

Section 2: Respect for Civil Liberties

Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.

Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)⁹



Score: 14.8, Rank: 16 / 180 – Largely free, diverse, and independent¹⁰

There is growing harassment, threats, and violence against journalists who write about far-right groups. Journalists also feel threatened by the 2009 anti-terrorism law that allows police to conduct clandestine surveillance operations, which threatens their source confidentiality.

Freedom from academic censorship



Partially respected¹¹

There was some academic censorship as the government restricted campus events that expressed support for extreme right-wing neo-Nazism.

Freedom of peaceful assembly and association



Partially respected¹²

The constitution provides for freedom of assembly, which the government generally respects. Most open-air rallies require government permits. In some cases the government has refused to grant permits.

Freedom of religion



Partially respected¹³

The law provides for freedom of religion and conscience; however some state governments refuse to recognize groups such as Scientology as religions. Eight states maintain headscarf bans, and in some cases ban religious symbols entirely for civil servants.

Protection of refugees and stateless persons



Partially respected¹⁴

During the past two years, Germany has received over a million refugees and asylum seekers. While Germany has accepted many asylum seekers, they have also deported thousands.

Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)^{15 16}



1 / 7 – Free¹⁷

Freedom of expression is formalized in the constitution, and the media operates freely. Freedom of belief and assembly are protected, except in the case of outlawed groups (such as neo-Nazis).

Section 3: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc..

Overall protection of political rights (*FreedomHouse Political Rights Index*)¹⁸



6 / 7 – Free¹⁹

A party must receive at least 5% of the vote to be represented in parliament. Elections are based on a mixture of proportional representation and single-member districts. Germany is free of pervasive corruption.

Section 4: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)²⁰



Score: 81%, Rank: 10 / 175 – Very limited corruption²¹

According to Transparency International, Germany is one of the most honest countries in the world. Corruption levels are extremely low.

Section 5: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



Respected²²

A variety of domestic and international human rights organizations operate within Germany without restriction. The government is typically cooperative and responsive to their recommendations.

Section 6: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

Rights of women (World Economic Forum Gender Gap Index)²³



Score: 77.9%, Rank: 11 / 145 – Somewhat unequal rights²⁴

Violence against women and sexual harassment remains widespread. Despite the equal status of women and men, and a legal framework that provides for equal pay, many women are underpaid and underrepresented in high-level positions.

Rights of Children (KidsRights Index Overall Score)²⁵



Score: 91.5%, Rank: 12 / 165 – Protected²⁶

Generally, children are protected in Germany.

Rights of persons with disabilities



Partially respected²⁷

The law prohibits any form of discrimination against disabled persons. The government expresses interest in learning more about how they can better enforce antidiscrimination laws. Nevertheless, disabled persons face restrictions in housing, employment, and access to public buildings.

Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



Partially respected²⁸

Hostility against racial minorities is an increasingly severe problem in Germany, especially given Germany's overall welcoming attitude toward refugees. Also, manifestations of anti-Semitism occur frequently. Germany has many active far-right groups that encourage racism.

Freedom from abuse and discrimination based on sexual orientation or gender identity



Partially respected^{29 30}

Antidiscrimination law prohibits discrimination based on sexual orientation or gender identity. Despite these laws, there is a significant amount of discrimination and violence against LGBTQ persons.

Section 7: Workers' Rights

Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.

Rights to freedom of association and to collective bargaining



Partially respected³¹

The government generally respects the constitution, which provides for freedom of association and the right to collective bargaining. However, all civil servants are prohibited from striking.

Freedom from forced or compulsory labour



Respected³²

Despite the constitution and federal law's prohibition against forced labour, there are still reports that such forced labour occurs. Penalties for forced labour are stringent and the government enforces the law.

Freedom from forced labour for children, and a minimum age of employment



Respected³³

The law prohibits work under the age of 15, with a few exceptions such as delivering newspapers or dog-walking. There are strict health and safety laws surrounding the workplaces for youth.

Right to acceptable conditions of work



Respected³⁴

There is a minimum wage of \$9.35/hour for most jobs. However, more than 16% of the population lives below the poverty line, according to the EU Statistical Office. Germany has a set workweek with mandatory breaks, and extensive workplace health and safety regulations.

Right to employment



5.3% - Reasonable unemployment³⁵

The unemployment rate has dropped considerably in Germany over the past decade.

¹ A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

² Commonly-known information on the country is drawn from various Internet sources, including Google country pages, and Amnesty International. For death penalty see: "Death sentences and executions in 2015." Amnesty International. Accessed August 4, 2016. <https://www.amnesty.org/en/latest/research/2016/04/death-sentences-executions-2015/>.

³ "Country Reports on Human Rights Practices for 2015 Germany." U.S Department of State. Accessed August 4, 2016. <http://www.state.gov/documents/organization/253063.pdf>.

⁴ Ibid. U.S Department of State. For purposes of the present analysis, a "disappearance" is different than simple arbitrary detention because a "disappearance" is considered permanent.

⁵ Ibid. U.S Department of State.

⁶ Ibid. U.S Department of State.

⁷ Ibid. U.S Department of State.

⁸ Ibid. U.S Department of State.

⁹ The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 179 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (25 countries), Largely free, diverse and independent; 15 – 24.99 (29 countries), Mostly free, diverse and independent; 25 – 29.99 (32 countries), Partially free, diverse and independent; 30 – 39.99 (49 countries), Partially controlled, limited or intimidated; 40 & higher (42 countries), Highly controlled, limited or intimidated.

¹⁰ "Germany." Reporters Without Borders: For Freedom of Information. Accessed August 4, 2016. <https://rsf.org/en/germany>.

¹¹ "Country Reports on Human Rights Practices for 2015 Germany." U.S Department of State. Accessed August 4, 2016. <http://www.state.gov/documents/organization/253063.pdf>.

¹² Ibid. U.S. Department of State.

¹³ "Germany." International Religious Freedom Report for 2014. Accessed August 4, 2016. <http://www.state.gov/documents/organization/238596.pdf>.

¹⁴ "Country Reports on Human Rights Practices for 2015 Germany." U.S Department of State. Accessed August 4, 2016. <http://www.state.gov/documents/organization/253063.pdf>.

¹⁵ Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

¹⁶ Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed August 4, 2016. <https://www.freedomhouse.org/report/freedom-world-2014/methodology#VldwWzHF98F>

¹⁷ "Germany." Freedom in the World 2016: Germany. Accessed August 4, 2016. <https://freedomhouse.org/report/freedom-world/2015/germany>.

¹⁸ See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed August 4, 2016. <https://www.freedomhouse.org/report/freedom-world-2014/methodology#VldwWzHF98F>

¹⁹ "Germany." Freedom in the World 2016: Germany. Accessed August 4, 2016. <https://freedomhouse.org/report/freedom-world/2015/germany>.

²⁰ Transparency International (TI) publishes a "Corruption Perceptions Index" annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows:

80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

²¹ "Germany." Corruption by Country. January 1, 2014. Accessed November 25, 2014. <http://www.transparency.org/country#BHR>.

²² "Country Reports on Human Rights Practices for 2015 Germany." U.S Department of State. Accessed August 4, 2016.

<http://www.state.gov/documents/organization/253063.pdf>

²³ This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

²⁴ "Germany." World Economic Forum. Accessed August 4, 2016. <http://reports.weforum.org/global-gender-gap-report-2015/economies/#economy=DEU>. See also Ibid. U.S. Department of State.

²⁵ This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

²⁶ "The KidsRights Index: Overall Score." The KidsRights Index. Accessed August 8, 2016. <http://www.kidsrightsindex.org>.

²⁷ "Country Reports on Human Rights Practices for 2015 Germany." U.S Department of State. Accessed August 4, 2016.

<http://www.state.gov/documents/organization/253063.pdf>.

²⁸ Ibid. U.S Department of State.

²⁹ "ILGA World Map." International Lesbian Gay and Intersex Association Accessed November 25, 2014. <http://ilga.org/>. See also Ibid. U.S Department of State.

³⁰ ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

³¹ "Country Reports on Human Rights Practices for 2015 Germany." U.S Department of State. Accessed August 4, 2016.

<http://www.state.gov/documents/organization/253063.pdf>.

³² Ibid. U.S Department of State.

³³ Ibid. U.S Department of State.

³⁴ Ibid. U.S Department of State. See also a well-done Wikipedia comparison of wage, income and work week metrics across countries at

http://en.wikipedia.org/wiki/List_of_minimum_wages_by_country

³⁵ "Global Employment Trends." International Labour Organization. Accessed August 8, 2016. http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm.