

# Germany 2024 Human Rights Report

## Executive Summary

The human rights situation in Germany worsened during the year.

Significant human rights issues included restrictions on freedom of expression and credible reports of crimes, violence, or threats of violence motivated by antisemitism.

The government took some credible steps to investigate, prosecute, and punish officials who committed human rights abuses.

## Section 1. Life

### a. Extrajudicial Killings

There were no reports the government or its agents committed arbitrary or unlawful killings during the year.

The trial of five Dortmund police officers implicated in the 2022 fatal shooting of a Senegalese teenager, Mouhamed Dramé, in that city continued throughout the year. In February 2023, prosecutors charged one officer with manslaughter, three others with causing dangerous bodily injury, and the officers' supervisor for inciting his subordinates.

### b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on

the part of government authorities.

## **Section 2. Liberty**

### **a. Freedom of the Press**

The constitution provided for freedom of speech, including for members of the press and other media, and the government generally respected this right. An independent media, an effective judiciary, and a functioning democratic political system generally combined to promote freedom of speech, including for media members. Nonetheless, in accordance with national law, the government imposed limits on the speech of groups it deemed extremist. The government arrested, tried, convicted, and imprisoned several individuals for speech that authorities deemed incited racial hatred, endorsed Nazism, or denied the Holocaust.

The law required social networks not only to assess and potentially restrict illegal content but also to report online hate crimes, including antisemitic hate speech, to the Federal Criminal Police. By law, authorities treated online threats the same as in-person threats, and threats of rape and vandalism – whether online or in person – the same as threats of homicide.

### **Physical Attacks, Imprisonment, and Pressure**

Nongovernmental organizations (NGOs) and journalists' organizations reported several cases of harassment or violence directed against

journalists by police during the year, especially when covering demonstrations.

Law enforcement, including the Federal Criminal Police Office, routinely raided homes, confiscated electronic devices, interrogated suspects and prosecuted individuals for the exercise of freedom of speech, including online. According to data from the Organization for Security and Co-operation in Europe (OSCE), the country recorded 17,007 hate crimes in 2023 (the latest year in which data was available), a significant increase compared to 8,585 in 2019. A substantial number of alleged hate crimes were online speech, though the OSCE's Office for Democratic Institutions and Human Rights criticized the lack of data collection or availability of specific details about prosecutions.

On March 7, in anticipation of International Women's Day, police raided the homes of 45 individuals across the country as part of an effort to "combat misogyny on the internet;" in the same effort, authorities searched and questioned 37 other individuals in the months leading up to the raids. Authorities accused these individuals of crimes ranging from advocating or threatening sexual violence against women to making comments about female politicians and generalized insults against women.

### **Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups**

The law required internet companies, including U.S. internet platforms, to

take down hate speech within 24 hours or face stiff fines. Authorities prosecuted both online speech and the repetition or reposting of speech, including quotations falsely attributed to public figures or other individuals and for personally insulting speech about political figures.

Nonstate groups and private persons sought to inhibit freedom of speech, including of members of the press.

## **b. Worker Rights**

### **Freedom of Association and Collective Bargaining**

The constitution, the law, federal legislation, and government regulations provided for the right of employees to form and join independent unions, bargain collectively, and conduct legal strikes. Work stoppages that took place without the consent of a union or in violation of a collective bargaining agreement, known as wildcat strikes, were not allowed. The law prohibited antiunion discrimination and offered legal remedies to claim damages, including the reinstatement of unlawfully dismissed workers.

Some laws and regulations limited these labor rights. While civil servants were free to form or join unions, their wages and working conditions were determined by legislation, not by collective bargaining. All civil servants (including some teachers, postal workers, railroad employees, and police) were prohibited from striking.

Employers were generally free to decide whether to be a party to a

collective bargaining agreement. Even if they decided not to be a party, companies had to apply the provisions of a collective agreement if the Federal Ministry of Labor and Social Affairs declared a collective bargaining agreement generally binding for the whole sector. Employers not bound by sectoral collective bargaining agreements often used them to determine part or all employment conditions. Employers could contest a strike's proportionality or a trade union's right to take strike action in court. The law did not establish clear criteria on strikes, and courts often relied on case law and precedent.

The government effectively enforced applicable laws protecting freedom of association, collective bargaining, and the right to strike for workers. Actions and measures by employers to limit or violate freedom of association and the right to collective bargaining were considered unlawful and could lead to fines. Penalties and remediation efforts were commensurate with those of equivalent laws denying civil rights. Penalties were regularly applied against violators.

Laws regulated cooperation between management and work councils (companies' elected employee representation), including the right of the workers to be involved in management decisions that could affect them. Work councils were independent from labor unions but often had close ties to the sector's labor movement. The penalty for employers convicted of interfering in work councils' elections and operations was up to one year in prison or a fine.

Labor organizers asserted that a significant number of employers

interfered with the election of work council members or tried to deter employees from organizing work councils. This practice was criticized by labor unions, which called for stronger legislation to shield employees seeking to exercise their legal rights. According to a study released September 12 by the Hans Boeckler Foundation's Institute of Economic and Social Research, 47 percent of 131 union leaders surveyed were aware of cases in which employers had attempted to interfere in the creation of works councils, a rate which rose to 54 percent of union leaders in the metal-working and electronics industries. According to a September 12 report by broadcaster Hessischer Rundfunk, the Confederation of German Employers' Associations asserted prosecutors very rarely prosecuted cases of alleged interference and implied that verifiable cases of interference were rare.

## **Forced or Compulsory Labor**

See the Department of State's annual *Trafficking in Persons Report* at: <https://www.state.gov/trafficking-in-persons-report/>.

## **Acceptable Work Conditions**

### **Wage and Hour Laws**

The law provided for a minimum wage for all sectors. The nationwide statutory minimum wage was less than the official estimate for the poverty income level, defined as two-thirds of the national median wage. The minimum wage did not apply to persons younger than age 18, long-

term unemployed persons during their first six months in a job, or apprentices undergoing vocational training, regardless of age. Several sectors set their own higher minimum wages through collective bargaining.

Federal regulations set the standard workday at eight hours, with a maximum of 10 hours, and limited the average workweek to 48 hours. For the 54 percent of employees who were directly covered by collective bargaining agreements, the average agreed working week was 37.7 hours. The law required a break after no more than six hours of work, stipulated regular breaks totaling at least 30 minutes, and set a minimum of 24 days of paid annual leave in addition to official holidays. Provisions for overtime, holiday, and weekend pay varied, depending upon the applicable collective bargaining agreement. Such agreements or individual contracts prohibited excessive compulsory overtime and protected workers against arbitrary employer requests.

Unions and NGOs reported violations of wage, hour and overtime laws. On February 28, the German Institute for Human Rights noted violations of such laws in the nursing care, agriculture, meatpacking, construction, and domestic services sectors. Unions and other NGOs, such as the Bremen Chamber of Employees in a July 8 press release, also asserted violations occurred in the delivery services, storage and logistics, lodging, cleaning services, and gastronomy sectors.

## **Occupational Safety and Health**

Extensive laws and regulations governed occupational safety and health (OSH), and they were generally appropriate for the main industries in the country. The government proactively identified unsafe conditions.

Allegations of unsafe working conditions were most common in the construction, transportation, and postal logistics industries, and the highest number of workplace accidents occurred in these industries. If an employer failed to protect the employee effectively, employees could remove themselves from situations that endangered their health or safety without jeopardy to their employment.

## **Wage, Hour, and OSH Enforcement**

The government effectively enforced minimum wage, overtime, and OSH laws. The government monitored compliance with the statutory and sector-wide minimum wages and hours of work through the Customs Office's Financial Control Illicit Work Unit, which conducted checks on nearly 42,600 businesses in 2023. Focus areas included construction, hospitality industry, cleaning services, and logistics and parcel delivery. Employees could sue companies if employers failed to comply with the Minimum Wage Act, and courts could sentence employers who violated the provisions to pay a substantial fine.

The Federal Ministry of Labor and Social Affairs and its state-level counterparts monitored and effectively enforced OSH standards through a network of government bodies, including the Federal Agency for



Occupational Safety and Health. At the local level, professional and trade associations, self-governing public corporations with delegates representing both employers and unions, as well as works councils, oversaw worker safety. The number of inspectors was sufficient to provide for compliance. Inspectors had the ability to make unannounced inspections and initiate sanctions.

A comprehensive system of worker insurance carriers enforced safety requirements in the workplace.

Penalties for wage, hour, and OSH violations were commensurate with those for other crimes such as fraud and negligence and were regularly applied against violators.

The law provided for equal treatment of foreign workers, although there were reports that they faced some wage discrimination. Employers, particularly in the construction sector, sometimes paid lower wages to seasonal workers from Eastern Europe.

The Federal Anti-Discrimination Agency stated work applicants of foreign descent with foreign names faced discrimination even when they had similar or better qualifications than others. On June 25, the agency reported it had received 3,429 complaints in 2023 alleging discrimination in the workplace or when accessing services because of ethnic background, racism, or antisemitism.

According to a January 30 study by the University of Linz and the Institute for Applied Economic Research at the University of Tübingen, the

informal economy accounted for approximately 11.3 percent of the country's GDP. According to the 2019 Act to Combat Unlawful Employment and Benefit Fraud, part of the Customs Office's Financial Control Illicit Work Unit's mandate included monitoring undeclared and illegal work. The unit had approximately 8,900 personnel assigned to investigate employers and employees not fulfilling certain social security, tax, social benefit, or employment reporting obligations.

### **c. Disappearance and Abduction**

There were no reports of enforced disappearances by or on behalf of government authorities.

### **Prolonged Detention without Charges**

The constitution prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of arrest or detention in court. The government generally observed these requirements.

Police in several states had the legal authority to take preventive action against an "impending danger." Critics argued this provision gave police excessive surveillance power, otherwise reserved for the country's intelligence services.

### **d. Violations in Religious Freedom**

See the Department of State's annual *International Religious Freedom*

Report at: <https://www.state.gov/international-religious-freedom-reports/>.

## **e. Trafficking in Persons**

See the Department of State's annual *Trafficking in Persons Report* at: <https://www.state.gov/trafficking-in-persons-report/>.

## **Section 3. Security of the Person**

### **a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution and the law prohibited such practices, and there were no credible reports government officials employed them. Some human rights groups asserted authorities did not effectively investigate allegations of mistreatment by police and failed to establish an independent mechanism to investigate such allegations.

### **b. Protection of Children**

#### **Child Labor**

The law prohibited all the worst forms of child labor and provided for a minimum age of employment, including limitations on working hours and OSH restrictions for children. The law prohibited the employment of children younger than age 15 with a few exceptions: children ages 13 and 14 could perform work on a family-run farm for up to three hours per day

or perform services such as delivering magazines and leaflets, babysitting, and dog walking for up to two hours per day, if authorized by their custodial parent. Children younger than 15 could not work during school hours, before 8 a.m., after 6 p.m., or on Saturdays, Sundays, or public holidays. The type of work could not pose any risk to the security, health, or development of the child, and could not prevent the child from obtaining schooling or vocational training. Children were not allowed to work with hazardous materials, carry or handle items weighing more than 22 pounds, perform work requiring an unsuitable posture, or engage in work that exposed them to the risk of an accident. Children between ages three to 14 could take part in cultural performances, but there were strict limits on the kind of activity, number of hours, and time of day.

The government effectively enforced the applicable laws, and penalties were commensurate with those for analogous crimes. Penalties were regularly applied against violators. Isolated cases of child labor occurred in small, family-owned businesses, such as cafes, restaurants, family farms, and grocery stores. Inspections by the relevant regional agencies and the resources and remediation available to them were adequate to provide for broad compliance. There was no significant presence of the worst forms of child labor.

## **Child Marriage**

The legal minimum age for marriage was 18 and authorities enforced the law.

The law nullified existing marriages conducted in other countries in which at least one spouse was younger than age 16 at the time of the wedding, even if they were of legal age in the country where the marriage was performed. Individuals ages 16 or 17 could petition a judge on a case-by-case basis to recognize their foreign marriage if they faced a specific hardship from not having their marriage legally recognized. Complete central statistics were unavailable on such cases. Child and forced marriage primarily affected girls of foreign nationality.

### **c. Protection to Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

#### **Provision of First Asylum**

The law provided for the granting of asylum or refugee status, and the government had an established system for providing protection to refugees.

#### **Resettlement**

The government accepted for resettlement and facilitated the local integration (including naturalization) of refugees who fled their countries of origin, particularly for persons belonging to vulnerable groups. Such individuals included women with children, refugees with disabilities,

survivors of trafficking in persons, and survivors of torture or rape.

Authorities granted residence permits to asylum seekers and refugees who could not return to their countries of origin.

The government assisted asylum seekers and refugees with the safe and voluntary return to their countries. In 2023, according to the Federal Office for Migration and Refugees, authorities provided financial assistance of €321 to €500 (\$338 to \$526) to 10,762 individuals to facilitate voluntary returns to their countries of origin. Beneficiaries were either rejected asylum seekers or refugees who voluntarily returned home. The largest groups of individuals returned to Turkey, North Macedonia, Georgia, Albania, and Iraq.

#### **d. Acts of Antisemitism and Antisemitic Incitement**

According to the Central Welfare Board of Jews in Germany, there were 90,478 registered, dues-paying members of Jewish congregations at the end of 2023, the most recent figures available. Observers estimated the country's Jewish population to be approximately 225,000, including Jews who did not belong to a specific Jewish community.

There were significant crimes, violence, or threats of violence motivated by antisemitism. Manifestations of antisemitism, including physical and verbal attacks, occurred at public demonstrations, sporting and social events, in schools, in the street, in certain media outlets, and online.

Apart from antisemitic speech, desecration of cemeteries and Holocaust monuments represented the most widespread antisemitic acts, although

there was a rising number of physical assaults on individuals perceived to be Jewish.

According to the Federal Ministry of Interior, antisemitic crimes more than doubled, with authorities counting more than 3,200 antisemitic crimes nationwide in the first nine months of the year, compared with approximately 1,600 in the same period of 2022. The ministry attributed the increase to Hamas' terrorist attacks in Israel and "subsequent escalation of violence in the Middle East." According to a survey released by the Central Council of Jews in Germany on October 7, 42 percent of Jewish congregations were targets of threats, vandalism, or insults during the year, and 82 percent responded that the country had become a less secure place for Jews to live openly since October 2023.

The federal government attributed most antisemitic acts to neo-Nazi or other extremist groups or persons, and such acts increased during the year. In 2018, however, the *Washington Post* reported that German police often attributed antisemitic acts to the "far right" by default when a perpetrator was not identified. Jewish organizations noted antisemitic attitudes and behavior of some Muslim youth and some extremists, especially in the wake of the October 2023 attacks and the resulting war in Gaza.

The government made it difficult to ascertain the demographic drivers of increased antisemitic hate crimes. Nevertheless, research from the University of Hamburg suggested that among young persons aged 16 to 21, Muslim migrants were far more likely than Germans or migrants with

a non-Muslim background to endorse antisemitic beliefs. Research suggested that an important driver of antisemitism in Germany (both antisemitic activity and actual violence) was mass migration (legally, illegally, and via asylum) of populations far more likely to endorse antisemitic beliefs than native Germans, with record numbers of migrants from Syria, Afghanistan, and Türkiye in recent years.

The NGO Amadeu Antonio Foundation reported antisemitic demonstrations occurred in Berlin, North Rhine-Westphalia, Bavaria, Baden-Wuerttemberg, and Lower Saxony during the year. The NGO attributed the demonstrations to an increase in antisemitism after the Hamas attacks against Israel on October 7.

According to a June 6 report by the newspaper *General Anzeiger*, demonstrators disrupted a June 3 public lecture at the University of Bonn entitled “The present of anti-Semitism: A critical analysis of hostility towards Jews today.” The disruption turned violent when one demonstrator, after noticing an audience member filming him with his mobile phone, punched that audience member. After several members of the public unsuccessfully attempted to restrain the attacker, he reportedly put another audience member in a choke hold. University security forces then removed the attacker and the other demonstrators from the lecture hall. There were no reports of arrests or a police investigation of the incident.

On September 5, the anniversary of the Munich Massacre, police foiled a terrorist attack suspected of targeting the Israeli Consulate and the



National-Socialism Documentation Center, a site for historical research on the Nazi regime.

For further information on incidents of antisemitism in in the country, whether or not those incidents were motivated by religion, and for reporting on the ability of Jews to exercise freedom of religion or belief, see the Department of State's annual *International Religious Freedom Report* at: <https://www.state.gov/international-religious-freedom-reports/>.