

2025 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

The annual Rule of Law Report lies at the centre of the Annual Rule of Law Cycle, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, five editions of the Rule of Law Report have been published since 2020.

As every year, the Commission would like to invite the stakeholders to provide contributions to the 2025 Rule of Law Report. On the basis of these contributions and on-going developments, further targeted questions may be shared at a later stage of preparation of the 2025 Rule of Law Report, in particular in the context of country visits, or bilateral contacts.

The Commission invites stakeholders to provide contributions which include:

- (1) information on measures taken to implement the recommendations addressed to the Member State in the 2024 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter and**
- (2) any other significant developments since January 2024^[1] and up to the date of submission falling under the ‘type of information’ outlined below.**

The input should consist of a short summary, if possible in English, covering the areas referred to below. Legislation or other documents may be referenced with a link. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

If you would like to provide further specific **input related to the single market dimension in the Rule of Law report**, you can also respond to the additional targeted consultation available [here](#).

^[1] Unless the information was already submitted in the input for the previous Rule of Law Reports.

Type of information to be included:

Under each of the four pillars, the replies should include references to the following types of information:

A) Legislative developments

- Newly adopted legislation
- legislative drafts currently discussed in Parliament
- legislative plans envisaged by the Government

B) Policy developments

- Implementation of legislation
- evaluations, impact assessment, surveys
- white papers/strategies/actions plans/consultation processes
- follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- important administrative measures
- generalised practices

C) Developments related to the judiciary / independent authorities

- important case law by national courts
- important decision/opinions from independent bodies/authorities
- state of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, Prosecutor General, heads of independent authorities included in the scope of the request for input[2])

D) Any other relevant developments

- National authorities are free to add any further information, which they deem relevant; however, this should be short and to the point.

Please also indicate whether the developments reported are linked to the implementation of reforms and investments under the RRP, where applicable. To simplify your answers to the questionnaire, **if there are no developments, it is sufficient to indicate this** and the information covered in the contributions for the previous Rule of Law Reports does not need not be repeated.

[2] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

About you

* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☒ Civil society organisation/NGO
- ☐ International organisation
- ☐ Judicial association or network
- ☐ Media organisation or association
- ☐ Public authority or network of public authorities

☐ Other

* Organisation name

250 character(s) maximum

Human Rights Watch

Main Areas of Work

- ☒ Justice System
- ☐ Anti-corruption
- ☒ Media Pluralism
- ☒ Checks and Balances
- ☒ Other

If "Other", please specify

Human Rights

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

500 character(s) maximum

<https://www.hrw.org> - The information provided in this survey was published on January 16, 2025 as part of our Human Rights Watch's annual World Report for 2024, covering rights trends in 100+ countries around the globe, including dedicated chapters for countries in the EU. Available at the following web location: <https://www.hrw.org/world-report/2025>

Transparency register number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

56362448807-46 <https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=56362448807-46>

* Country of origin

Please indicate the country of origin of your organisation

- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany

- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden
- ☒ Other - please specify

If "Other", please specify

Please indicate the country of origin of your organisation

United States

First name

Surname

Email Address of the organisation

vikice@hrw.org

* Publication of your contribution and privacy settings

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☐ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution.**
- ☒ Public - Your personal details (name, organisation name, transparency register number, country of origin) will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2025 rule of law report.pdf](#)

Questions on horizontal developments

In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[List of topics - 2025 Rule of Law Report.pdf](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

The European Union states' migration and asylum policies increasingly focused on deterrence in 2024, undermining the rights of people at its borders and beyond, resulted in increased deaths at sea, unlawful pushbacks at borders, and the return of asylum seekers to countries where they face abuse. <https://www.hrw.org/news/2025/01/16/eu-migration-policies-fuel-abuses-across-borders>

Italy and Malta, with support from Frontex aircraft, continued to facilitate interceptions of boats carrying migrants and refugees by Libyan forces and their return to the risk of serious human rights violations.

In France, snap parliamentary elections in 2024 saw increased racist and xenophobic rhetoric. Government-imposed constraints on civil society impacted the ability of nongovernmental groups to perform their role.

Following the escalation of the hostilities between Israel and Palestinian armed groups after October 2023, there was a sharp uptick in antisemitic and anti-Muslim hate violence and speech in Germany. The authorities also continued to crack down on protests, with incidents of reported police violence. <https://www.hrw.org/news/2023/10/26/israel-palestine-hostilities-affect-rights-europe> <https://www.amnesty.de/deutschland-einschraenkung-pro-palestinensischer-proteste>

Greece faces persistent rule of law challenges stemming from state actions that undermine democratic institutions and harm human rights, including interference with media freedom, state-ordered surveillance of journalists, and a hostile environment for human rights defenders.

In Hungary, the government's assault on the rule of law and democratic institutions continued in 2024 with a controversial law that gives a government-appointed body broad powers that can be used to harass civil society and independent media. Other prominent rights concerns in Hungary include ongoing unlawful pushbacks of migrants and asylum seekers at Hungary's border with Serbia, and discrimination against and demonization of LGBT people, women and girls, and minority groups.

Italy's deal with Albania to offshore the processing of adult male asylum seekers intercepted or rescued at sea by Italian vessels ran into difficulty in October and November when Italian judges ruled unlawful the detention of two groups of men rescued at sea by Italy and sent to Albania. <https://www.euronews.com/2024/10/19/first-batch-of-migrants-sent-to-albania-must-be-returned-italian-court-rules>

While Poland opened its borders to refugees from Ukraine, unlawful and sometimes violent pushbacks of migrants and asylum seekers to Belarus continued. Reforms to strengthen women's and girl's reproductive rights and the rights of LGBT individuals were slow to materialize and insufficient.

In Spain, the main governing and opposition parties agreed a deal to renew the Council of the Judiciary and appoint new members, ending a five year impasse. <https://www.rtve.es/noticias/20240625/psoe-pp-alcanzan-acuerdo-renovacion-consejo-general-poder-judicial-bloqueo/16162215.shtml> https://commission.europa.eu/document/download/2bd09a6f-ef56-494a-8303-e0de808ee981_en?filename=23_1_58063_coun_chap_spain_en_0.pdf

Questions for contribution

Under each pillar, you are invited to provide information on measures taken to implement the recommendations addressed to the Member State in the 2024 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2024 Rule of Law Report and any other significant developments since January 2024 and up to the date of submission[3]. Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). **Significant developments** can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

Information provided in reply to the first question under each pillar, related to the follow-up to the

recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

[3] Unless already covered in the input for the previous Rule of Law Reports.

Member State/enlargement country covered in contribution [only one choice possible]

If you wish to submit information concerning several Member States/enlargement countries, please fill in the questionnaire separately for each country. There is no limit to the number of contributions submitted by a single participant.

- ☐ Albania
- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☒ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Montenegro
- ☐ Netherlands
- ☐ North Macedonia
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Serbia
- ☐ Slovakia
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2024

Report regarding the justice system (if applicable)

5000 character(s) maximum

A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

(The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts)

5000 character(s) maximum

Irremovability of judges, including transfers, (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

5000 character(s) maximum

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

Allocation of cases in courts

5000 character(s) maximum

Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

5000 character(s) maximum

Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

5000 character(s) maximum

Independence/autonomy of the prosecution service

5000 character(s) maximum

Independence of the Bar (chamber/association of lawyers) and of lawyers

5000 character(s) maximum

Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

5000 character(s) maximum

B. Quality of justice

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

Accessibility of courts (e.g. court/legal fees, legal aid, language)

5000 character(s) maximum

Resources of the judiciary (human/financial/material), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year)

(Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.)

5000 character(s) maximum

Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

5000 character(s) maximum

Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online)

5000 character(s) maximum

Use of assessment tools and standards (e.g. ICT systems, including AI-based systems, for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

5000 character(s) maximum

Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

5000 character(s) maximum

C. Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under section 2)

Developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings)

5000 character(s) maximum

Any other developments related to the justice system - please specify

5000 character(s) maximum

In 2024, several serious examples of transnational repression (TNR) were carried out against people living in Germany by governments of countries such as China and Vietnam. TNR represents a major threat to the protection of human rights globally and that urgent action is needed to tackle it and to protect those targeted by TNR, including by Germany. <https://www.hrw.org/news/2024/12/18/combating-transnational-repression-germany>

Germany failed to uphold the necessary safeguards to protect those in danger of mistreatment if they are deported. In November 2024, Dilmurod Ergashev, a Tajik opposition activist deported from Germany on November 6, 2024, after being refused asylum, is reported to have been provisionally detained for two months by a city court in Dushanbe on unclear charges. Ergashev was deported after a German court dismissed concerns, that he and human rights groups had raised, that he would be detained on arrival in Tajikistan. <https://www.hrw.org/news/2024/11/20/tajikistan-tajik-activist-deported-germany-jailed>

II. Anti-Corruption Framework

Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission’s attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the anti-corruption framework (if applicable):

5000 character(s) maximum

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

List any **changes** as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO

5000 character(s) maximum

Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption

5000 character(s) maximum

Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators

5000 character(s) maximum

B. Prevention

Measures to enhance integrity in the public sector (including as regards incompatibility rules, revolving doors, codes of conduct, ethics)

5000 character(s) maximum

Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party, financing)

5000 character(s) maximum

Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned)

5000 character(s) maximum

--> For the three previous points, **please also provide information and figures on their application /enforcement**, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.)

Measures to ensure whistleblower protection and encourage reporting of corruption, including their application (i.e. number of reports received, and the follow-up given)

5000 character(s) maximum

Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.

Such high-risk sectors could include: public procurement, including construction, transport/infrastructure, defence, cohesion, agriculture, environment, healthcare, citizen/residence investor schemes, large-scale investments of national interest and the spending of EU funds, urban planning.

5000 character(s) maximum

C. Repression

The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery

5000 character(s) maximum

Official data on the number of investigations, prosecutions, final judgments and the application of sanctions for corruption offences (differentiated by offence if possible). Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data

5000 character(s) maximum

Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

5000 character(s) maximum

Information on effectiveness of criminal and non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

5000 character(s) maximum

Any other developments related to the anti-corruption framework - please specify

5000 character(s) maximum

III. Media pluralism and media freedom

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding media pluralism and media freedom (if applicable)

5000 character(s) maximum

A. Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

5000 character(s) maximum

Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

5000 character(s) maximum

Existence and functions of media councils or other self-regulatory bodies

5000 character(s) maximum

B. Safeguards against government or political interference and transparency and concentration of media ownership

Measures taken to ensure the fair and transparent allocation of state advertising

5000 character(s) maximum

Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)

- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their financial and operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

5000 character(s) maximum

Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

5000 character(s) maximum

C. Framework for journalists' protection, transparency and access to documents

Rules and practices guaranteeing journalists' independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists

5000 character(s) maximum

According to Reporters Without Borders, however, Germany experienced a decline in attacks on journalists by far-right groups. <https://rsf.org/en/classement/2024/europe-central-asia>

Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

5000 character(s) maximum

Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

5000 character(s) maximum

Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

5000 character(s) maximum

Any other developments related to media pluralism and freedom - please specify

5000 character(s) maximum

The far-right Alternative for Germany (AfD) as well as the newly formed political party, Bündnis Sahra Wagenknecht (BSW), regularly excluded journalists from their events, which the German Journalist Association described as a restriction to press freedom. <https://www.tagesschau.de/inland/innenpolitik/bsw-presse-teilnahme-100.html> <https://www.djv.de/news/blog/blog-detail/wir-muessen-leider-draussen-bleiben/>

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

A. The process for preparing and enacting laws

Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'^[1]public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes), and transparency and quality of the legislative process both in the preparatory and the parliamentary phase

[1] This includes also the consultation of social partners

5000 character(s) maximum

In 2024, political debates around asylum and deportation regulations in Germany resulted in controversial decisions.

In June, the government decided to tighten its deportation laws, whereby foreigners who make a single comment glorifying or approving of a terrorist crime on social media can be deported. <https://www.bmi.bund.de/SharedDocs/pressemitteilungen/DE/2024/06/ausweisungsrecht.html>

In August, for the first time since the Taliban took power in 2021, the government deported 28 individuals to Afghanistan, claiming they were all “convicted offenders who had no right to stay in Germany.” This decision came on the heels of a deadly knife attack in Solingen where the suspect was a rejected Syrian asylum seeker. Meanwhile, the implementation of the government’s special program to bring at-risk Afghans to Germany continued to face problems—with only 540 Afghans having arrived in Germany between October 2022 and July 2024. <https://www.rescue.org/de/artikel/bundesaufnahmeprogramm-afghanistan>

Germany continued backsliding on the EU-Schengen principle of free internal movement when Interior Minister Nancy Faeser announced in September that temporary controls would be reintroduced at all land borders to “reduce irregular migration.” It had already instituted controls at borders to Switzerland, Poland, the Czech Republic, and Austria in October 2023. <https://www.bmi.bund.de/SharedDocs/kurzmeldungen/DE/2024/09/binnengrenzkontrollen.html>

https://www.bmi.bund.de/SharedDocs/pressemitteilungen/DE/2024/09/binnengrenzkontrollen_pm2.html

In June, a new citizenship law took effect, which requires people applying for naturalization in Germany to affirm Israel’s right to exist. The government claimed that this was a reaction to rising antisemitism in Germany and Germany’s position that Israel’s security is a matter of Germany’s national interest.

<https://www.bmi.bund.de/SharedDocs/pressemitteilungen/DE/2024/06/stag-inkraft.html>

Between January and August, 174,369 people applied for asylum in Germany, a decrease of 21.7 percent compared to the same period in 2023. Most applicants came from Syria, Afghanistan, and Turkey.

In February, the government reiterated its commitment to protect Ukrainians in Germany. However, a study showed that integration was still slow compared to other EU countries, with only 27 percent of Ukrainians able to find work. In August, the central registry of foreigners included 1,157,220 Ukrainian nationals—many of whom had been granted temporary protection. <https://www.bmi.bund.de/SharedDocs/pressemitteilungen/DE/2024/02/jahrestag-angriffskrieg-ukr.html>

Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)

5000 character(s) maximum

Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight

5000 character(s) maximum

Regime for constitutional review of laws

5000 character(s) maximum

B. Independent authorities

Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

(Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

5000 character(s) maximum

Statistics/reports concerning the follow-up to recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years

5000 character(s) maximum

C. Accessibility and judicial review of administrative decisions

Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

5000 character(s) maximum

During 2024, German democratic political parties failed to counter mainstream far-right, racist, and anti-migrant narratives. Meanwhile, Germany's far-right political party, the Alternative for Germany (AfD), gained significant political power in two Eastern German state elections. Attacks against marginalized groups, such as LGBT people, and racist, right-wing, and antisemitic violence appeared to be on the rise. <https://de.euronews.com/my-europe/2024/06/06/mannheimer-anschlag-scholz-will-kriminelle-nach-afghanistan-abschieben> <https://www.sueddeutsche.de/projekte/artikel/politik/landtagswahlen-sachsen-thueringen-2024-ergebnisse-hochrechnung-live-karte-e398242/?reduced=true> <https://www.tagesschau.de/inland/gesellschaft/csd-anfeindungen-100.html> <https://www.mdr.de/nachrichten/deutschland/politik/politisch-motivierte-gewalt-anstieg-rassismus-antisemitismus-100.html>

Following the escalation of the hostilities between Israel and Palestinian armed groups after October 2023, there was a sharp uptick in antisemitic and anti-Muslim hate violence and speech in Germany. The authorities also continued to crack down on protests, with incidents of reported police violence. A Bundestag resolution on antisemitism adopted in November raised concerns about stigmatization of Muslims and immigrant communities and interference with speech and protest rights while downplaying homegrown antisemitism. <https://www.hrw.org/news/2023/10/26/israel-palestine-hostilities-affect-rights-europe>

Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review)

5000 character(s) maximum

Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

5000 character(s) maximum

Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including decisions from the European Court of Human Rights, as well as available remedies in case of non-implementation

5000 character(s) maximum

D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration, transparency and dissolution rules)

5000 character(s) maximum

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them from attacks – verbal, physical or on-

line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services, as well as available remedies

5000 character(s) maximum

<https://www.hrw.org/world-report/2025/country-chapters/germany>

In 2024, Germany has cracked down on legitimate criticism of the actions of the Israeli government, including on Jews and Israelis, academics, civil society and artists, who face restrictions on their rights to expression and protest, alongside funding cuts and bans on organizations. That was the context for the new resolution, first introduced by the coalition government a year ago, and negotiated in secret without broad civil society input. While nonbinding, it is likely to be influential.

The resolution calls for funding cuts and bans for organizations, including in the arts, where projects question Israel's right to exist, call for boycotts against Israel or support the BDS movement, among other things. While the resolution acknowledges far right antisemitism, it attributes the recent rise in antisemitism to increased immigration from North Africa and the Middle East.

There are major concerns in Germany about the resolution, including from civil society, academics, Jewish artists and intellectuals, and lawyers. There are fears it will open up new avenues for abusive enforcement, further chill free expression, peaceful assembly, and free association, and risk stigmatizing migrant communities, while downplaying homegrown antisemitism in German society including from the far right.

<https://www.hrw.org/news/2024/11/11/germanys-muddle-antisemitism>

German authorities stifled civic space in 2024 by restricting individuals' freedom of expression, assembly, and association. The police, among others, frequently resorted to violence at climate and pro-Palestine protests. This was also reflected in the 2024 edition of the European Commission's annual Rule of Law report.

Germany continued to criminalize climate protests. In May, the authorities indicted the climate activist group Last Generation on charges typically reserved for serious organized crime in response to the group's disruptive protests. Armed police had previously raided members' apartments and surveilled their communications.

Police frequently used excessive force against pro-Palestine protesters. The authorities also denied specific persons entry into Germany to speak at pro-Palestine events.

Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

5000 character(s) maximum

E. Initiatives to foster a rule of law culture

If there have been developments related to initiatives to foster a rule of law culture, please specify, which (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.)

5000 character(s) maximum

<https://www.hrw.org/world-report/2025/country-chapters/germany>

In a positive development, the government adopted a long-awaited law that created a rights-respecting legal gender recognition procedure for transgender people. In April, the government passed a much-awaited Self-Determination Law (“Selbstbestimmungsgesetz”) which allows transgender, intersex, and non-binary people to change their name and gender marker on official documents to reflect their gender identity via a simple administrative procedure and without need for “expert reports.” The law took effect in August and people began receiving their modified documents in November.

Mainstream political parties failed to forcefully counter, and even indulged, far-right, racist, anti-migrant narratives. Meanwhile, racialized communities felt unsafe with the far-right gaining more political power. In January, the investigative journalist group Correctiv revealed that members of the AfD had met with far-right extremists in Berlin-neighborhood Potsdam in November 2023 to discuss plans to “remigrate,” i.e. deport, immigrants and “non-assimilated citizens.” In reaction, for weeks, hundreds of thousands of people across the country took to the streets in anti-AfD protests. The party nonetheless made important electoral gains later in the year.

Official statistics published in May showed a new record high of registered politically motivated crimes, including a significant increase in attacks targeting housing for migrants and asylum seekers. Among the total of 60,028 crimes, right-wing motivated crimes rose by 23 percent in 2023 compared to 2022 (from 23,493 to 28,945).

Since October 7, 2023, civil society groups warned that anti-Muslim hate violence and racism were on the rise, documenting a total of 1,926 cases for 2023—a 114 percent increase compared to 2022. These numbers were mirrored in official statistics of “anti-Islamic” crimes, which showed a 140 percent increase in 2023 compared to 2022, with a total of 1,464 registered cases.

At the same time, antisemitic attacks drastically rose after October 7. The government registered a total of 5,164 antisemitic crimes in 2023—a 96 percent increase over 2022 (2,641).

In July, an independent study by the German Center for Integration and Migration Research examined how racism has been treated in mainstream media in the past 30 years, finding that, while there has been increased sensitization around racism, coverage focused on individual cases of racism rather than systemic racism in Germany.

Any other developments related to the system of checks and balances - please specify

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Official statistics showed police registered 256,276 persons affected by domestic violence in 2023, an increase of 6.5 percent over 2022, and women comprised over 70 percent of victims. Almost 80 percent of the 167,865 victims who reported violence by an intimate partner were women. Intra-family domestic violence killed 92 women.

Official statistics showed that, in 2023, 17.7 million people, 21.2 percent of the population, were at risk of poverty and social exclusion.

Following a visit in late 2023, the Council of Europe’s commissioner for human rights said Germany’s inadequate action to combat poverty and homelessness was resulting in growing social and economic inequality. The commissioner noted that poverty particularly affected children, older persons, and persons with disabilities.

In April, the government adopted its first Action Plan Against Homelessness, with the aim of ending homelessness by 2030.

Disagreements among governing coalition parties led to inaction, negatively affecting the right to social security. The government did not increase the amount of basic social security support under the “Citizen Income” despite widespread criticism of its inadequacy. At this writing, plans to legislate for a new universal child basic income by 2025 had stalled almost completely.

Following the adoption of the EU Corporate Sustainability Due Diligence Directive in June 2024, the German government announced that in 2025 it would reduce by two thirds the number of companies subject to human rights due diligence obligations in existing national law, the German Supply Chain Act, until full phase-in of the legislation required by the EU directive in 2029. German civil society groups criticized the move. The German and EU law both require companies to conduct human rights due diligence, but EU law is stronger on environmental protection and civil liability.

Supporting document upload

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