent work, social protections, and better social dialogue. The ten most important ILO conventions are referred to as the Core Conventions. They follow five fundamental principles: (1) freedom of association and the right of collective bargaining; (2) the elimination of forced labour; (3) the abolition of child labour; (4) the elimination of discrimination in respect of employment and occupation; and (5) a safe and healthy working environment. The latter was adopted as the fifth fundamental principle in June 2022. During the reference period, Germany ratified Convention No. 190 on violence and harassment in the world of work (June 2023) and Convention No. 184 on safety and health in agriculture (June 2024).

The mission of the ILO's Vision Zero Fund (VZF) is to motivate companies, governments, and employers' and workers' representatives to take shared responsibility for improving health and safety in the export-focused sectors of producing countries affected by poverty, and thus to cut the high number of fatal occupational accidents worldwide. The VZF was inaugurated in 2015 by the G7 heads of state and government, under Germany's G7 Presidency. It was part of an initiative on sustainable global supply chains from the Federal Ministry of Labour and Social Affairs and the Federal Ministry for Economic Cooperation and Development. In the context of Germany's G7 Presidency of 2022, the G7 reaffirmed their commitment to the VZF in their Summit Declaration and in the Communiqué of Ministers of Labour, Employment and Social Affairs and added a component on research into heat stress at work. In addition, the G7 labour ministers pushed for health and safety in the workplace to become part of the ILO's Core Conventions.

In 2017, the German Government joined Alliance 8.7, a global partnership co-initiated by the ILO. Alliance 8.7 is committed to achieving UN SDG Target 8.7 from the 2030 Agenda, to eradicate child labour, forced labour and human trafficking worldwide. Germany has been a Pathfinder Country within the alliance since February 2023, seeking to combat child labour and forced labour more intensively.

Right to education

Realising the right to education empowers individuals to grasp and develop their personal opportunities and to assume social responsibility. According to data from the UNESCO Institute for Statistics (UIS), however, at least 250 million

The national roadmap that Germany has developed in its capacity as a Pathfinder Country includes creating a national action plan for combating labour exploitation and forced labour as a specific and effective means of achieving SDG Target 8.7. The national action plan on labour exploitation and forced labour will be adopted during the current legislative term.

At the European level, the (Revised) European Social Charter is the most important human rights instrument for strengthening social rights. Its aim is the convergence of social standards across all contracting states at the highest possible level. It sets out numerous rights to guarantee fair working conditions and occupational health and safety.

Improved working conditions include the right to social security, which almost half of the world's population are currently denied. The German Government attaches great importance to social security and supports its partner countries in expanding social security systems, using digitalisation to make processes more efficient and inclusive, and strengthening their systems' capacity to adapt in the face of collective risks such as natural disasters. Germany conceives of social security as a cross-sectoral endeavour and extensively strengthens economic, social and cultural rights by drawing connections to climate, health, nutrition, employment, and situations of displacement and crisis.

children and young people of school age did not attend school in 2022. Girls and young women, displaced children and adolescents, and young people with disabilities are particularly affected. People in informal employment are often denied

access to structured initial and continuing vocational training and therefore unable to gain recognised qualifications. In the 2030 Agenda, education is enshrined in SDG 4.⁷⁴ The German Government played an active part in the development of this education goal, which is subdivided into ten targets. Through its membership of the UNESCO SDG4-Education 2030 High-Level Steering Committee, the German Government is committed to achieving this goal at the global level as well as in partner countries. The German Government's commitment to the right to education was also once again given expression during the reference period in the UNESCO Global Education Monitoring Report, in the UNESCO world conferences on education held since 2022 (on higher education, lifelong learning, early childhood care and education, and culture and arts education), and above all in the 2022-2023 review of UNESCO's landmark guiding document on human rights education, its Recommendation on Education for Peace, Human Rights and Sustainable Development. This new text contains robust human rights language and a very modern concept of education not least thanks to German negotiation efforts in spite of the challenging global political situation. The two UNESCO institutions based in Germany and largely funded by the German Government⁷⁵ campaigned vigorously for the right to education during the reference period, as did the German Commission for UNESCO, which enjoys institutional support from the Federal Foreign Office.

SDG Target 4.7 explicitly lists education for sustainable development (ESD) as a distinct objective. The aspiration is to impart knowledge and skills and promote values and attitudes that enable each

individual to understand the impacts of their own actions on their fellow human beings and on the environment, and to make responsible decisions. This includes an understanding and appreciation of cultural diversity and of the contribution that the arts make to sustainable development. The Federal Ministry of Education and Research is the lead ministry tasked with putting ESD into practice by means of a participatory multi-stakeholder process involving more than 300 players from civil society, politics, education and research. This process is considered to be exemplary on the international stage. The German Government also promotes active youth participation in the implementation of ESD and other projects, such as pupil-run ESD enterprises and digital ESD independent-learning courses for disseminators. Ongoing monitoring is being funded to systematically and continuously identify and address the embedding, development or any implementation challenges of ESD in the education system in a scientific manner. The Federal Ministry for Economic Cooperation and Development fosters ESD with a global perspective to encourage people of all ages to make lasting commitments for a globally just world.

Education is also a priority of German development cooperation, in which lifelong learning is promoted from early childhood, through primary and secondary schooling, initial and continuing vocational training and higher education, to adult learning. During the reference period, Germany again continued to advance the right to quality education, particularly by means of two multilateral education funds: the Global Partnership for Education (GPE) and Education Cannot Wait (ECW). Through the GPE, Germany is

74 SDG 4: Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

75 UNESCO-UNEVOC, the International Centre for Technical and Vocational Education and Training, and UIL, the UNESCO Institute for Lifelong Learning

supporting access to learning for 175 million children, and the opportunity to attend school for 88 million more girls and boys, from 2021 to 2025. As the largest contributor to ECW, the German Government helps to ensure that the right to education is protected also in contexts of crisis and/or displacement. Since it was founded in 2016, ECW has already reached 8.8 million children and adolescents.⁷⁶

The number of people around the world having to flee war, conflicts and persecution is constantly growing. According to the current Global Trends report issued by the UN Refugee Agency UNHCR, 117.3 million people were forcibly displaced worldwide at the end of 2023. During the reference period, development cooperation on vocational training and higher education therefore placed a particular focus on vocational qualifications in the context of displacement and migration. This encompasses both refugees and internally displaced persons. When fleeing their homes, young people in particular are often forced to interrupt their education or training or unable even to start it. Including refugees in domestic education systems and labour markets also presents host regions with major challenges. In the context of the Global Refugee Forum 2023, Germany joined the multi-stakeholder “mega pledge” to ensure that refugees have access to safe, quality education by means of inclusion in national education systems. To name one example, Germany funds the university scholarship programme Empower Future Female Afghan Leaders (EFFAL) through the German Academic Exchange Service (DAAD). The objective of the programme is to enable refugee and disadvantaged groups, primarily women, in the countries bordering Afghanistan to pursue a university education.

Support for education and promotion of human rights are also essential elements of cultural and societal diplomacy. One key instrument is the Schools: Partners for the Future (PASCH) initiative, a network linking more than 2000 schools and 600,000 pupils from around the world as well as a growing number of PASCH alumni. The 135 German schools abroad are part of the PASCH network. In addition to its focus on learning German, as an international learning community, PASCH reinforces intercultural dialogue and encourages people’s knowledge and understanding of each other. The curriculum and examination programme for the German Language Certificate (DSD) feature subjects such as sustainability and democratic interaction. Similarly, the extensive creative project work between PASCH schools frequently addresses social or environmental issues. Education in democracy and human rights also forms a key element of the work of UNESCO Associated Schools. Together with more than 12,000 schools and educational establishments in 182 countries, the UNESCO Associated Schools in Germany, of which there are over 300, are committed to a culture of peace, sustainable development and high-quality education. They have twinning arrangements with schools in about 100 countries and help through joint projects to share good educational practice globally. Other players in this field are the German Academic Exchange Service, with a wide range of scholarships and academic exchange programmes, the branches of the Goethe-Institut, the DAAD alumni associations network, and the Alexander von Humboldt Foundation.

Improving the quality of education is another priority of all initiatives and measures for the promotion of education. This includes strengthening

⁷⁶ Germany has been supporting ECW since the end of 2017. Its contribution has amounted to 328.8 million euro to date.

the role of teaching staff but also has other dimensions, such as enhancing education systems themselves. To improve access to and the quality of teacher training and in-service training, for example in the PASCH framework, digital technologies are used as part of blended learning approaches to in-service teacher training that combine face-to-face sessions with e-learning. The Goethe-Institut offers the *Deutsch Lehren Lernen* (“Learning to teach German”) in-service training programme for teachers. The Federal Office of Administration – Central Agency for Schools Abroad uses the DSD Gold programme to train teachers outside Germany to deliver courses leading to the German Language Certificate. The German Academic Exchange Service has developed *Dhoch3*, a master’s-level course to train future teachers of German that is being used at universities throughout the world. With a view to placing the subject of teaching staff more firmly also on international agendas, Germany is a (founder) member of the International Task Force on Teachers for Education. Germany has co-chaired the Steering Committee of the global alliance alongside South Africa since 2022.

The Federal Foreign Office is likewise committed to ensuring that refugees are given access to higher education. Since 1992, it has been supporting the Albert Einstein German Academic Refugee Initiative (DAFI), run by UNHCR. This is an in-situ scholarship programme that has enabled 26,300 recognised refugees to study at a university in their country of first admission since it was set up. With the support of the Federal Foreign Office, UNHCR provided 9043 scholarships through DAFI in 2022 and 9312 in 2023. The majority of these were awarded to refugees studying in Turkey, Ethiopia, Pakistan and Kenya. In 2015, the Federal Foreign Office launched the Philipp Schwartz Initiative, which is administered by the Alexander von Humboldt Foundation. This initiative provides the first-ever

special programme to accept and integrate at-risk academics into German universities and research institutions. Since the start of the initiative, more than 620 researchers have received two-year scholarships. Through the Hilde Domin Programme, launched in collaboration with the Federal Foreign Office in 2021, the German Academic Exchange Service awards scholarships to students and doctoral candidates who are denied the right to education in their home countries so that they can embark on or continue their studies in Germany. The programme has supported more than 247 people since it began.

The UN Children’s Fund, UNICEF, is a major partner in the promotion of education for displaced children. Germany allocates substantial resources to support UNICEF that have increased significantly since 2017. They totalled 607 million euro in 2023, including a voluntary unearmarked core contribution of 69.5 million euro. Germany also finances UNICEF programmes worldwide, especially in crisis-torn regions. The Federal Ministry for Economic Cooperation and Development disbursed some 438.5 million euro in programme support in 2023. UNICEF, moreover, is one of Germany’s main partners in the effort to manage the Syrian crisis. With the aim of strengthening resilience, the Ministry finances UNICEF action on issues such as education, vocational training and child protection. In total, just under 803 million euro was committed on behalf of the Federal Ministry for Economic Cooperation and Development to Syria and surrounding countries (Iraq, Jordan, Lebanon and Turkey) between 2015 and 2021 to implement education projects alone. This was done via KfW, with UNICEF. With financial assistance from the German Government, UNICEF enabled a total of 115,000 Lebanese and non-Lebanese children to attend school in Lebanon in the 2020/2021 school year, for example.



A worker cuts fabric at a jeans factory in Samarkand, Uzbekistan © Florian Gaertner/photothek.de

C7 Spotlight: Implementation of the Supply Chain Due Diligence Act, support for companies, impact on the human rights situation and transposition of the EU Corporate Sustainability Due Diligence Directive

The Supply Chain Due Diligence Act (*Lieferkettensorgfaltspflichtengesetz*) establishes legally binding provisions regarding businesses' responsibility for upholding human rights in their supply chains for the first time. The Act requires businesses to exercise due diligence in respect of human rights and certain environmental considerations in their supply chains. It encompasses the business's activities in its own sphere of operations and those of its direct and, under

certain conditions, its indirect suppliers. Since 1 January 2023, the Supply Chain Due Diligence Act has been applicable for businesses that have their central administration, principal place of business, administrative headquarters, registered office or a branch as well as 3000 or more employees in Germany. It has applied for businesses with 1000 or more employees in Germany since 1 January 2024.

The due diligence requirements incumbent on businesses under the Supply Chain Due Diligence Act include establishing a system of risk management, allocating responsibility for the supervision of risk management, conducting regular and, where appropriate, ad hoc risk analysis, adopting a declaration of principles regarding human rights strategy, enshrining preventive measures, taking remedial measures to deal with violations discovered, establishing a complaints procedure, and documenting and reporting on the exercise of due diligence.

Implementation is monitored by the Federal Office for Economic Affairs and Export Control (BAFA), which monitors whether the businesses covered by the Act are adequately performing their statutory due diligence. If businesses do not fulfil these obligations, the Federal Office for Economic Affairs and Export Control can order them to take steps to remedy and prevent the relevant infringements, and it can impose administrative fines. In addition, businesses that have had to pay fines of a certain size can be excluded from public procurement procedures for up to three years. BAFA also supports businesses in exercising their due diligence and makes a wide range of information material available to that end.

Businesses must submit annual reports to BAFA on their exercise of due diligence and publish those reports on their websites. A total of 53 reports were submitted in the 2023 reporting year and around 530 reports have been received in 2024 so far. The government bill to transpose the Corporate Sustainability Reporting Directive (CSRD) provides for allowing businesses to replace their reports under the Supply Chain Due Diligence Act with the sustainability reports that they are required to produce under commercial law. This will help to avoid duplication of

reporting efforts. Until this provision enters into force, penalties for infringing reporting obligations under the Supply Chain Due Diligence Act will not be applied.

In addition, the German Government will advocate within the European Commission for the particularly extensive specifications regarding the content of sustainability reporting under the CSRD to be significantly reduced. One of its aims is to reduce the trickle-down effect of reporting obligations on SMEs in the supply chain at the European level and to create tangible relief for those businesses overall.

BAFA conducts risk-based checks on businesses (406 checks in 2023 and 700 in 2024 so far). In 2023, this involved businesses being asked for information regarding two elements of due diligence, namely the establishment of a complaints procedure and allocation of responsibility for supervising the risk management system. One outcome of the 2023 inspections is the finding that most businesses were well or very well prepared for fulfilling their due diligence obligations under the Supply Chain Due Diligence Act. Moreover, the inspections carried out have already established positive changes within individual businesses that can be traced back to BAFA's inspections. For example, complaints procedures were made easier to access on the businesses' websites and/or had additional languages added, bringing them more into line with the businesses' international profiles. Nonetheless, BAFA has also pointed out room for improvement, including with regard to the responsibility for risk management supervision and concerning independence and confidentiality in the way the complaints procedure is run. In 2024, the risk-based checks were expanded to include a focus on appropriate risk analysis.

Furthermore, BAFA will take action upon request if an applicant substantiates that they have been or are about to be caused injury as the holder of a legal right enjoying protection owing to the non-fulfilment of obligations under the Supply Chain Due Diligence Act. During the reference period, it received a total of 40 complaints and tip-offs through its official complaints facility in 2023; 20 of these cases were unrelated to the legal rights protected in the Act or the due diligence obligations it enshrines or were not sufficiently substantiated. On the basis of the complaints and tip-offs submitted, BAFA contacted the businesses concerned in six cases. By the end of 2023, one procedure had been concluded, with the business in question having taken appropriate preventive and remedial measures without delay and on a suitable scale to minimise and put an end to the potential human rights violation among its direct and indirect suppliers. Some 101 complaints and tip-offs have been received in 2024 so far. Of these, 63 were unrelated to the due diligence obligations enshrined in the Supply Chain Due Diligence Act or the legal rights it protects. In 14 cases, that connection is still being determined.

BAFA also conducts ad hoc checks. There were 86 such cases in the 2023 reporting year, and there have been 29 in 2024 so far. Prompted by press reports and/or tip-offs, BAFA has addressed various constellations on an ad hoc basis to date, including the logistics/transport sector in Germany, vehicle manufacturing/automotive component supply chains in China and Mexico, vegetable and fruit growing in Germany, Italy and Turkey, mechanical engineering in Turkey, textiles production in China and Myanmar, cocoa farming in Ghana, fruit and vegetable growing in Spain, and seed harvesting in Brazil.

BAFA takes a cooperative approach to implementing the Supply Chain Due Diligence Act and

offers businesses far-reaching support. It collates cross-sectoral and sector-specific information to this end and draws up recommendations for compliance with the law. The Federal Ministry of Labour and Social Affairs and BAFA have summarised the most important FAQs about the Supply Chain Due Diligence Act, which they update on an ongoing basis. Various guides were also published during the reference period to help businesses in implementing their due diligence obligations. Topics included risk analysis, complaints procedures, the principle of appropriateness, cooperation in the supply chain between businesses bearing obligations and their suppliers, and the financial services sector.

BAFA is engaged in intensive dialogue with all the relevant stakeholders. A stakeholder advisory council for the Supply Chain Due Diligence Act assists and advises BAFA in the fulfilment of its statutory duties under that Act. It comprises representatives of business associations, trade unions, NGOs, the business network econsense, the academic community and the German Institute for Human Rights.

The German Government offers businesses extensive support in implementing their due diligence obligations. German businesses receive advice and information from the Business and Human Rights Helpdesk. The network of Responsible Business Helpdesks also offers information and training for suppliers from partner countries. Moreover, the German Government supports the creation of a European helpdesk for sustainable value chains, which will soon be advising businesses, bearers of rights, trade unions, multi-stakeholder initiatives and governments from partner countries on European supply chain legislation and referring enquiries towards a total of around 300 European and international support measures.

Foreign support networks for the Supply Chain Due Diligence Act and the National Action Plan for Business and Human Rights have been set up at Germany's missions abroad. In cooperation with other players in foreign trade and investment policy, such as the German Chambers of Commerce Abroad, Germany Trade & Invest and GIZ, they are intended to inform the host country's institutions about German rules and will conduct initial consultations and referrals for German businesses on conditions in the host country.

In the interests of a fair division of responsibility between purchasing businesses and suppliers, the German Government is funding the drafting of European Model Clauses as part of the Responsible Contracting Project. The German Government holds sectoral dialogues to provide guidance for businesses in sectors with particular human rights challenges in their supply chains and to support them in meeting due diligence requirements appropriately and effectively. For example, supporting a cross-company complaints mechanism for automotive component supply chains in Mexico gives the bearers of rights access to redress and reparations if their rights have been violated. Following a successful pilot phase, such models are to be replicated elsewhere.

Germany's development cooperation accompanies this with bilateral, regional and global projects that support businesses in addressing risks relating to human rights and/or the environment in the high-risk sectors most relevant to each partner country. In 2017, for instance, the Federal Ministry for Economic Cooperation and Development created the Business and Human Rights Helpdesk at the Agency for Business and Economic Development to help businesses shape fair supply chains. Its services are free of charge. The German Government's helpdesk offers

businesses individual and confidential advice on all matters related to human rights due diligence and assists them in making their supply and value chains socially responsible and environmentally friendly. In cooperation with international organisations, moreover, Germany's development cooperation supports partner countries in improving the framework conditions for stronger human rights and environmental protections in business contexts.

Directive (EU) 2024/1760 of the European Parliament and of the Council on corporate sustainability due diligence, the Corporate Sustainability Due Diligence Directive (CSDDD), entered into force on 25 July 2024. The member states have two years to transpose the directive into their national legislation.

The German Government takes care to ensure that the administrative costs associated with due diligence and reporting obligations are kept within limits. In the interests of the economy, particularly the SME sector, it is important that due diligence obligations be implemented pragmatically and disproportionate burdens on businesses be avoided.

The German Government therefore adopted a cabinet decision on 17 July 2024 in favour of transposing the CSDDD by amending the Supply Chain Due Diligence Act one to one, generating as little red tape as possible. This will reduce its scope to fewer than 1000 businesses – only around one in three of those to which the Supply Chain Due Diligence Act currently applies. All obligations under the CSDDD, including the provisions on civil liability, will become binding only at the latest date prescribed by European law.

To bolster businesses, the Federal Ministry of Labour and Social Affairs and the Federal Ministry for Economic Affairs and Climate Action launched an immediate action programme for sub-legislative measures for the practical implementation of the Supply Chain Due Diligence Act in light of the CSDDD (download). The directive contains a number of provisions geared towards the practical and business-friendly

implementation of due diligence obligations. The Supply Chain Due Diligence Act in its current form offers scope for already putting some of these evaluation criteria into practice at a sub-legislative level, as immediate measures, in the procedures of the responsible inspection authority, namely the Federal Office for Economic Affairs and Export Control. These steps directly and tangibly ease the burden on businesses.

D

*Human rights
around the world*

The following country-by-country review for the Sixteenth Report by the German Government on its Human Rights Policy contains a selection of countries with critical human rights situations. Chief among the criteria for a country's inclusion was whether, since the previous Human Rights Report, the German Government or the EU had addressed that country in their statements under item 4 of the UN Human Rights Council agenda – human rights situations that require the Council's attention – followed by consideration of the human rights situation on the ground and aspects relevant to regional policy. This approach has a proven track record; it is consistent with the previous report and the German Bundestag's

recommendation for a decision. The report is not thereby making any statement about the human rights situation in countries not mentioned here.

For each of the selected countries, developments during the reference period are described, the implementation of human rights commitments is discussed and the impact of German or European project work on the ground is outlined. We have calibrated the level of detail with a view, among other things, to our duty of care towards our project partners. Information specifically about freedom of religion or belief can be found in the German Government report on that subject.

Afghanistan

Development in the human rights situation during the reference period

Since the seizing power in August 2021, the Taliban has de facto control over the full territory of Afghanistan. The country remains in a severe humanitarian crisis, with human rights violations perpetrated frequently and throughout the country by the Taliban and the state organs they control. Women and girls are systematically persecuted in Afghanistan. According to the UN Special Rapporteur on the situation of human rights in Afghanistan, Richard Bennett, this could constitute a crime against humanity as defined by the Rome Statute. In particular, women and girls are excluded from secular secondary and higher education. Women and girls are also severely restricted in their freedom of movement and employment options, largely pushed out of public life and entirely excluded from political participation.

Arbitrary arrests, including those of media professionals, human rights defenders and critics of the Taliban, create an atmosphere of lawlessness and intimidation. Freedom of assembly, opinion and expression, and media freedom all have been curtailed. Corporal punishment (e.g. flogging) is inflicted regularly and in public, and the death penalty is also carried out in public. The Taliban's restructuring of the judiciary into a system adhering solely to its own interpretation of Sharia law is fuelling legal uncertainty and arbitrary prosecution. There are regular reports of torture and sexual abuse in prisons.

Implementation of human rights commitments and policy

The de facto Taliban government prioritises its interpretation of Islamic law over Afghanistan's international human rights obligations. There are ongoing violations of provisions of the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the Convention against Torture; the Convention on the Rights of the Child and the Convention on the Elimination of All

Forms of Discrimination Against Women (CEDAW). In the UN Human Rights Council, Germany continues to support the mandate of the UN Special Rapporteur on the situation of human rights in Afghanistan and advocate for a strong human rights component in the mandate of the UN Assistance Mission in Afghanistan (UNAMA) as well as for adherence to international obligations under CEDAW.

Impacts of German and European project work

The German Government supports efforts to preserve services for marginalised groups. Financial support is provided discreetly for women's shelters and educational opportunities that include girls. Furthermore, Germany promotes access to medical and psychosocial services for the survivors of sexual and gender-based violence.

To counteract the humanitarian crisis, Germany continues to provide humanitarian assistance

and financial support for essential services for the Afghan population through non-intergovernmental channels. The German Government collaborates exclusively with international organisations and NGOs in these efforts. Internally displaced persons, Afghan refugees in neighbouring countries and returnees, particularly women and children, are among those who benefit from this support.

Belarus

Development in the human rights situation during the reference period

Belarus is still feeling the effects of the historic turning point triggered by the mass protests against the rigged presidential election of August 2020. The human rights situation in the country is continuing to deteriorate.

Belarusian authorities have been engaged in a systematic campaign against human rights organisations, independent media, civil society and

opposition groups. Waves of repression, persecution and oppression are facilitated by systematic tightening of laws and constitute massive violations of freedom of opinion and expression, the press and assembly, among other principles. The Belarusian regime seeks to nip any dissent in the bud and to coerce unconditional loyalty to the regime. Human rights organisations estimate that there are approximately 1300 political prisoners.

Implementation of human rights commitments and policy

Belarus, which is not a member of the Council of Europe, remains the last European country to impose and carry out the death penalty. Belarus rejects resolutions by the UN Human Rights Council, and recommendations from the Office of the UN High Commissioner for Human Rights (OHCHR) are not implemented. In addition, the mandate of the UN Special Rapporteur is not

recognised, and the recommendations from the OSCE's Moscow Mechanism (2023) regarding the human rights situation have not been implemented. A list of questions regarding the status of political prisoners, which was sent in July 2024 within the framework of the OSCE's Vienna Mechanism, went unanswered despite Belarus's obligations as a participating state.

Impacts of German and European project work

Against the backdrop of wide-scale repression in Belarus, the Federal Foreign Office significantly expanded its support for Belarusian civil society from 2021 onwards under its Action Plan for Civil Society in Belarus. Projects supported by the Federal Foreign Office contribute to this by assisting victims of state violence, students and researchers, facilitating the entry into Germany of politically persecuted individuals, and promoting independent media and civil-society projects, for example under the programme Expanding Cooperation with Civil Society in the Eastern Partnership Countries and Russia.

Together with Denmark, the United Kingdom and other international partners, the German

Government also supports the International Accountability Platform for Belarus. The platform documents the most serious human rights violations in Belarus to enable future prosecutions. Furthermore, the platform supports the OHCHR's investigation into the human rights situation in Belarus. At the same time, Germany supports the Group of Experts mandated by the UN Human Rights Council and the UN Special Rapporteur on the situation of human rights in Belarus.

Project work in Belarus has been severely curtailed due to official restrictions, the liquidation of civil-society organisations and the persecution of independent project partners.

Burundi

Development in the human rights situation during the reference period

The transfer of power to a new President of Burundi in 2020 has not brought structural improvements in human rights. Political freedoms are severely restricted and are continuing to decline in the lead-up to the 2025 parliamentary elections. To a large extent, the boundaries between the state and the governing party have effectively been dissolved. The opposition is

subject to politically motivated violence, including from non-state actors. Civil society and the media are forced into significant self-censorship. The judiciary is currently unable to review violations of political and civil rights under the rule of law. Homosexual acts are criminalised. In late 2023, President Ndayishimiye called for homosexual people to be stoned.

Implementation of human rights commitments and policy

Burundi has been elected to the UN Human Rights Council for the 2024-2026 term. At the same time, however, the government has denied entry to the Council's Special Rapporteur on Burundi since 2022. The Burundian Government focuses on improving social rights, such as access

to food, medical care, pension schemes and education. The President is also committed to addressing the situation of women in the regional conflict in eastern Congo. However, no significant progress is anticipated in the areas of political and civil human rights.

Impacts of German and European project work

Germany is working with the Burundian Government in various dialogue formats to improve the human rights situation, addressing both structural issues and individual cases at a high level. Within the framework of the political dialogue between the EU and Burundi, Germany advocates cooperating with the Special Rapporteur on the situation of human rights in Burundi and

improving the human rights situation, particularly in the realms of freedom of the press and freedom of opinion and expression. In project work, including women in the implementation of projects and in the enjoyment of their beneficial impacts, as well as strengthening women's position in their social environments, has been a component of funding grants.

Central African Republic

Development in the human rights situation during the reference period

During the ongoing battles, waged with significant support from Russian mercenaries, numerous human rights violations are being committed by all parties to the conflict (war crimes, extrajudicial killings, recruitment of child soldiers, sexual violence against civilians, attacks on humanitarian aid workers). The UN documented 1056 such violations between October 2023 and January 2024 alone.

Freedom of opinion and expression, freedom of the press and freedom of assembly are guaranteed in the constitution; political organisations

are subject to a registration requirement. While some demonstrations by opposition groups have been banned by the government or disrupted by security forces, civil society is generally not restricted. There have been cases of the police using excessive force at gatherings. Religious freedom is guaranteed and there are no notable restrictions on its practice. However, religious identities are exploited to exacerbate conflicts among the population. The pervasiveness of corruption in all sectors is a fundamental problem.

Implementation of human rights commitments and policy

The government strives to collaborate with the UN, the MINUSCA peacekeeping mission, the International Criminal Court (ICC) and human rights organisations. The ICC, the hybrid Special Criminal Court (SCC) and the national courts are increasingly prosecuting human rights violations and have imposed long prison sentences on a number of militia members. However, key former rebel leaders continue to evade justice.

The government adopted a new national human rights policy in 2023. In January 2024, the Central African Republic underwent its fourth Universal Periodic Review by the UN Human Rights Council. Positive developments highlighted during the review included the national strategy to combat gender-based violence and the abolition of the death penalty in 2022.

Impacts of German and European project work

Germany is a major UN donor providing financial support for the MINUSCA peacekeeping mission. In 2023, Germany contributed approximately 48 million US dollars to the Humanitarian Response Plan. Through development cooperation, Germany supports an integrated education and water programme with

UNICEF, resilience-building initiatives and the restoration of the healthcare system, among other programmes.

As a founding member, Germany is the largest bilateral donor (45 million euro) to the EU Bêkou Trust Fund, which addresses the most urgent

needs of the vulnerable population. The fund's mandate expired on 31 December 2021, and ongoing projects are expected to be implemented by the end of 2025.

As part of its human rights project work, the EU is supporting the development of the justice

sector. The civilian EU Advisory Mission (EUAM RCA) promotes the expansion of human rights expertise and awareness within the security forces. The mandate of the hybrid Special Criminal Court was extended by five years in January 2023. Germany is supporting its work to tackle impunity by seconding two German experts.

China, including Hong Kong

Development in the human rights situation during the reference period

During the reference period, it is evident that the scope available to civil society, already subject to many restrictions, is shrinking even further. The state and the judiciary are subject to party control and are seen by the party as tools for exercising its authority. Individual rights are being further curtailed. This applies particularly to civil and political rights such as freedom of opinion and expression and freedom of the press, but also to academic freedom and freedom of religion. In a number of cases, human rights defenders are punished for their activism with long prison sentences and face severe restrictions to their daily lives even after being released. Gender equality is officially promoted, yet significant shortfalls in representation persist across all areas of life in society.

In the Autonomous Uyghur Region of Xinjiang – which has become well-known in recent years due to the repression, surveillance and mass internments there (see the 2022 Bachelet report, among others) – the human rights situation remains precarious (see, for example, China: Update on the work of UN Human Rights Office dated 27 August 2024), although visible measures such as re-education camps and checkpoints

have been dialled down since 2020. The central government's overall policy is to “sinicise” religious and cultural identities in Xinjiang, the Autonomous Region of Tibet and other regions with considerable minority populations.

Allegations from Tibet – ongoing during the reference period – suggest that children, particularly from rural, predominantly nomadic areas, are increasingly being placed in state boarding schools, often against their families' wishes, denying them access to their own culture and language in the medium term. Moreover, the destruction of religious sites for the sake of environmental and infrastructure projects persists. Recently, for example, a dam-building project in Sichuan included plans to flood several monasteries.

Statistics on the death penalty are treated as a state secret. According to expert estimates, though, China executes a larger number of condemned prisoners than any other country in the world in absolute terms.

In the Hong Kong Special Administrative Region, since the introduction of the Law on

Safeguarding National Security in June 2020, the human rights situation has significantly worsened from what had been a comparatively good level. Important principles of the rule of law are being curtailed as the new law is applied. In March 2024, a new local Hong Kong Security Ordinance was passed, further shrinking the scope in which freedoms can be exercised in the city. Critical civil society and the political opposition have been largely silenced as a result. Around 110 civil-society groups and media outlets have been forcibly or voluntarily disbanded, including the most important independent media outlets.

The number of prisoners detained on political grounds has risen sharply.

The fundamental amendments to electoral law in 2021 also severely restricted political rights (which were already limited). For the first time, the region's governing Chief Executive was selected without opposing candidates; only candidates who are "patriotic" may run for political office. Nevertheless, Hong Kong's population continues to enjoy greater protection of human rights than people on the mainland.

Implementation of human rights commitments and policy

China has ratified six of the nine key UN human rights agreements and is once again a member of the UN Human Rights Council for the 2024-2026 term. In 2022, China ratified the core ILO Labour Conventions No. 29 and No. 105, abolishing forced labour. Internationally, China is increasingly vocal in seeking to enshrine the right to development as an additional universal human right within the UN framework and to place

state security interests above individual rights. In January 2024, China underwent its Universal Periodic Review in the UN Human Rights Council. During the process, China highlighted successes in areas such as the eradication of extreme poverty, development and education while pre-emptively dismissing or ignoring criticism as motivated by an anti-China campaign.

Impacts of German and European project work

The German Government has set itself the goal of repositioning the Human Rights Dialogue and the Rule of Law Dialogue. In line with the EU's current efforts, the German Government promotes projects and events in the realm of human rights, on topics including gender justice.

Rights and the Rule of Law was awarded to the imprisoned civil rights activist and lawyer Chow Hang-tung of Hong Kong.

The German Government regularly addresses human rights violations in China, including in Xinjiang, Tibet and Hong Kong, both bilaterally and in the context of EU and UN coordination. In 2023, the Franco-German Prize for Human

The German Government is implementing the EU Council Conclusions on Hong Kong of 28 July 2020.

Democratic Republic of the Congo

Development in the human rights situation during the reference period

The overall human rights situation remains critical. Since President Tshisekedi took office in 2019, there has been a tangible, albeit fragile, easing of tensions in the realms of politics and civil society. However, this positive development contrasts with an escalating security situation in the east and domestic conflicts in which the basic freedoms of the people concerned are disregarded.

The people continue to suffer under the arbitrary actions of the security authorities and a largely inefficient, corrupt and selective judiciary. In the east, armed groups and martial law, which

has been in force in two provinces since May 2021, are exacerbating the precarious situation. According to the UN, combatants and state actors are responsible in equal measure for human rights violations; militias perpetrate mass killings and recruit child soldiers. The rise in cases of sexual and gender-based violence against women and children in eastern Congo has reached alarming proportions, with all parties to the conflict deploying it as a weapon. Activists for human rights and democracy as well as critical media professionals face arbitrary action by the security authorities.

Implementation of human rights commitments and policy

The Democratic Republic of the Congo (DRC) is a member of the UN Human Rights Council and has a National Human Rights Commission (CNDH) as well as a Parliamentary Human Rights Commission, both of which are underfunded and largely ineffective in their work.

The constitutional ban on discrimination against women is neither enforced in everyday life nor enacted in law. Although the DRC has signed the UN Convention on the Rights of the Child of 1989, the judiciary still scarcely distinguishes between juvenile and adult offenders. The issue of child soldiers and children as victims of military conflict remains acute. Although the DRC has acceded to the 2006 Convention on the Rights of Persons with Disabilities, it has not subsequently enshrined any targeted regulations into law. The weak state is not capable of guaranteeing

economic, social and cultural rights – although these rights are invoked in the constitution (Articles 34-39). Ethnic tensions are among the primary causes of conflict in the country. By contrast, the freedom of religion guaranteed by Article 22 of the constitution is largely respected. Although Congolese law provides for the death penalty, it has not been carried out since 2003. This moratorium has yet to be institutionalised.

Impacts of German and European project work

Germany's human rights project work is focused on women's rights, impunity, torture and supporting journalism. During the reference period, seven projects were carried out with a funding volume of more than 400,000 euro. Twenty workshops or online training sessions were conducted, a mentorship programme for female graduates was founded, five anti-sexual violence cells were supported, and 77 cases of sexual violence and torture were documented and brought to court, in some cases leading to guilty verdicts. In German development cooperation, respect for and protection of human rights play an important role across the entire portfolio (approx. five hundred million euro). Germany's support in the sector of peace and social cohesion, focused on eastern Congo, employs bilateral cooperation,

crisis management tools and grants to NGOs to, above all, address women's rights and to prevent and respond to sexual and gender-based violence. This support is allocated first and foremost to initial and further training programmes and psychosocial assistance, particularly for women in displacement contexts and host communities. Promoting human rights is a core element of Germany's work also within the raw materials sector. This includes advancing women's and children's rights in artisanal and large-scale mining, supporting civil society and upholding human rights as a key standard in the context of promoting transparent supply chains. Promoting the human rights of local communities and Indigenous peoples is particularly important for the entire system of managing protected areas.

Egypt

Development in the human rights situation during the reference period

The human rights situation in Egypt did not improve during the reference period and remains a cause for concern. Political rights are severely restricted. Economic and social rights are largely curtailed, exacerbated by the economic crisis. Although some prisoners have been released in connection with the National Dialogue, new arrests continue to be made. Since the outbreak of the Gaza war, there have been repeated cases of activists and journalists being arrested. A presidential candidate was sentenced to one year of forced labour for alleged violations of procedure during the election campaign.

Politically, due to tight surveillance and effective repression, the situation in Egypt is stable but remains tense. Social and economic dissatisfaction is growing as prices for basic foodstuffs rise and the country is hit by large-scale power cuts. Although Egypt has developed an awareness of human rights concerns, progress remains largely declarative, and reforms aimed at lasting stability are unlikely.

Implementation of human rights commitments and policy

From the Egyptian perspective, social and economic rights are the priority. Overall, sustainable developments remain elusive without a genuinely free press, robust rule of law, separation of powers and scope for critical civil society. In view of the widespread enforced censorship and conformity of the traditional media, social media and the internet have an important role to play as alternative sources of information. They are particularly subject to surveillance by state authorities, however.

The constitution mandates the equality of men and women, but the political leadership's efforts are consistent with a narrowly defined, conservative view of women's roles. The focus is primarily on women's socio-economic, non-political rights. LGBTIQ+ individuals are subject to wide-scale harassment and discrimination in daily life.

Impacts of German and European project work

Protecting human rights remains a key priority for Germany, both as a factor in Egypt's socio-economic stability and within the framework of human rights-based, values-led and feminist foreign and development policy. However, since the onset of the Gaza war, Germany's position on human rights has been significantly weakened and is often dismissed as a double standard. This makes project work more difficult. Germany

There have been recognisable efforts to reform prison conditions, but the situation remains concerning. Security forces systematically employ measures such as torture, enforced disappearances and the imposition of pre-trial detention for periods far exceeding the legally permitted 24 months without trial. A proposed reform to the Penal Code currently under legislative consideration raises concerns that, while shortening pre-trial detention, it could also legalise unlawful practices.

Discrimination against refugees and migrants and repression by Egyptian security authorities are on the rise. UNHCR recorded over 5000 deportations of Sudanese refugees from Egypt back to the war zone. At the same time, living conditions for refugees and migrants in Egypt have steadily deteriorated.

focuses its project funding on supporting reform-oriented stakeholders within the system and providing political and financial backing to the small remaining contingent of critical civil society. The German Government also uses projects to strengthen the conditions necessary for equal social and economic participation, particularly for women, young people, and people with disabilities.

Eritrea

Development in the human rights situation during the reference period

Human rights remain severely limited under the authoritarian regime in Eritrea, although these limitations take a variety of forms. While the regime is genuinely focused on enforcing social rights such as gender equality, poverty reduction, and access to basic education and healthcare, individual freedoms are severely restricted. Democracy and the rule of law are not guaranteed, and elections do not take place. There is no parliament or constitution. The justification given for this is the country's ongoing informal state of emergency due to conflicts with neighbouring Djibouti and Ethiopia. This has led to a militarisation of public life and to the persistence of national civil-military service, which is mandatory for all Eritreans aged 18 to 50; in practice, their service is often of indefinite duration. There is no provision for voluntary discharge or the right to conscientious objection, and the boundaries between national and public service are now blurred.

The legal system suffers from despotism and a lack of legal certainty. Cases can be transferred at any time to special courts organised by the military, effectively placing them outside the framework of the law. There are indications of political prisoners, inhumane detention conditions and torture, though these cannot be independently verified.

There is no freedom of the press, opinion and expression, or assembly in Eritrea. All Eritrean media outlets are state-owned and controlled. In the 2023 World Press Freedom Index, Eritrea ranked last. Internet access is available in very few locations, though satellite television is accessible and tolerated.

The regime strives for balance among religions, drawing on its history of close coexistence during the liberation struggle. However, despite official religious freedom, only the Eritrean Orthodox, Catholic and Lutheran Christian churches and Sunni Islam are officially recognised. Nonetheless, restrictive measures are repeatedly taken even against recognised religious groups.

The prevalence of female genital mutilation (FGM) has declined since its prohibition in 2007, aided by a comprehensive awareness-raising campaign. In 2023/24, the German Embassy in Asmara contributed to these efforts with a micro-project supported by the Ministry of Labour and Social Welfare.

Homosexuality is criminalised and socially stigmatised.

Implementation of human rights commitments and policy

Eritrea has ratified six of the nine key UN human rights agreements. In July 2024, the Human Rights Council extended the mandate of its

Special Rapporteur on Eritrea by a further year. The Eritrean Government continues to reject all cooperation with the Rapporteur.

Impacts of German and European project work

Scarcely any project work is carried out due to the difficult conditions on the ground. The Eritrean Government has placed severe restrictions on foreign organisations, prompting the majority of

them to suspend their operations. Nonetheless, Germany has made small contributions, such as supporting basic food security, the healthcare sector and FGM awareness campaigns (see above).

Ethiopia

Development in the human rights situation during the reference period

During the reference period, Ethiopia's human rights situation was characterised by numerous armed conflicts, a persistently poor economic situation and shrinking scope for political activity, human rights work and independent media. In specific cases, the government has taken action against religious communities and, increasingly in recent years, against LGBTIQ+ individuals.

In the conflict zones of Tigray and Afar, the human rights situation improved following the peace agreement concluded in late 2022 to settle the conflict in northern Ethiopia. However, Eritrean soldiers still present in the region continue

to face accusations of human rights violations. By contrast, the situation in the Amhara region deteriorated from March 2023 as a result of ongoing clashes between the Amhara Fano militia and national security forces. In the Oromia region, the situation continues to be dire owing to ongoing fighting between the non-governmental Oromo Liberation Army and state security forces, coupled with rising crime. Human rights violations regularly occur also in other regions of the country, including in the context of armed conflicts and during military action by the state security apparatus against armed groups.

Implementation of human rights commitments and policy

The peace agreement to end the conflict in northern Ethiopia envisages addressing past human rights violations in a nationwide transitional justice process. So far, guidelines and a roadmap have been presented to this end, but the proposed judicial and non-judicial measures have yet to be implemented.

While civil society's scope for action and freedom of the media improved significantly in the

period after Prime Minister Abiy took office in 2018, many of these freedoms have since been severely curtailed. Human rights defenders complain of unprecedented limitations on their ability to operate. Organisations cite physical and digital threats and surveillance. Critical journalists have been increasingly detained, often without formal charges.

Impacts of German and European project work

Germany and the EU support the transitional justice process and reconstruction in the conflict zones in the north of the country. The national dialogue, which we also support, has the potential to help identify and eliminate the root causes of human rights violations.

Thanks to German and EU support, the National Election Board and the Ethiopian Human Rights

Commission are increasingly becoming independent and critical institutions. In addition, Germany supports Ethiopian civil society through project funding and joint events, enabling it to fulfil its advisory, critical and oversight roles. These efforts place a particular focus on bolstering women's rights and supporting survivors of sexual and gender-based violence.

Haiti

Development in the human rights situation during the reference period

The most important human rights, primarily the right to life and physical integrity, socio-economic rights and fundamental democratic rights, have deteriorated significantly in Haiti. This is mainly due to the exponential increase in violence by armed gangs, which is endangering public safety. The state is ill-equipped to respond to this due to a lack of responsibility of society as a whole and a shortage of material resources (an

under-equipped police force and a weak judiciary). According to the UN, almost 4000 people were killed and around 3000 kidnapped in 2023. The gangs' superior strength is a cause for concern, not only because of its direct human costs, but also because of its indirect impacts on employment, education, health and freedom of movement.

Implementation of human rights commitments and policy

While there is no targeted state persecution, the government and judiciary are unable to guarantee the basic rights of the population.

Time and again, conflicts between gangs and retaliatory actions against "rival" neighbourhoods result in massacres and the displacement of civilians, with a death toll in the hundreds. The UN estimates that there are over 600,000 internally displaced persons.

Gangs continue to use sexual, often collective, violence as a means to spread fear and terror; women and girls are the primary targets. The figures are likely to be under-reported, as victims of rape often remain silent out of shame or fear. Current estimates suggest that there are thousands of cases.

The United Nations Integrated Office in Haiti (BINUH) reports that gangs use children as

informants to facilitate thefts and kidnappings or recruit them as gang members. Their access to education is also severely compromised, as some schools are seized by gangs for use as bases or serve as shelters for displaced persons.

Haiti has one of the most overpopulated prison systems of any country, with almost 12,000 prisoners. The prisons have some of the worst conditions in the world, characterised by poor hygiene, chronic overcrowding and inadequate nutrition. In 2023, at least 130 prisoners died as a result of malnutrition and poor medical conditions.

The scale of food insecurity in Haiti is a cause for concern, exacerbated by drought, land abandonment and low agricultural productivity. Almost 5.2 million people are experiencing acute food

insecurity, including 1.6 million at phase 4 on the IPC scale, and urgently need assistance.

Healthcare provision suffers as gangs destroy the few available medical facilities and obstruct the flow of humanitarian assistance. In affected neighbourhoods, hygiene conditions and access to water and sanitary facilities have worsened (e.g. cholera). Hospitals have also been forced to close due to a lack of fuel, staff (e.g. emigration) or other basic necessities for their operation.

Although the Haitian press is not restricted by the state, journalists are regularly victims of murder and violence. The country has fallen from 70th place to 99th in the rankings compiled by the NGO Reporters Without Borders.

Impacts of German and European project work

In the UN Human Rights Council, the German Government has expressed grave concern about the human rights situation in Haiti and has supported a resolution tabled by Haiti itself mandating technical assistance from the UN High

Commissioner for Human Rights to address the situation. Furthermore, the German Government has also supported human rights sanctions at the EU level against gangs for their involvement in sexual and gender-based violence.

Iran

Development in the human rights situation during the reference period

The human rights situation remains dire, with personal and political freedoms deliberately and systematically restricted to preserve the regime. Protests are suppressed by force.

Iran carries out the second-highest number of executions worldwide, and the highest per capita.

In 2024, at least 420 people had been executed by the end of August; the UN counted a total of 834 in 2023. The true numbers are likely to be significantly higher. The death penalty is imposed primarily for crimes such as murder, drug offences and rape, but also for political or opposition activism. The judiciary is neither independent nor

transparent. Arbitrary arrests, forced confessions and pressure on family members are common. The penal system is characterised by overcrowded prisons and extremely precarious conditions.

Freedom of opinion and expression is severely limited; access to free information on the internet is technologically restricted, with its content regulated; even peaceful protests are violently suppressed on a regular basis. In mid-September 2022, the violent death of Jina Mahsa Amini triggered a series of protests that went on to express more extensive demands for women's rights/human rights along with criticism of the current system and the bleak human rights situation in the country. These protests were violently suppressed. The German Government denounced the killing of Jina Mahsa Amini and the crackdown on the protests by the Iranian security authorities, both at the national level and in international frameworks, including the EU and the UN Human Rights Council, and it successfully advocated for extending the UN fact-finding mission (FFM) to Iran by another year. In addition, the German Government is campaigning within the EU framework for new sanctions against those responsible for the brutal crackdown on protests in Iran.

For women, gender-based discrimination persists in the law, in its application and in socio-political

reality. Despite women's high levels of education, their inclusion in the labour market is scant. Women's rights activists are discriminated against, repressed and often face threats of politically motivated imprisonment.

Discrimination against ethnic and religious minorities varies; Bahá'ís have been persecuted on a wide scale since the emergence of their faith in the 19th century, while Arab minorities have been marginalised. Freedom of religion is enshrined in the constitution for Zoroastrians, Christians and Jews, but in practice the free exercise of their religions is sometimes severely curtailed.

Ethnic minorities such as Baluchis and Kurds are accused of separatist tendencies and experience deliberate political and economic discrimination as a result. Members of ethnic minorities are often handed down harsher penalties, particularly death sentences, especially for "political offences". The suppression of protests after Jina Mahsa Amini's death was especially brutal in minority-majority provinces (Kurdistan, Khuzestan and Sistan-Baluchestan).

The Iranian population as a whole suffers in many ways from the effects of years of mismanagement, corruption and international sanctions.

Implementation of human rights commitments and policy

Although Iran has ratified five of the nine key human rights instruments (not including the UN Convention on the Elimination of All Forms of Discrimination Against Women and the UN Convention against Torture), the country either does not meet its obligations under them, or not entirely. This is precisely why the German

Government supports the UN Special Rapporteur on the situation of human rights in Iran and the FFM to Iran. During the reference period, the Special Rapporteur and the experts of the FFM were denied entry into Iran.

Impacts of German and European project work

Due to the risks faced by project partners from civil society, project work is scarcely feasible. The imprisoned human rights activist Narges Mohammadi was awarded the Nobel Peace Prize

in December 2023. The 2023 Sakharov Prize for Freedom of Thought was awarded to Jina Mahsa Amini and the Women, Life, Freedom movement.

Libya

Development in the human rights situation during the reference period

The human rights situation in Libya did not improve during the reference period. Cases of abduction, human trafficking, irregular detention, unlawful killings, torture and suppression of freedom of opinion and expression persist across all regions of the country. Human rights are not effectively protected or promoted by the state; this is especially true of women's rights. Libya lacks a unified judicial system. It remains to be seen whether the Declaration of Intent signed in 2023 by the Presidential Council and the Berlin Process's International Humanitarian Law and Human Rights Working Group will have a positive impact in the medium term.

The scope for action available to individuals active in politics or civil society is restricted by bureaucratic requirements, decrees and attempts at intimidation. Politicians and activists also face physical danger.

Refugees and migrants constitute a highly vulnerable group, and they still have limited options for regularising their residency status. Efforts are under way to address this for some of the migrant workers. Conditions in detention centres for refugees and migrants are dire. At least with regard to the official detention centres, initial steps are being taken in collaboration with the international community to improve conditions, particularly for women and children.

Implementation of human rights commitments and policy

Libya is not a signatory of the Rome Statute. However, UN Security Council Resolution 1970 (2011) has given the International Criminal Court (ICC) a mandate to investigate and prosecute war crimes and crimes against humanity in Libya. The ICC visited Libya during the reference period and noted an apparently growing willingness among Libyan authorities to investigate past

events and refer suspects to national and international criminal courts.

In March 2023, following the mandate of the fact-finding mission established in 2020, the UN Human Rights Council adopted a follow-up resolution, tabled by Libya itself, to provide technical assistance to Libya in the area of transitional

justice and the rule of law. However, a subsequent OHCHR report building on this noted further increases in cases of arbitrary detention. The authorities pay no regard to interventions in these matters. In July 2024, the resolution was extended for another year.

Impacts of German and European project work

German and European support for Libya's High National Election Commission (HNEC) fosters political participation, particularly at the local level. Preparations for municipal elections, scheduled for late 2024, are currently under way. Further core focuses of Germany's efforts include criminal jurisdiction, institutional development

Libya has not signed the 1951 Refugee Convention. While refugees from specific countries can register via the UNCHR, it has no legal effect within Libya.

in municipal governance, and strengthening the rights of women and young people, also with the help of civil-society organisations. EU projects focus on building institutional capacity, supporting civil-society organisations active in youth and women's rights and protecting minorities and vulnerable groups.

Mali

Development in the human rights situation during the reference period

The human rights situation in Mali remains deeply concerning, primarily because of violence against the civilian population by jihadist terrorist groups, particularly in the central regions and the areas bordering on Mali, Burkina Faso and the Niger. This is compounded by human rights violations by Malian and Russian forces, some of them serious, which are not apparently subject to criminal prosecution.

Large swathes of the country are not under effective government control. Following the withdrawal of the United Nations Multidimensional Integrated Stabilisation Mission in Mali (MINUSMA) at the request of the Malian Government, clashes between the Malian military and armed groups in northern Mali have intensified. The climate crisis

is aggravating existing conflicts over scarce resources. Women are particularly affected by the volatile security situation, which often goes hand in hand with sexual violence. These crimes are rarely reported or prosecuted. Female genital mutilation affects approximately 90% of women.

The military-led transitional government, in power since 2021, has adopted a new constitution and conducted a national dialogue. However, it has not yet authorised general elections, citing security concerns. Civil and political freedoms such as freedom of opinion and expression, the press, assembly and association are increasingly subject to systematic restrictions. Arrests of political figures, as well as the suspension and dissolution of political and civil-society

organisations, are on the rise; demonstrations are frequently denied permits. In specific

cases, repressive measures have been challenged by the courts.

Implementation of human rights commitments and policy

Mali has ratified all major international agreements on the protection of human rights, has acceded to the Rome Statute of the International Criminal Court (ICC), and has ratified the Convention on the Prevention and Punishment of the Crime of Genocide and the Geneva Conventions including the two Additional Protocols of 1977. In addition, Mali has ratified the conventions of the Economic Community of West

African States (ECOWAS) and all the conventions of the African Union (AU) on the protection of human rights. However, numerous reporting obligations under international conventions are overdue, in some cases by many years. Mali has withdrawn from ECOWAS, and its AU membership has been suspended since the military coups of 2020 and 2021.

Impacts of German and European project work

Due to the challenging political conditions in the country, the German Government has largely ceased its security cooperation with Mali. The focus is now on direct support for the civilian population through humanitarian assistance, selected stabilisation measures and grass-roots development cooperation. Germany's efforts aim to build and protect scope for civil society in order to foster inclusive decision-making processes and social cohesion.

Germany is committed to strengthening the rights of women and children, especially the right to education. The proportion of girls attending school has risen steadily over the years; however, this remains a major challenge, in part due to the many schools closed as a result of the security situation. The German Government is working with UN Women and UNFPA to combat sexual violence in Mali.

Myanmar

Development in the human rights situation during the reference period

The military coup of 1 February 2021 has led to ongoing armed conflicts, violence, destruction and the displacement of millions of people, as well as major human rights violations. Regime forces (military personnel, militias and loyalist

vigilante groups) are systematically destroying infrastructure and creating humanitarian crises to tie down resistance forces. In particular, air strikes and artillery attacks on villages and civilian infrastructure (schools and hospitals) amount

to serious human rights violations. The armed resistance against the military regime has also been responsible for human rights violations, though to a much lesser extent.

The armed forces employ extremely brutal tactics, including against the Bamar ethnic majority. Conflicts between the military and armed ethnic minority groups, which pre-date the coup, have led to heavy fighting in large swathes of the country, especially since October 2023. The Rohingya Muslim minority is increasingly caught in the crossfire as the fighting intensifies. Over

one million Rohingya have fled to Bangladesh or other neighbouring countries, and the number of internally displaced persons has risen to 3.2 million.

Along Myanmar's borders, an estimated 300,000 people from various countries have been forced by criminal gangs into committing global online fraud and coerced into prostitution, with some victims killed for the purpose of organ harvesting. The military regime and a number of representatives of ethnic organisations are implicated.

Implementation of human rights commitments and policy

The human rights situation is the subject of resolutions in the UN General Assembly and the UN Human Rights Council. The junta does not abide by human rights obligations. The UN

Special Rapporteur on the situation of human rights in Myanmar, Tom Andrews, uses phrases such as "human rights crisis", "massacres" and "reign of terror".

Impacts of German and European project work

The German Government refrains from interactions that could give the appearance of politically legitimising the military regime. The German Government's channels of influence are focused on multilateral forums and mechanisms (UN, ASEAN, EU) as well as support for civil society. Contact with pro-democratic stakeholders (such as the National Unity Consultative Council, National Unity Government and further ethnic, political and civil-society organisations) raises the international profile of the opposition. Germany's support facilitates cooperation among opposition groups. It is becoming ever more difficult to support NGOs operating in the country.

Germany lends its discreet support to pro-democratic organisations and human rights defenders.

It also supports the work of the International Investigative Mechanism for Myanmar, established by the UN Human Rights Council, which documents human rights violations and other crimes under international law. On 15 November 2023, Germany joined the Gambia's genocide case against Myanmar before the International Court of Justice over the displacement of the Rohingya.

Nicaragua

Development in the human rights situation during the reference period

The precarious human rights situation has again deteriorated drastically. Opponents of the regime are politically persecuted, detained and expropriated in violation of the principles of the rule of law. To date, a total of over 450 members of the opposition have been stripped of citizenship, including the first 222 deported to the United States in February 2023 and the 135 political prisoners exiled to Guatemala in September 2024. According to independent observers, there are currently around 46 political prisoners in Nicaraguan prisons.

Since 2018, approximately 5500 civil-society organisations have been banned. Freedom of assembly, freedom of association, media freedom, and freedom of opinion and expression have effectively been suspended. Independent media no longer exist in Nicaragua; the country ranks 163rd out of 180 countries on the 2024 Press Freedom Index published by Reporters Without Borders.

The (Catholic) church faces severe repression. In January 2024, 19 Catholic clergymen were expelled, followed by a further eight in August 2024. Other religious groups have been stripped of their legal status, with members forced into exile.

Indigenous and Afro-Caribbean minorities in their autonomous regions are increasingly suffering from land grabs carried out with impunity by illegal settlers. A broad section of the Indigenous communities feel that their interests have lacked legitimate (self-)representation since the largest Indigenous party was banned in 2023 and municipal governments were taken over by the ruling party in February 2024.

The political and economic situation has prompted an estimated 600,000 Nicaraguans to emigrate since 2018. Nicaragua is a major transit country for illegal migration, with human smuggling operations actively supported by the regime.

Implementation of human rights commitments and policy

Nicaragua is making progress on the rights and access to water and sanitation thanks to international funding. The country ranks high on gender equality, partly thanks to consistently applied quotas in the political sphere, which are achieved by means of targeted appointments rather than elections. Domestic and sexual violence against women is widespread, however. Women's rights organisations are banned and programmes to protect and assist women are virtually non-existent. Nicaragua has one of the strictest abortion bans in the world.

The country is a party to the most important international human rights agreements. The death penalty has been abolished. The regime refuses to cooperate with the OHCHR and the Inter-American Commission on Human Rights, as well as with the expert group mandated by the UN Human Rights Council on 31 March 2022 to investigate human rights violations in Nicaragua since April 2018. Reports on the situation are vehemently denied.

Impacts of German and European project work

Germany maintains contact with the most important human rights organisations and regularly supports projects in areas such as gender justice, diversity and assistance for children and families affected by migration. Furthermore, the German Government regularly supports human rights defenders facing threats. At the EU level, the German Government has backed the

sanctions regime in view of the situation in Nicaragua that was agreed in 2019 and which has since been renewed annually. In the UN Human Rights Council, the German Government supports the resolution on the human rights situation in Nicaragua and regularly expresses its deep concern about the grave human rights situation in the country.

North Korea (Democratic People's Republic of Korea)

Development in the human rights situation during the reference period

North Korea maintains its strong self-imposed isolation, and staff from international organisations have not yet been able to return to North Korea on a long-term basis or resume their work in the country. As a result, no independent up-to-date information on the human rights situation in the country is available. It is safe to assume that the North Korean Government continues to commit serious and systematic human rights violations and that the situation has further deteriorated in some areas. For example, restrictions on freedom of opinion and expression, including isolation from external influences by

means of new legislation and harsh penalties for violations, have increased. Elizabeth Salmón, Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, reached this conclusion in her March 2024 report. Forced labour, torture, arbitrary arrests, politically motivated trials, collective punishment and the death penalty remain widespread in North Korea. The number of detainees in penal colonies and re-education camps is estimated to be in the high tens of thousands and probably much higher. Women face sexual and gender-based violence.

Implementation of human rights commitments and policy

The 2014 report of the UN Commission of Inquiry found that crimes against humanity were being committed in North Korea and recommended fundamental political and institutional reforms. Ten years after this report was published, there are no indications that the situation has improved. Serious violations of civil, political

and social rights are systemic in North Korea and a culture of impunity for perpetrators persists. There are no effective accountability mechanisms in place.

Impacts of German and European project work

From 2023 to 2024, the German Government supported two projects aimed at combating impunity for sexual and gender-based violence and other human rights violations in North Korea's penal system. These projects focused on improving documentation and the collection of evidence to support potential sanctions and thereby increase accountability.

The German Government has provided roughly nine million euro since 2012 to support humanitarian assistance projects in the country. After the German Embassy in Pyongyang was

temporarily closed on 9 March 2020, these efforts had to be suspended.

The EU continues its human rights efforts in North Korea and has regularly tabled resolutions on the human rights situation in North Korea to the Human Rights Council in Geneva and the Third Committee of the General Assembly since 2003. One of the outcomes of this has been to extend the mandate of the Special Rapporteur. Three individuals and two entities have been listed under the EU human rights sanctions regime for their roles in human rights violations in North Korea.

Occupied Palestinian territories

Development in the human rights situation during the reference period

The human rights situation in the occupied Palestinian territories is shaped both by the Palestinian actors (the Palestinian Authority in the West Bank and Hamas in the Gaza Strip) and by Israel, which is the occupying power in the West Bank and East Jerusalem and, since the attacks by Hamas on 7 October 2023, has been waging war against Hamas in the Gaza Strip.

Gaza:

In the worst terrorist attack in Israel's history, Hamas and allied groups killed more than 1200 people in Israel and abducted more than 250 hostages to Gaza on 7 October 2023. The human rights situation in the Gaza Strip is extremely precarious. Hamas cracks down on opposition

elements in civil society (including killings) and uses civilian facilities such as schools as shields. Meanwhile, Israel's military operations – against targets including schools, hospitals and food distribution centres – have claimed numerous civilian victims. According to statistics from the Palestinian Ministry of Health – Gaza, which are considered credible by the UN and are regularly cited, over 44,000 people have been killed and more than 100,000 people wounded in the fighting in Gaza to date. According to an IPC report dated 17 October 2024, approximately 1.84 million people in Gaza are affected by acute food insecurity. According to the OHCHR, 75% of the population in Gaza were already internally displaced by the end of April 2024; OCHA currently estimates this number to be at least 90%. At present, 79% of the territory is subject to Israeli

evacuation orders. According to UN organisations, the human rights of the population of the Gaza Strip have been gravely violated, including the rights to life; food, water; education; physical integrity; freedom; a safe, clean, healthy and sustainable environment; and freedom of movement. UN organisations also complain that Israel is obstructing access to humanitarian assistance.

West Bank/East Jerusalem:

Since December 2022, the human rights situation in the Palestinian territories has again deteriorated considerably. According to OHCHR and human rights organisations, the rights of Palestinian prisoners in Israeli custody are systematically restricted, and “administrative detention” is frequently imposed (meaning preventive detention without charges and usually for undisclosed

reasons). There are also reports of cases of torture and abuse. The increase in military operations in the West Bank has resulted in the destruction of civilian infrastructure, at times on a massive scale, and large numbers of civilian casualties. In addition, settlement expansion – in violation of international law and supported by elements of the Israeli Government – and the resulting displacement pressure on the Palestinian population, compounded by settler violence, greatly increased during the reference period.

The Palestinian Authority has also committed violations of the rights of freedom of the press, of assembly, and of opinion and expression, and the right to physical integrity in the form of abuse or even torture during interrogations. Additionally, the Palestinian Authority takes repressive measures against human rights defenders and opposition figures.

Implementation of human rights commitments and policy

The Palestinian Basic Law guarantees the population extensive human rights. However, practical implementation is lacking, not least with regard to comprehensive equality for women and girls, protection from gender-based violence, and means of pursuing justice when it occurs. This applies to the West Bank and even more so to the Gaza Strip.

Since 1967, a particular challenge to the human rights situation in the Palestinian territories has

been the Israeli occupation. In its Advisory Opinion of 19 July 2024, the International Court of Justice ruled that the continued presence of Israel in the occupied Palestinian territories is illegal and that it must therefore withdraw as soon as possible. In addition, the court found that Israel was maintaining a near-complete separation in the West Bank and East Jerusalem between the settler and Palestinian communities.

Impacts of German and European project work

During the reference period, Germany’s project work focused primarily on capacity-building and training sessions for human rights defenders. In general, support was given to individuals

and organisations that address human rights violations by all parties, albeit with different regional focuses. A particular focus was on supporting organisations, particularly those led by

women, concerned with gender-based violence, its prevention and dealing with its consequences. German initiatives also aimed to strengthen the resilience and the legal protection of Palestinians in the West Bank facing displacement pressure. One of the priorities of Germany's development cooperation is sustainable economic development, education, vocational training and employment in the Palestinian territories. In line with feminist development cooperation, many

programmes have a special focus on women, also in relation to access to water and strengthening local governance.

Increasingly restrictive Israeli measures against Palestinian civil-society organisations pose a challenge for the work of human rights organisations in the occupied Palestinian territories. The Israeli side justifies this by arguing that such organisations are exploited by terrorist groups.

Russia

Development in the human rights situation during the reference period

The human rights situation in Russia has deteriorated drastically across the board, as highlighted in the September 2024 report by Mariana Katzarova, UN Special Rapporteur on the Russian Federation. In connection with its illegal war of aggression against Ukraine, the Russian Government is systematically intensifying repression of (anti-war) critics through ever harsher legislation, increasing numbers of arbitrary arrests and long prison sentences. The unexplained death of Alexei Navalny while in custody on 16 February 2024 silenced the country's most prominent opposition voice; remaining opposition figures are arrested, convicted and sent to penal colonies, from which reports have emerged of months of solitary confinement and abuse. In cooperation with international partners, the German Government successfully secured the release of eight Russian political prisoners and four German citizens from Russian detention on 1 August 2024. Hundreds of individuals remain in political detention or are being politically persecuted.

Constitutionally guaranteed civil rights (freedom of information, opinion and expression, and association) have been effectively abolished. The public sphere is dominated by state control and propaganda, with the internet monitored and censored and apps slowed down or blocked entirely. Demonstrations are prohibited, and even solo protests are suppressed by force. Critical voices from the political sphere, the media, the arts, NGOs, the legal profession and civil society are labelled "extremist" or "foreign agents" by means of increasingly opaque legislation and a servile judiciary, or harassed and criminalised for disseminating "fake news" about the Russian armed forces or for "discrediting" them. NGOs based abroad, including the organisations of Russians in exile, are criminalised as "undesirable organisations", thereby cutting off Russia's civil society from the rest of the world. Critical associations representing Indigenous peoples, small ethnicities or national minorities have labelled "the anti-Russian separatist movement", designated "extremist" and banned. Widespread domestic violence against women, likely to increase with the return of

war-traumatised soldiers, often goes unpunished. To boost birth rates, the Russian Government is promoting “traditional values” and gender roles.

Meanwhile, any mention or practice of LGBTIQ+ orientation in public has been prohibited, and gender transitioning is banned.

Implementation of human rights commitments and policy

Russia has ratified seven of the nine key UN human rights agreements. Russia’s membership of the UN Human Rights Council was suspended as a result of the war of aggression against Ukraine; the German Government successfully opposed Russia’s re-election in 2023. In 2022, Russia was

also expelled from the Council of Europe. Russia is no longer a party to the European Convention on Human Rights (ECHR), and no longer complies with the rulings of the European Court of Human Rights.

Impacts of German and European project work

The repressive measures by the Russian state have left room for only a few remaining human rights projects to be funded. Nearly all of Germany’s long-standing civil-society partners in Russia have been forced to leave the country; in particular, political foundations have been

designated as “undesirable organisations”. The German Government continues to maintain ties to liberal-minded people in Russia, and it supports players committed to human and civil rights under difficult conditions and within the bounds of the possible.

Saudi Arabia

Development in the human rights situation during the reference period

Despite major progress, a number of shortcomings remain in Saudi Arabia, particularly regarding political rights such as freedom of opinion and expression and freedom of assembly. The number of executions remains high, with 171 in 2023 and at least 199 between January and early October 2024.

The national Human Rights Commission (HRC) established in 2005 is a government institution with the goal of aligning Saudi Arabia’s human

rights protections with “international standards for human rights”. It also accepts individual complaints. The chair is appointed by the king.

Broad definitions of crimes under the 2017 counterterrorism law and the 2007 anti-cyber crime law are often used to harshly punish the expression of critical opinions as terrorist acts.

In the context of the country’s social and cultural liberalisation (“Saudi Vision 2030”), women’s

legal status has improved significantly. Since the ban on women driving was lifted in 2018, the male guardianship system has largely been dismantled, gender segregation in the public realm has been abolished, and a law against sexual harassment has been enacted. The government actively promotes women's inclusion in the labour market and appointment to senior positions. Equal pay for men and women is guaranteed by law. Dress codes for women in public places have been significantly relaxed, which is noticeable in major cities in particular. Reforms to the kafala system in 2023 aim to improve conditions for domestic workers, though their situation remains markedly worse than that of people in other forms of employment. The integration of

people with disabilities into the labour market is gradually improving.

In recent years, the influence of conservative clerics has been reined in. The government is promoting a more tolerant form of Islam and dialogue with other religions.

The reform of the judicial system is moving forward and is intended to lead to greater legal certainty. For example, large parts of the judiciary have been digitalised and various new laws have been codified, including a Civil Code, a Personal Status Law, a Law of Evidence for civil procedures and a Civil Transactions Law. Only the proposed new Penal Code remains under negotiation.

Implementation of human rights commitments and policy

Saudi Arabia is an absolute monarchy, and Sharia has primacy over human rights under its constitution. A general Sharia proviso is placed on each of the UN agreements it has ratified. Saudi Arabia has acceded neither to the International Covenant on Civil and Political Rights (ICCPR) nor to the International Covenant on Economic, Social and Cultural Rights (ICESCR).

In 2024, Saudi Arabia participated in the fourth cycle of the Universal Periodic Review process at the UN Human Rights Council. The country currently chairs the UN Commission on the Status of Women.

Impacts of German and European project work

The German Government regularly raises human rights issues with Saudi Arabia and maintains regular dialogue with the Human Rights Commission. An increase in early releases of imprisoned women's and human rights activists has been observed in recent years, although these are often accompanied by bans on leaving the country.

Since September 2021, the EU and Saudi Arabia have engaged in a structured human rights dialogue that alternates annually between Brussels and Riyadh.

South Sudan

Development in the human rights situation during the reference period

The human rights situation in South Sudan is dire. In 2024, the UN Commission on Human Rights in South Sudan condemned the “systematic political repression and economic predation”, the vast scale of gender-based violence and the widespread impunity for serious human rights violations. Sub-national violent conflicts continue to claim large numbers of victims. The parties to the conflict continue to recruit adolescents and children. Although illegal under national law, child marriages remain commonplace. Progress on implementing the 2018 Revitalised Peace Agreement is minimal.

In a special report in 2023, the UN Human Rights Commission on South Sudan contended that civic space in the country had “virtually disappeared” and cast doubt on the country’s readiness to hold free, fair and peaceful elections in December 2024. In September 2024, following another extension of the transitional period by two years, the first elections since the country’s

independence were postponed until December 2026. Members of the press complain of restrictions on reporting. Extrajudicial detentions of members of the press and others are conducted in some cases by intelligence agencies, whose power to carry out arbitrary arrests were confirmed by the South Sudanese Parliament in July 2024, despite the publicly expressed concerns of all relevant like-minded embassies. A formalised legal system is virtually non-existent outside larger cities. There are instances of extrajudicial executions and torture. The LGBTIQ+ community is subject to discrimination and criminalisation.

Despite South Sudan’s bountiful natural resources, approximately three quarters of the 12.4 million people in South Sudan are reliant on humanitarian assistance. South Sudan is one of the most dangerous countries in the world for humanitarian workers, who are frequently the targets of attacks.

Implementation of human rights commitments and policy

The South Sudanese Government often fails to meet its human rights obligations and commitments. In 2024, South Sudan acceded to the UN Convention on the Rights of Persons with Disabilities and the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights. However, the instruments of ratification have yet to be deposited with the United Nations. South Sudan refuses to abolish the death penalty. The establishment of the

institutions of transitional justice stipulated in the peace agreement is progressing slowly. Freedom of religion is largely guaranteed.

Impacts of German and European project work

The focal points of Germany's project work in the domain of human rights include the following:

- supporting the implementation of the peace agreement, such as through involvement in the UN peacekeeping mission in South Sudan (UNMISS) and UN-led peacebuilding and stabilisation funds
- curbing gender-based violence and empowering women in the peace process, for example by supporting projects that promote women's political participation (e.g. workshops for women parliamentarians and peace committees) and establishing a credible transitional justice system
- strengthening civil society and independent media, for example by providing training for journalists and support services for marginalised groups
- providing humanitarian assistance and supporting the water and agricultural sectors through development cooperation, thus contributing to the realisation of the human rights to water and food Germany is the second-largest bilateral donor to South Sudan.

Sri Lanka

Development in the human rights situation during the reference period

Recovering from the 2022 sovereign debt default remains a major challenge for Sri Lanka, despite tremendous support from the International Monetary Fund (IMF) and agreements recently reached with international creditors. In his inaugural speech, the new President Anura Kumara Dissanayake (sworn in on 23 September 2024) emphasised a vision for transforming the country's political and social culture. Although his predecessor, Ranil Wickremesinghe (2022-24), had adopted a more conciliatory tone towards minorities, largely only formal progress was made on human rights and reconciliation during his tenure. Former President Gotabaya Rajapaksa (2019-22), who resigned during the economic crisis, had severely restricted human rights and minority rights and had presented

himself as a strong representative of the Sinhalese-Buddhist majority.

Although equality before the law applies in Sri Lanka, the country has been dominated by the Sinhalese majority (74.9%) since independence in 1948. Furthermore, 15.4% of the population are Tamils (11.2% Sri Lankan Tamils and 4.2% Tamils of Indian origin), and around 9.2% belong to the predominantly Muslim ethnic group known in Sri Lanka as Moors. Public administration and security forces are predominantly staffed by Sinhalese people, while minorities (especially Muslims and Tamils) face marginalisation and hostility. Several thousand internally displaced persons have been living primarily in the north and east of the country since the end of the civil war, still

waiting for land to be returned or assigned to them. The situation of those working in agriculture (especially tea plantations in the highlands) and in the textile industry in underdeveloped regions remains extremely precarious.

NGOs report facing intimidation, surveillance and interrogations by security authorities and perceive their work to be restricted. This affects Sri Lankan, multinational and foreign organisations as well as Christian charitable institutions.

Implementation of human rights commitments and policy

Little progress has been made with respect to investigations into the 26-year civil war (1983-2009), despite initial announcements under former President Wickremesinghe and others. It is too early to assess the current government's implementation of human rights policies. The previous government of Sri Lanka rejected the relevant resolutions of the United Nations Human Rights Council, in particular because they established an external mechanism for preserving evidence for the purposes of possible future legal investigation of human rights violations (including prosecutions outside Sri Lanka).

In late 2023, Sri Lanka's Ministry of the Interior began conducting a sweeping anti-drug campaign, Operation Yukthia, which imposes prison

sentences for even the most minor offences. Thousands of suspected individuals have already been registered by the police. To protect the public from cybercrime, the controversial Online Safety Act was enacted in spring 2024, containing mechanisms for monitoring and prohibition that are at odds with the democratic right to freedom of opinion and expression. The draconian Prevention of Terrorism Act continues to be enforced despite a moratorium. The Anti-Terrorism Act, introduced by the government as a reform proposal, remains the subject of pointed criticism from opposition parties, the media, civil society and the UNHCR, as the powers it grants to the executive, i.e. the president, are not subject to sufficient oversight by the judiciary or democratic institutions.

Impacts of German and European project work

The German Government is supporting the reconciliation process in Sri Lanka with a project co-financed by the EU, entitled Strengthening Social Cohesion and Peace in Sri Lanka (SCOPE). The project will receive 800,000 euro in 2024 via GIZ, which is implementing the project in partnership with the Sri Lankan Ministry of Justice as well as local and international NGOs. It supports campaigns to curb hate speech and disinformation; works with traditional and digital media stakeholders, academics, cultural professionals and social media users; and promotes the roles of women and young people in strengthening social cohesion.

Furthermore, the German Government is supporting the Strengthening the Rule of Law and Democratic Principles in Sri Lanka in Times of Crisis project, implemented by the Max Planck Foundation for International Peace and the Rule of Law, with a grant of 272,000 euro in 2024. This initiative promotes the rule of law and the protection of human rights and aims to bolster the capacity of relevant stakeholders (the Supreme Court, judges, lawyers, the Human Rights Commission and civil society).

The Sudan

Development in the human rights situation during the reference period

The human rights situation in the Sudan has deteriorated dramatically since the outbreak of violent conflict between the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF) in April of last year. Since then, intense fighting has been raging across the country, particularly in the Khartoum, Darfur, Kordofan and Al-Gezira regions, resulting in over 20,000 confirmed deaths (alongside many unreported deaths) and more than 11 million people displaced internally and abroad.

The conflict has divided the country into an SAF-dominated north-east and an RSF-dominated south-west and greatly exacerbated the humanitarian situation. The human rights situation in the Sudan has been characterised by numerous human rights violations, including documented war crimes and crimes against humanity in the areas occupied by the respective parties. Vulnerable groups such as women, children, the elderly, people with disabilities, internally displaced persons, refugees, prisoners of war and members of social minorities are disproportionately affected.

Implementation of human rights commitments and policy

The Sudan made progress through international cooperation until the 2021 military coup. However, legislative changes in the area of human rights were not systematically implemented.

Due to the military conflict, many important political processes have been suspended indefinitely, including the implementation of a 40% quota of women in political offices and processes and the Sudan's accession to the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Important legal provisions from the period of the transitional government, such as the July 2020 ban on female genital mutilation, have also been particularly undermined by the dynamics of the current conflict. Sexual and gender-based violence against women has become very widespread in areas affected by the fighting. Since the outbreak of hostilities, there have been reports of widespread illegal killings, and the arbitrary enforced disappearance of

individuals, including several hundred prisoners of war from opposing sides, has been systematically employed. The 2019 transitional constitution explicitly mentions the right to education. However, the Sudan is currently unable to guarantee access to education throughout the country. Systematic persecution and harassment of journalists, the deliberate destruction of over 90% of media infrastructure, extensive and targeted disinformation campaigns by domestic and foreign players, and the lack of regulation of social media platforms have made independent reporting nearly impossible, and perilous, since the outbreak of hostilities. The scope in which civil society can operate has shrunk drastically since the war began. The National Intelligence Services Act was passed on 8 February 2024, granting expanded powers to intelligence agencies and giving their members legal immunity during the exercise of their duties.

In autumn 2023, with German support, the UN Human Rights Council adopted a resolution mandating a UN fact-finding mission to

investigate human rights violations in the Sudan. Germany successfully advocated for the extension of this mandate in autumn 2024.

Impacts of German and European project work

Since the outbreak of hostilities in April 2023, project work has been largely suspended.

Through the Hannah Arendt Initiative (HAI), Germany has provided support for Sudanese journalists in the form of fellowships and opportunities to travel to other countries within the region (Uganda/Kenya). In Nairobi, the HAI operates a hub of journalists in exile in cooperation with UNESCO.

Germany has reinforced capacity-building for civil-society players and organisations in areas such as transitional justice and political decision-making processes through training sessions, continuing education courses and expert

retreats. A new initiative is intended to expand this support for Sudanese civil-society players both inside and outside the country. It will fund local initiatives fostering social cohesion, psychosocial support, and measures that promote networking and dialogue to enable participants to develop and defend shared standpoints.

Germany has helped to expand easy access to information and news and supported the establishment of fact-checking mechanisms and campaigns to combat disinformation. Germany is involved in capacity-building for the documentation of human rights violations, with the long-term goal of facilitating convictions in regional and other courts.

Syria

Development in the human rights situation during the reference period

The human rights situation in Syria was dire during the reference period, and serious human rights violations remained commonplace. In particular, persistent fighting in certain regions, repression by state and non-state actors, and dire economic and humanitarian conditions exacerbated the human rights situation. According to

the Independent International Commission of Inquiry on the Syrian Arab Republic established by the UN Human Rights Council, there are indications that war crimes and crimes against humanity continued to take place. Overall, there are major regional differences.

Implementation of human rights commitments and policy

The Syrian regime obstructed any investigation of human rights violations and impeded the collection of evidence for future criminal proceedings. The Syrian regime still did not grant access to UN mechanisms such as the Independent International Commission of Inquiry (IICI) and the International, Impartial and Independent Mechanism (IIIM), which assists in the investigation and prosecution of the most serious war crimes committed in Syria. During the reference period, Germany also supported the establishment of the UN Independent Institution on Missing Persons in the Syrian Arab Republic (IIMP), which began operations in 2024, as part of its contribution to the UN (6.1%).

The economic situation worsened during the reference period. The civilian population is facing a severe economic crisis, rampant inflation and the need to pay bribes, for example at checkpoints. According to the UN, around 16.7 million people (out of an estimated total population of 23 million) are dependent on humanitarian assistance.

Gender-based and sexual violence is widespread, with offences attributed to all parties to the conflict. Since the conflict began, the Syrian Network for Human Rights (SNHR) has documented 11,526 cases of sexual violence, primarily perpetrated by the Syrian armed forces and allied militias. Children's rights were also gravely violated: according to a UN report, there were 1073 known cases of children forcibly recruited by the various parties to the conflict in 2023.

Opposition groups and dissidents, as well as critics of the de facto authorities in areas outside the control of the Damascus government, continue to face persecution. The regime regularly classifies efforts to establish a new democratic order in Syria based on the rule of law as “terrorist activities” or “high treason” and punishes them accordingly. Anti-terror legislation continued to be abused to target opponents of the regime both at home and abroad; the accused were usually not granted access to legal counsel.

Repression by the regime and non-state actors, including the de facto authorities in north-western and north-eastern Syria, remains at high levels. Attacks on media professionals were also commonplace. Syria ranks 179th out of 180 on the 2024 Press Freedom Index published by Reporters Without Borders.

Reports of torture and secret detention facilities remain widespread. The UN voices concern about the ongoing and widespread use of torture and the lack of progress on combating it, despite the International Court of Justice's urgent Order of 16 November 2023 to cease and prevent torture.

Arbitrary arrests, often followed by solitary confinement and enforced disappearances, remain a ubiquitous practice. Since early 2024, SNHR has documented 1865 arbitrary detentions, around 73% of which lead to enforced disappearances.

Impacts of German and European project work

In response to the humanitarian crisis, Germany is implementing numerous humanitarian projects and supporting the civilian population with measures aimed at maintaining public services and enabling civilians to support themselves. This includes access to basic services such as healthcare and education and income generation to ensure people's livelihoods. In addition, the German Government supports efforts by civil-society players to achieve justice and

accountability for human rights violations and war crimes; for example, Syrian refugees and internally displaced persons are assisted in securing documentation of their property and landholdings. Germany also assists the documentation of human rights violations, analysis of the data collected and its use by international accountability mechanisms. Germany provides financial support to the IIIM UN mechanism.

Turkey

Development in the human rights situation during the reference period

Human and civil rights remain under pressure in many areas. While freedom of the press, freedom of opinion and expression, and freedom of assembly are constitutionally guaranteed, broadly interpreted anti-terror and penal laws noticeably restrict their exercise. Trials with political implications reveal the limits of judicial independence and have an intimidating effect on large swathes of civil society. Independent media reporting is being limited.

Women's rights continue to be enshrined in Turkey's legislation despite the country's withdrawal from the Istanbul Convention, and women's representation in public life is growing. However, women's rights organisations contend that laws are inadequately enforced, perpetrators of gender-based violence go unpunished, and patriarchal structures and rhetoric persist. Although there are no legal prohibitions on the free expression of sexual orientation and gender identity, there is also no legal protection against

discrimination. Homophobic rhetoric in the political sphere and society has risen in recent years, and LGBTIQ+ events are banned.

Turkey has achieved a remarkable feat in admitting over 4.5 million refugees/migrants. In the context of the economic crisis and the impact of the devastating earthquakes in south-eastern Turkey on 6 February 2023, which disproportionately affected vulnerable groups (refugees, women and girls), there has been a recent rise in resentment and violent crime targeted against refugees.

Implementation of human rights commitments and policy

Turkey has ratified eight of the nine key UN human rights treaties. However, in 2021, it withdrew from the Istanbul Convention on preventing and combating violence against women and domestic violence due to its alleged “normalisation of homosexuality”.

The insufficient implementation of rulings by the European Court of Human Rights (ECtHR)

has drawn criticism for many years. Since December 2021, for example, the Council of Europe has conducted infringement proceedings against Turkey for failing to abide by the relevant ECtHR judgement in the case of Osman Kavala. In September 2023, Turkey’s Supreme Court upheld Kavala’s aggravated life sentence.

Impacts of German and European project work

Germany supports human rights projects in Turkey as part of its feminist foreign policy. Key areas include promoting women’s, LGBTIQ+ and refugee rights, as well as strengthening the rule of law, freedom of the press, and freedom of opinion and expression. In Turkey, Germany is facilitating dialogue in protected spaces, promoting democratic standards, countering social polarisation, strengthening the capacities of local human rights organisations and observing trials.

In the context of development cooperation, Germany also supports host communities in Turkey by providing services and fostering the integration of refugees. A particular focus here is on generating development prospects through education, employment measures and psychosocial counselling. The EU also continues to play a particularly active role in the area of displacement and migration, as well as with programmes to strengthen civil society and the rule of law. Team Europe is the largest donor for post-earthquake reconstruction.

Russian-controlled areas of Ukraine

Development in the human rights situation during the reference period

During Russia’s war of aggression, civilians were killed and tortured in temporarily occupied suburbs (including Bucha and Irpin). Several thousand civilians were killed in Mariupol. War crimes and human rights violations – including the existence of (mass) graves of victims and torture facilities – were also reported from the recaptured areas in the Kharkiv region (including the town of

Izyum). According to the UN High Commissioner for Human Rights, Ukrainian politicians and activists are being abducted in targeted operations in the newly occupied parts of the country. Ukrainians are prevented by Russia from fleeing to government-controlled parts of the country; large numbers of them pass through what are known as “filtration camps” where, according to eyewitness

accounts, people are detained and sometimes abused. There are indications that Ukrainians, including children, have been deliberately deported to Russia. The frequency of conflict-related sexual violence has risen sharply.

Civilian infrastructure has been destroyed in many places, and the basic provision of water

and food is no longer guaranteed. There are currently around 3.7 million internally displaced persons in Ukraine; since the beginning of the war, about 36 million people have crossed the border from Ukraine into neighbouring countries, and some 5.9 million have applied for temporary protection in EU member states, Switzerland, Iceland or Norway.

Implementation of human rights commitments and policy

Ukraine is a party to key UN human rights agreements, and its institutions for protecting human rights, such as the ombudsperson, continue to operate. In June 2022, Ukraine ratified the Istanbul Convention on preventing and combating violence against women and domestic violence.

The only restriction on freedom of the press under martial law has been in regard to the military movements of the Ukrainian armed forces. As part of the general mobilisation, Ukrainian men over the age of majority and under 60 are, as a rule, no longer permitted to leave the country.

Impacts of German and European project work

Immediately after Russia invaded Ukraine, Germany allocated 26 million euro to international disaster relief. It has made available approximately 1.6 billion euro for reconstruction and development cooperation since the start of Russia's war of aggression. Germany has provided 440 million euro in humanitarian assistance; this money supports provision for refugees and internally displaced persons, medical and psychosocial assistance, food packages, and the construction of water and sanitation facilities, among other programmes. Germany is providing a further 60 million euro from this package for winter relief (including UNHCR, the International Organization for Migration, the World Food Programme, the German Red Cross and UNICEF). By the end of the year, the UN and its partners aim to provide 300,000 people with blankets and mattresses, distribute winter clothing, provide 75,000 households with heaters and

50,000 more households with solid fuels such as coal. In addition, communal accommodation centres for 40,000 people are to be winterised and 18,000 homes are to be insulated.

Prosecutions for the most serious human rights violations are being supported by means of one million euro in voluntary additional contributions to the International Criminal Court and funding to the UN Human Rights Monitoring Mission and Ukrainian investigatory authorities. Germany supports the work of Pramila Patten, the UN Secretary-General's Special Representative on Sexual Violence in Conflict, with 500,000 euro earmarked for Ukraine. In addition, the Federal Foreign Office is supporting SEMA Ukraine, a network of survivors of conflict-related sexual violence, via the Mukwege Foundation, providing around 300,000 euro in 2022 alone.

Venezuela

Development in the human rights situation during the reference period

The human rights situation in Venezuela remains highly precarious. Malnutrition, insufficient water and electricity, poverty and inadequate healthcare are widespread issues. In addition to social and economic human rights, political and civil rights are violated in Venezuela, especially through surveillance, political detention, human trafficking and extrajudicial executions. Repressive action against opposition politicians and human rights defenders intensified following the elections on 28 July 2024. Geographically, there is a focus on the Arco Minero, the mining region

in the south of the country, where exploitation in the form of modern slavery (affecting approximately 174,000 people), murders by armed groups, environmental destruction and poverty are rampant. Freedom of expression is also severely impaired, with media blackouts expanded to include outlets such as Deutsche Welle on cable television prior to the elections. Particularly concerning, in regard to women's rights, are the high rate of teenage pregnancies and the very high level of maternal mortality in the region.

Implementation of human rights commitments and policy

The Maduro government commits and tolerates extensive human rights violations, but especially after 2021 began taking a less aggressive stance and tried to cooperate in some areas, in part to improve its international reputation. This trend came to a halt, at least for the time being, with the conflicts that followed the presidential election. In the south of the country, many violations are still being perpetrated by armed groups, some of which cooperate with government security forces. In addition, elements of the government are profiting from the exploitative conditions in the region's mines. Human rights violations also

take place regularly along migration routes. The State Telecommunications Commission exercises censorship, some opposition media are inaccessible online as well as offline, and television programming is subject to checks. The government is unable to satisfactorily guarantee the rights to basic services and housing. This is also a result of the economic crisis, which was partly caused by government policies. Nevertheless, between 2021 and 2024, as a result of the above strategy, there has been a moderate easing of the economic situation that has led to fewer serious infringements of human rights in some areas.

Impacts of German and European project work

The German Government supports human rights projects in Venezuela focusing on civil and political rights, access to justice, Indigenous rights and gender justice, among other issues. Project work

has helped to enhance civil-society oversight of the state apparatus, particularly in the area of documenting human rights violations. Sanctions imposed on individuals to target Venezuela

remain in force at the EU level in response to the erosion of democracy and serious human rights violations. In the UN Human Rights Council, the

German Government supports the resolution on the human rights situation in Venezuela.

Yemen

Development in the human rights situation during the reference period

Yemen is effectively divided into areas in the south, which are nominally governed by the internationally recognised government (IRG) but actually more likely controlled by various tribes and militias, and areas in the north under the control of the radical Islamist Houthi militia. An estimated 65% of the population currently reside in the north.

The human rights situation has steadily deteriorated in recent years as a result of the conflict between the IRG and the Houthis. Severe human rights violations have been documented, particularly in Houthi-controlled areas. Violations reported by NGOs include arbitrary killings and arrests; torture; violent enforced disappearances; the use of cluster munitions and anti-personnel mines; restrictions on freedom of the press, the media, assembly and religion; the recruitment of child soldiers; and other forms of child labour.

The situation for women and girls in Houthi-controlled areas is also getting progressively worse. In particular, the mahram rule was

more strictly enforced during the reference period. Under this rule, women are only permitted to travel within the country in the company of a male family member. The rule is applied particularly strictly to female humanitarian workers, whose work is severely restricted as a result.

Since the Gaza war began in October 2023, the human rights situation in Houthi-controlled areas has worsened drastically once again. The head of a company contracted by the UN was sentenced to death. In an unprecedented move, at least 60 local staff members of UN organisations and NGOs were taken into custody by Houthi forces in early June 2024 and transferred to unknown locations. The Houthis claim that these actions were taken as a result of uncovering a “US-Israeli spy network”. Since early 2024, moreover, an increase has been observed in the targeting of activists, journalists and LGBTIQ+ individuals by the Houthi forces in power, along with intensified recruitment of child soldiers under the pretext of the fight for Palestine.

Implementation of human rights commitments and policy

Some legal structures and agreements for the protection of certain human rights are formally in place, but their implementation falls short

due to the realities of the conflict and, in particular, owing to the weakness of the IRG, including within the very limited territories under its

control. For example, the IRG has committed to the UN Charter and the Universal Declaration of Human Rights and has ratified seven of the nine

key UN human rights agreements. Their implementation remains highly inadequate, however.

Impacts of German and European project work

As part of a political resolution to the conflict in Yemen, the German Government and the EU are calling for the cessation and investigation of human rights violations. Notably, Germany is providing financial support to Mwatana, a Yemeni human rights NGO that documents human rights abuses throughout the country. In

2023, the German Government allocated almost 100,000 euro to the Promoting Awareness and Protection of Civilians in Yemen project. This sum supported the documentation of at least 58 human rights violations, training for activists and the compilation of a report on the situation of migrants in Yemen.

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