



German Institute
for Human Rights

Submission

UN Committee on Economic, Social and Cultural Rights

7th State Reporting Cycle Germany

Suggested Questions for List of Issues

June 2025

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This submission proposes priority questions for the List of Issues (LoI) concerning Germany's 7th state reporting cycle. The explanatory note for these suggested questions is provided in the Annex. Given that the Federal Government was sworn in only on May 6, 2025, many of its announced measures are still pending, either as commitments from the coalition agreement¹ for which no draft legislation is yet finalised, or awaiting parliamentary approval in the Bundestag, or still under consideration by the Bundesrat² at the time of submission. Hence, this submission focuses on intended legislation and policies, projected timelines, and monitoring mechanisms. Where competence lies with the federal states (*Bundesländer, Länder*) and municipalities (*Kommunen*), the questions explicitly request disaggregated data, and implementation plans at these governance levels.

1 Overarching Obligations

1.1 Outstanding Ratification of International Human Rights Treaties in the Field of ESCR

Germany has not ratified all regional and universal instruments covering economic, social and cultural rights (ESCR) yet. This includes the non-acceptance of key provisions under the Revised European Social Charter (RESC) and the Additional Protocol to the RESC on Collective Complaints, as well as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW).

Suggested Questions

- Please provide information on the timeline and concrete steps the State party envisages to ratify the outstanding provisions of the Revised European Social Charter, specifically Articles 30 and 31, and its Additional Protocol on Collective Complaints, so as to align regional protection of economic, social and cultural rights with its obligations under the Covenant.
 - Please provide information on the State party's plans, including any envisaged timeline, to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, in order to ensure universal protection of economic, social and cultural rights, including for undocumented migrant workers.
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1.2 Exhaustion of Maximum Available Resources and Development Cooperation (Article 2 (1) ICESCR)

Recent and planned fiscal decisions, encompassing tax reform, social-housing policy, and cuts in Official Development Assistance (ODA), risk triggering retrogression in the territorial and extra-territorial realization, respectively, of ESCR.

¹ Christlich Demokratische Union Deutschlands (CDU), Christlich-Soziale Union in Bayern (CSU), Sozialdemokratische Partei Deutschlands (SPD) (2025): Koalitionsvertrag: Verantwortung für Deutschland. 21. Legislaturperiode. https://www.koalitionsvertrag2025.de/sites/www.koalitionsvertrag2025.de/files/koav_2025.pdf (accessed 26 Jun. 2025)

² The Bundesrat is Germany's second legislative chamber, representing the governments of the 16 federal states and playing a crucial role in legislation affecting state competencies.

Suggested Questions

- Please provide information on the measures the Federal Government, in cooperation with the *Länder* and municipalities (*Kommunen*), will adopt to offset the expected annual revenue shortfall arising from the planned corporate tax-relief package and to ensure that these measures do not widen income or social inequalities.
 - Please provide information on how the State party will ensure that the ongoing decline of social housing units does not amount to impermissible retrogression under Article 2 (1) of the Covenant. Please also provide disaggregated budget figures for social housing by the Federal Government and each Federal State over the past 10 years, to demonstrate that the maximum of available resources is being deployed in this area.
 - Please provide information on how the State party will reconcile the reduction in official development assistance envisioned in the coalition agreement with its pledge to maintain an ODA ratio of 0.7 per cent of gross national income, in line with the obligation of non-retrogression under Article 2 (1) of the Covenant, and on the safeguards in place to ensure that increased private-sector participation in development cooperation complies with Germany's international human rights obligations.
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1.3 Business and Human Rights

The coalition agreement announces a possible suspension, dilution or higher thresholds for the German Supply-Chain Due-Diligence Act (LkSG) and a “wait-and-see” stance on transposing the EU Corporate Sustainability Due Diligence Directive (CSDDD), which might amount to a violation of the obligation of non-retrogression.³

Suggested Question

- Please provide information on how the Government will ensure that any suspension, dilution or repeal of supply-chain due-diligence laws, whether at the national level (LkSG) or in transposing the EU Corporate Sustainability Due Diligence Directive, does not result in impermissible retrogression of human-rights protection in supply chains, in line with Article 2 (1) of the Covenant.
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1.4 Climate Action

Climate-mitigation and adaptation measures risk disproportionately burdening low-income households. The coalition agreement does not address potential measures to redress this.

³ CDU/CSU/SPD (2025), paras 1906-1917.

Suggested Question

- Please provide information on the steps taken to assess adverse social and human rights impacts of climate mitigation and adaptation policies and on the measures, legislative changes and initiatives are taken or envisaged to ensure that such policies are socially compatible and benefit the most affected groups.
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1.5 Non-Discrimination and Gender Equality (Articles 2 (2), 3 ICESCR)

1.5.1 Reform of the General Equal Treatment Act (AGG)

The General Equal Treatment Act (*Allgemeines Gleichbehandlungsgesetz*, AGG) still contains major protection gaps relevant to the enjoyment of ESCR.

Suggested Questions

- Please provide information on the timetable, consultative process and substantive content of the announced AGG reform, including whether it will add social status, health status and caring responsibility as protected grounds and extend coverage to all workers and the public administration.
 - Please provide information on plans to introduce a representative action mechanism (*Verbandsklagerecht*) to enable civil-society organisations to litigate systemic discrimination cases, similar to the mechanism established by the Berlin State Anti-Discrimination Act (LADG).
 - Please provide information on the measures envisaged to strengthen protection against discrimination in the housing market, including a deletion of the exemptions in § 19 (3) and (5) AGG and effective remedies against racial discrimination in the rental market.
 - Please provide information on whether the Government will amend Article 10 of the AGG as part of the reform to remove age-based restrictions during recruitment and to ensure equal treatment throughout the hiring process.
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1.5.2 Protection against Age Discrimination in the German Basic Law

Age is not an explicit ground of discrimination in Article 3 of the German Basic Law, leaving a gap of protection for older people and young persons who continue to face age discrimination in numerous policy areas.

Suggested Question

- Please provide information on the legislative and policy measures the State party intends to adopt to combat age discrimination, and on whether it plans to add age as an explicit protected ground in Article 3 of the Basic Law.
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1.5.3 Poverty and Social Exclusion among People of Colour and Persons with a so-called “Migration Background”

Persons of colour and people with a so-called “migration background” face a markedly higher risk of poverty, driven by structural racism in education (see 2.8), the labour market, the health system and in the housing market.

Suggested Questions

- Please provide information on the legislative, fiscal and labour market measures the Federal Government and the *Länder* will adopt, together with concrete timelines and budget allocations, to reduce the disproportionate poverty risk among people of colour and persons with a so-called “migration background”, including measures to ensure recognition of foreign qualifications and to combat racial pay gaps and promotion barriers.
 - Please provide updated poverty data (risk-of-poverty, poverty and non-take-up rate of benefits) disaggregated by social status, race, religion, gender and disability for the past ten years, and explain how this data informs policy design and monitoring.
 - Please provide information on the prevalence and nature of racial discrimination experienced by individuals in accessing healthcare services and treatment in Germany, and on concrete measures to address discriminatory barriers, including in appointment scheduling and patient-provider interactions.
 - Please provide information on the steps taken to review and revise medical training curricula to eliminate racist stereotypes.
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1.5.4 Access to Women’s Shelters and Protection Services for Women with Intersecting Vulnerabilities

Access to protection facilities is currently not adequately ensured for all women, contrary to the Istanbul Convention’s non-discrimination clause. Residency requirements (§§ 12a, 61 (1) Residence Act, § 56 Asylum Act) and mandatory reporting requirements (§87 (2) Residence Act) hinder access to women’s shelters for women with diverse migration and protection statuses, including refugee and asylum-seeking women, women with subsidiary protection and tolerated status as well as undocumented women. Moreover, very few women’s shelters in Germany are accessible to women with disabilities.

Suggested Questions

- Please provide information on the legislative and policy measures the Federal Government, and, where relevant, the *Länder*, will adopt to remove migration-related barriers that prevent women with diverse migration and protection statuses, including refugee and asylum-seeking women, women with subsidiary protection and tolerated status as well as undocumented women, from accessing protection services.
 - Please provide information on the measures envisaged to make all women’s shelters and counselling centres fully accessible and widely available to women
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with intersecting vulnerabilities, including women with disabilities, homeless women, women with psychological illnesses or addictions.

1.5.5 Birth Registration for Children of Undocumented Women and Women with Unclear Proof of Identity

Children of undocumented women and women lacking proof of identity face hurdles in receiving a birth certificate on time, which hampers their access to health, education and social security, amongst others, and thus fosters intergenerational inequalities in access to ESCR.

Suggested Questions

- Please provide information on the number of children who do not receive a birth certificate at birth or experience significant delays in its issuance. Please provide statistics on the average duration in cases where parents cannot provide the required proof of evidence.
 - Please provide information on measures taken to ensure prompt and universal birth registration for all children, irrespective of their parents' documentation status, and on safeguards to prevent personal data collected during civil-status registration from being shared with immigration authorities.
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2 Specific Rights

2.1 Article 6 ICESCR: Inclusive Employment

For young people with disabilities, a move into the open labour market is virtually impossible. Instead, they are largely channelled into segregated sheltered workshops that pay below the statutory minimum wage. The government further intends to fund sheltered workshops from the compensation levy (so-called "Ausgleichsabgabe").

Suggested Question

- Please provide information on the measures the Federal Government, in cooperation with the *Länder*, will adopt to phase out sheltered workshops and other segregated work settings in favour of inclusive employment structures, ensuring the statutory minimum wage applies to all workers with disabilities, and establish an inclusive mainstream vocational-training system accessible to all trainees nationwide.
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2.2 Article 7 ICESCR: Labour Exploitation

Reportedly, hazardous work amongst minors has risen, while official data remains absent.⁴ Moreover, migrant workers and workers face systematic breaches of OSH standards and wage protections, particularly in high-risk sectors. However, labour

⁴ Although child labour generally falls within the scope of Article 10, we are addressing it in this section due to our particular focus on hazardous working conditions.

inspection in Germany is still combined with migration control tasks, contravening Art. 3 Par 2 C081 - Labour Inspection Convention.

Suggested Questions

- Please provide information on the number of children and young people currently engaged in child labour in Germany, disaggregated by age, gender, nationality and sector. Please provide information on the measures envisaged to regulate the commercial practices of so-called family influencers and to protect minors involved in such activities from exploitation.
 - Please provide information on the additional legal amendments the State party intends to adopt, beyond the National Action Plan against Forced Labour and Labour Exploitation, to address widespread violations of workers' rights in high-risk industries, including the roll-out of fibre broadband, building construction, international road-transport, delivery industry, digital labour platforms / gig economy, agriculture, nail and cosmetic studios.
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2.3 Article 9 ICESCR: Adequacy of Benefits, Poverty Rates, and Access Challenges

While the slight reduction of in-work poverty can be welcomed, poverty levels overall and non-take-up rates of social benefits remain high. According to 2025 estimations, 15,5 % of the population lives below the poverty line affecting single-parent households, children and youths, older persons, women and migrants disproportionately.⁵

Suggested Questions

- Please provide information on how the Government will ensure that the announced benefit scheme *Neue Grundsicherung* comply with constitutional (Art. 1 (1) in conjunction with Art. 20 (1) of the German Basic Law) and Covenant standards guaranteeing a minimum subsistence level.
 - Please provide information on the prospective calculation method used to determine the adequacy of the basic social benefit rate (*Regelbedarf*) in §20 of the German Social Code Book II, and whether rent caps will be aligned with current local market rents.
 - Please provide information on the current rate of non-take-up of basic social assistance benefits (e.g. *Bürgergeld*, *Grundsicherung im Alter*, *BuT*, *Kinderzuschlag*), disaggregated by age, gender, disability status, migration status (including EU citizens) and education/training status, and on measures the State party is adopting to monitor trends and to overcome administrative, informational and stigma-related barriers that hinder benefit take-up, especially among groups at high risk of poverty.
 - Please provide information on the concrete measures, beyond those announced in the coalition agreement (early-start pension, improved occupational pensions, incentives for working in retirement, enhanced *Mütter-Rente*) that the
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⁵ Deutscher Paritätischer Wohlfahrtsverband (2025): Verschärfung der Armut. Paritätischer Armutsbericht. https://www.der-paritaetische.de/fileadmin/user_upload/Publikationen/doc/armutsbericht_2025_web_fin.pdf

State party will adopt to reduce old-age poverty, particularly among older women.

- Please provide information on the updated strategy, timeline, financial and human resources allocated to fully implement the Child-Guarantee National Action Plan and to curb child poverty.
- Please provide information on the legislative and administrative measures the Federal Government and the *Länder* will adopt to ensure that recent changes to the Asylum Seekers' Benefits Act, namely the 2024 exclusion of Dublin-III transferees from benefits and the introduction of the *Bezahlkarte* with cash-withdrawal ceilings, do not result in destitution or undermine asylum-seekers' enjoyment of economic, social and cultural rights, including adequate food and access to goods and services that can be purchased only with cash.

2.4 Article 10 ICESCR: Protection of Family and Children for Vulnerable Groups

On 27 June 2025, the German Parliament again adopted a two-year suspension of family reunification for subsidiary protection holders, which is more far-reaching than the previous suspension law in place from 2016 to 2018. Another concern under Article 10 ICESCR are unaccompanied minors without identity documents who risk being treated as adults if age assessment is inaccurate, with errors leading to exclusion from child-specific rights and services. Concerning the situation of children of incarcerated parents, visiting rights vary widely between *Länder* and prisons impacting on their right to protection of the family.

Suggested Questions

- Please provide information on the grounds to justify the renewed suspension of family reunification for beneficiaries of subsidiary protection and on the criteria and procedures used to assess hardship cases.
- Please provide information on measures envisaged to improve the situation of unaccompanied minors who cannot prove their age and ensure that their age assessments are rights-compliant and subject to effective legal remedies.
- Please provide information on the measures planned to establish and enforce nationwide minimum standards regarding frequency, duration, structure and child-friendly conditions governing contact between children and their incarcerated parents across all *Länder* to safeguard the rights and well-being of all affected children?
- Please provide information on whether the Government will reform §§ 1591 ff. *Bürgerliches Gesetzbuch* (BGB) in order to ensure that every child born in Germany has equal opportunities to have two legal parents, regardless of the parents' gender or sexual orientation.
- Please provide information on whether the Government intends to reform the BGB or *Aufenthaltsgesetz* (AufenthG) regarding the acknowledgment of paternity in families in which not both parents have a status and how it will ensure that no child will be discriminated against with regard to the status or nationality of their parents.

2.5 Article 11 ICESCR: Food Poverty

Food poverty is rising in Germany, and current benefit rates often do not cover the cost of a healthy diet.

Suggested Questions

- Please provide information on the mechanisms used to monitor food poverty, including its scale, causes and patterns, especially among low-income households.
 - Please provide information on measures envisaged to ensure that the rates of the basic social benefit scheme are sufficient to enable beneficiaries to purchase food of adequate quantity and quality to satisfy dietary needs, in line with Article 11 of the Covenant.
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2.6 Article 11 (1) ICESCR: Housing Crisis

Housing unaffordability and homelessness have largely increased. Marginalized and vulnerable groups, such as low-income households, migrants, persons with disabilities, women leaving shelters or homeless persons, face limited access to affordable housing in the regular market. At the same time, data gaps impede targeted action against forced evictions and energy poverty.

Suggested Questions

- Please provide information on the concrete outcomes delivered by the National Action Plan against Homelessness in terms of realizing the right to an adequate standard of living for homeless persons and, eventually, reaching the goal of ending homelessness by 2030. Please also provide information on how the public is informed about the progress of the Plan and how an independent evaluation is assured.
 - Please provide information on the steps the Federal Government and the *Länder* will take to guarantee non-discriminatory access to emergency accommodation for all persons who are involuntarily homeless and thus legally entitled to access such accommodation, including EU citizens from south-east Europe, and on the mechanisms in place to monitor and sanction municipalities that fail to comply with this obligation.
 - Please provide information on the number of executed forced evictions over the period of the last five years disaggregated by *Länder* and municipalities as well as by household type and other grounds of discrimination (Art. 2 (2) ICESCR). Please provide information on the procedural safeguards against forced eviction, and on how the *Länder* make use of their regulatory powers to strengthen those protections, in line with E/C.12/1999/8, annex IV.
 - Please provide information on measures the Federal Government, *Länder* and municipalities, have taken or envisaged, including their effectiveness, in expanding affordable and accessible housing, in particular for low-income households.
 - Please provide information on the regulatory, fiscal and other measures the State party and the *Länder* are taking to counter the financialization of the
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housing market and to ensure that institutional investors contribute to an adequate supply of affordable housing, as required under Article 11 (1) of the Covenant.

- Please indicate steps taken to adopt an official, human-rights compliant definition of energy poverty, and to enhance the collection of data disaggregated by grounds of discrimination. Please provide information on measures taken to address the risk of energy poverty, including for low- and middle-income households.
- Please provide information on measures the Federal Government and the *Länder* will take to reserve a binding share of social-housing units, including accessible flats, for persons in particularly vulnerable situations, including women leaving shelters, homeless persons and persons with disabilities.

2.7 Article 12 ICESCR: Inequalities in Access to Healthcare

2.7.1 Access to Healthcare for Persons with Disabilities

Germany is still far from achieving a fully inclusive healthcare system. In particular, specialised services, particularly gynaecological care, remain scarce. Gaps in awareness, rights-based and disability-specific training among health professionals persist.

Suggested Questions

- Please provide information on the timetable, funding and monitoring mechanisms for implementing the Action Plan for a diverse, inclusive and accessible healthcare system, including concrete steps to make all doctors' offices and clinics physically and communicatively accessible.
- Please provide information on the measures envisaged to train medical professionals in disability-specific knowledge, the human-rights-based model of disability and associated treatment requirements.
- Please provide information on whether the Government intends to conduct studies on the prevalence of contraception without free and informed consent in integration-assistance residential facilities. Please provide information on the measures planned to strengthen the right of women with disabilities to make autonomous decisions about family planning, including by accessible education and information, as well as adequate housing and support services, and on how the State party will ensure that all forms of contraception are used only with free and informed consent and without pressure.

2.7.2 Access to Healthcare for Migrants

Undocumented migrants, especially pregnant women, and short-term seasonal workers encounter legal and financial barriers that deter them from accessing adequate health care. For undocumented persons, a key obstacle is the unresolved requirement under § 87 (2) of the Residence Act, which still obliges public entities to report patients without residence status to the immigration authorities. For EU seasonal workers in agriculture, private group policies of their employer often provide only limited coverage.

Suggested Questions

- Please provide information on the measures envisaged to abolish or amend § 87 (2) Residence Act in order to create a firewall between health-care providers and immigration enforcement.
 - Please provide information on how the Government will guarantee equal and effective access to health services for all seasonal workers so that they can enjoy the highest attainable standard of physical and mental health. Please provide information on the measures the Government will take to ensure that short-term seasonal work remains a purely supplementary economic activity for workers who are exempt from statutory social insurance, including the monitoring mechanisms envisaged.
 - Please provide information on how the Government will ensure the provision of health and rehabilitation services for refugees with disabilities. Please provide information on the measures the Government will take to remove the exclusion from the right to naturalization of persons with disabilities who receive basic social security benefits due to their disability.
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2.7.3 Human-Rights-Based Approach to Care of Older Persons

Older persons must have access to age-inclusive community-based care services and care-settings free of violence.

Suggested Question

- Please provide information on the planned reform of the German care system to adopt a human-rights-based approach, including accessibility and age-inclusiveness of community-based care services as well as combatting violence against older persons in care-settings.
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2.8 Article 13 ICESCR: Inequalities in Access to Education and Human Rights Education

The German school system remains highly segregated and reinforces preexisting inequalities in terms of children's and youth's socio-economic status, race and disability. Furthermore, human rights education (HRE) is not yet systematically embedded across all levels of the formal education system or in professional training programmes.

Suggested Questions

- Please provide information on the measures the *Länder*, in cooperation with the Federal Government, will adopt to transition to an inclusive school system and to make inclusive-education modules mandatory in all teacher-training programmes?
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- Please provide information on measures envisaged to ensure that human rights education is explicitly and comprehensively embedded in all educational institutions across all *Länder*.
 - Please provide information on the concrete measures taken to address and eliminate discriminatory allocation of *kindergarten* spots and patterns of segregation in early childhood education settings.
 - Please provide information on the strategies and policies being implemented to mitigate the persistent correlation between students' socio-economic status and academic outcomes, and to dismantle systemic barriers leading to unequal access to educational tracks and lower academic competencies for children and young people with a migration background.
 - Please provide information on the steps taken to address intersecting racial- and class-based discrimination in the school system, including teacher-training reforms, data collection on educational tracking and outcome targets aimed at closing attainment gaps for pupils of colour.
 - Please provide information on specific policies and support mechanisms implemented to address the disproportionately high rate of students without German citizenship leaving school without qualifications, and to ensure their equitable opportunities to attain recognized school-leaving qualifications and progress in the education system.
 - Please provide information on the steps the State party will take to embed human rights education into training and university and professional development programmes (e.g., police, judiciary, health, care and social services), and on the indicators that will be used to monitor progress.
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2.9 Article 15 ICESCR: Open Science and Accessible Libraries

Publicly funded research outputs and libraries are not fully accessible to all, particularly persons with disabilities.

Suggested Questions

- Please provide information on the measures adopted to ensure that everyone, particularly disadvantaged and marginalised groups, can enjoy the benefits of scientific progress and its applications.
 - Please provide information on the policies and programmes the Federal Government, in cooperation with the *Länder*, will introduce to advance Open Science, including Open Access, Open Data, Open Educational Resources, science communication and Citizen Science.
 - Please provide information on the steps the Federal Government and the *Länder* will take to make public and academic libraries fully accessible to persons with disabilities.
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Imprint

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30 June 2025

German Institute for Human Rights

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for Human Rights

Submission

UN Committee on Economic, Social and Cultural Rights

7th State Reporting Cycle Germany

Annex to Suggested Questions for List of Issues:
Explanatory Notes

June 2025

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1 Overarching Obligations

1.1 Ratification of International Human Rights Treaties

1.1.1 Revised European Charter and Additional Protocol on Collective Complaints

Germany ratified the Revised European Social Charter on 29 March 2021, accepting 88 out of its 98 provisions. Notably, Germany did not ratify Articles 30 and 31, which guarantee the right to protection against poverty and social exclusion and the right to housing. It also did not ratify the Additional Protocol providing for a system of collective complaints. As a result, the scope of protection for economic, social and cultural rights at the regional level remains more limited than under the ICESCR.

1.1.2 International Convention on the Protection of the Rights of All Migrant Workers

Germany has not yet ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW). In its response to recommendations during the fourth UPR cycle to ratify the CMW, Germany argued “that the concerns regarding the definition [of migrant workers] applied, which also encompasses migrants without legal status, remain.”¹ Furthermore, “[t]he human rights of migrant workers are already protected by international human rights law and International Labour Organization conventions, ratified by Germany.”² However, this argument does not address the increasing tensions and contradictions between migration law and social rights entitlements. While the legislature continues to bring the status of migrants with temporary residence permits and tolerated status closer to that of other residents by amending migration law provisions and paving the way for permanent residence through labour market integration, their social law entitlements have not been improved at the same rate. The ratification of the CMW would help to harmonise the two legal regimes and thus contribute to Germany's stated goal of becoming an attractive country of immigration for skilled workers.

1.2 Exhaustion of Maximum Available Resources and Development Cooperation (Article 2 (1) ICESCR)

1.2.1 Regressive Taxation

The reform of the constitutional debt brake (*Schuldenbremse*) is a welcome and forward-looking step that could broaden the resource base for social rights if implemented effectively. However, economic inequality in Germany is on the rise again: Between 1995 and 2020 real disposable household incomes rose by only 4 % in the bottom decile but by 50 % in the top decile; the Gini coefficient climbed from 0.25 in the 1990s to 0.30 in 2020.³ The richest one per cent holds about 35 % of total net wealth

¹ UN Human Rights Council (2024): Report of the Human Rights Council on its fifty-fifth session. A/HRC/55/10, paras. 140.1-140.

² UN Human Rights Council (2024): Report of the Human Rights Council on its fifty-fifth session. Addendum. A/HRC/55/10/Add.1, p. 5.

³ Deutsches Institut für Wirtschaftsforschung (DIW) (2024): DIW Wochenbericht, No. 5/2024, p. 74. https://www.diw.de/documents/publikationen/73/diw_01.c.891016.de/24-5.pdf (accessed 30 Jun. 2025).

in Germany⁴, with over half of all inherited and gifted wealth flowing to the top decile and the lion's share accruing to the top percentile.⁵

This trend may be aggravated by the government's envisaged tax cuts that will primarily benefit companies and high-income households, such as the reduction of corporate taxes, the expansion of the company-car tax privilege and the higher commuter allowance, the permanent reduction to 7% VAT on restaurant meals and the reinstatement of the refund of diesel tax for agricultural use.⁶ Measures that would put a higher tax burden on high-income households, including tax increases on high incomes, wealth or inheritance have not been considered. These decisions will likely perpetuate regressive distributional effects and will result in a lower tax base for the realization of ESCR.⁷

1.2.2 Declining Social Housing

The Committee has previously addressed the acute shortage of affordable housing, and the number of rental apartments available for social housing in particular. Despite increasing demand, the availability of social housing fell by 26 % between 2014-2023 (from 1.455.813 in 2014 to 1.072.266 in 2023).⁸

1.2.3 Reduction of ODA and Private Sector Involvement in Development Co-operation

According to the state report of 2023, Germany was committed to making 0.7 % of gross national income available for official development assistance (ODA).⁹ In 2024, Germany did not reach that goal.¹⁰ According to the coalition agreement of April 2025, the government intends an "appropriate reduction of the ODA-quota", along with an increase of the role of private investors.¹¹

1.3 Business and Human Rights

States must ensure that businesses, including their foreign subsidiaries and suppliers, respect human rights.¹² Laws such as Germany's Supply Chain Due Diligence Act (LkSG) and the EU's Corporate Sustainability Due Diligence Directive (CSDDD) reflect these obligations. They must be interpreted considering international human rights law. Under Article 2(1) of ICESCR, states are prohibited from regressing on already

⁴ Schröder, C. et al. (2020): MillionärInnen unter dem Mikroskop: Datenlücke bei sehr hohen Vermögen geschlossen – Konzentration höher als bisher ausgewiesen. In: DIW Wochenbericht, No. 29/2020, pp. 511-521. https://www.diw.de/documents/publikationen/73/diw_01.c.793785.de/20-29-1.pdf (accessed 30 Jun. 2025).

⁵ Baressel, A. et al. (2021): Hälfte aller Erbschaften und Schenkungen geht an die reichsten zehn Prozent aller Begünstigten. In: DIW Wochenbericht, No. 5/2021, pp. 63-71. https://www.diw.de/documents/publikationen/73/diw_01.c.809828.de/21-5-1.pdf (accessed 30 Jun. 2025).

⁶ Christlich Demokratische Union Deutschlands (CDU), Christlich-Soziale Union in Bayern e.V. (CSU), Sozialdemokratische Partei Deutschlands (SPD) (2025): Koalitionsvertrag: Verantwortung für Deutschland. https://www.koalitionsvertrag2025.de/sites/www.koalitionsvertrag2025.de/files/koav_2025.pdf (accessed 26 Jun. 2025), paras 1430-1440, 1484-1485, 1498-1499, 1505.

⁷ Fratzscher, M. (2025): Dieser Koalitionsvertrag ist riskant. https://www.diw.de/de/diw_01.c.947632.de/nachrichten/dieser_koalitionsvertrag_ist_riskant.html (accessed 30 Jun. 2025).

⁸ Deutscher Bundestag (20.12.2024): Antwort der Bundesregierung auf die Kleine Anfrage der Abgeordneten Caren Lay, Nicole Gohlke, Dr. Gesine Löttsch, weiterer Abgeordneter und der Gruppe Die Linke – Wohnungspolitische Bilanz der Bundesrepublik Deutschland seit 2014. Drucksache 20/14409. <https://dserver.bundestag.de/btd/20/144/2014409.pdf> (accessed 30 Jun. 2025), p. 2.

⁹ UN Committee on Economic, Social and Cultural Rights (2023): Seventh periodic report submitted by Germany under articles 16 and 17 of the Covenant, due in 2023. E/C.12/DEU/7, para. 13.

¹⁰ For current data on ODA and the predicted further decrease of state spending see Organisation for Economic Co-operation and Development (OECD) (Year of last update): Official Development Assistance (ODA). <https://www.oecd.org/en/topics/official-development-assistance-oda.html> (accessed 30 Jun. 2025).

¹¹ CDU/CSU/SPD (2025), paras. 1689 and 4273-5275.

¹² UN Committee on Economic, Social and Cultural Rights (2017): General comment No. 24 (2017) on State obligations under the International Covenant on Economic, Social and Cultural Rights in the context of business activities. E/C.12/GC/24.

achieved levels of protection. While not absolute, any deliberate reduction of human rights protection requires strong justification. Economic arguments alone, like reducing bureaucracy for companies, are not sufficient. Suspending or abolishing the LkSG or the CSDDD places the interests of companies above those of rightsholders without sufficient justification. Raising the thresholds for its applicability or eliminating already achieved standards would also likely constitute a prohibited regression in human rights protection according to Article 2(1) ICESCR.

1.4 Climate Action

The Committee has highlighted the risk of social harm and adverse human rights impacts that can result from poorly designed climate policies and measures.¹³ To avoid this, Germany proposed measures including a social monitoring system for climate mitigation (*Sozialmonitoring Klimaschutz*),¹⁴ Similarly, the German Strategy for Adaptation to Climate Change (*Deutsche Anpassungsstrategie an den Klimawandel, DAS*), adopted in December 2024, foresees the consideration of the distributional effects of and procedural justice in climate adaptation policy.¹⁵ A socially-staggered subsidy programme to support low-income households to switch from fossil fuel heating systems to renewable energy ones was introduced.¹⁶ With the change of government, it remains to be seen whether it will continue to implement these measures. The coalition agreement does not outline any other measures to assess and address social impacts of climate policy.

1.5 Non-Discrimination and Gender Equality (Articles 2 (2), 3 ICESCR)

1.5.1 Reform of the General Equal Treatment Act (AGG)

The General Equal Treatment Act (*Allgemeines Gleichbehandlungsgesetz, AGG*) still contains significant protection gaps relevant to the enjoyment of ESCR.¹⁷ These gaps include the omission of crucial protected grounds such as social status/socio-economic background, health status, caring responsibilities, gender identity, and gender expression. Furthermore, large parts of the civil service and public administration, as well as workers in small establishments with fewer than five employees remain outside its scope. Discriminatory housing advertisements remain permissible due to exemptions in § 19 (3) and (5) AGG, hindering effective remedies against discrimination in the private rental market. While the AGG explicitly prohibits age discrimination, § 10 allows age restrictions in recruitment. Finally, short limitation periods for claims (2

¹³ [https://www.ohchr.org/en/statements-and-speeches/2019/09/five-un-human-rights-treaty-bodies-issue-joint-statement-human-office-of-the-united-nations-high-commissioner-for-human-rights-\(ohchr\)-\(2019\):-Five-un-human-rights-treaty-bodies-issue-joint-statement-on-human-rights-and-climate-change](https://www.ohchr.org/en/statements-and-speeches/2019/09/five-un-human-rights-treaty-bodies-issue-joint-statement-human-office-of-the-united-nations-high-commissioner-for-human-rights-(ohchr)-(2019):-Five-un-human-rights-treaty-bodies-issue-joint-statement-on-human-rights-and-climate-change).
<https://www.ohchr.org/en/statements-and-speeches/2019/09/five-un-human-rights-treaty-bodies-issue-joint-statement-human> (accessed 30 Jun. 2025).

¹⁴ Deutscher Bundestag (2024): Unterrichtung durch die Bundesregierung - Klimaschutzbericht 2024. Drucksache 20/12760, p. 83. <https://dserver.bundestag.de/btd/20/127/2012760.pdf> (accessed 30 Jun. 2025).

¹⁵ Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection (BMUV) (2024): German Strategy for Adaptation to Climate Change, p. 108. <https://www.bmu.de/download/deutsche-anpassungsstrategie-an-den-klimawandel-2024> (accessed 30 Jun. 2025).

¹⁶ Federal Office for Economic Affairs and Export Control (BAFA) (2025): Bundesförderung für effiziente Gebäude (BEG). https://www.bafa.de/DE/Energie/Effiziente_Gebaeude/effiziente_gebaeude_node.html (accessed 30 Jun. 2025).

¹⁷ Bündnis AGG Reform – Jetzt! (2023): Mehr Fortschritt wagen heißt auch mehr Antidiskriminierung wagen. https://agg-reform.jetzt/wp-content/uploads/2023/08/2023-08-08_Stellungnahme_Buendnis.pdf (accessed 26 Jun. 2025); Unabhängige Bundesbeauftragte für Antidiskriminierung (2023): Vielfalt, Respekt, Antidiskriminierung, Grundlagenpapier zur Reform des Allgemeinen Gleichbehandlungsgesetzes (AGG). https://www.antidiskriminierungsstelle.de/SharedDocs/downloads/DE/Sonstiges/20230718_AGG_Reform.pdf?__blob=publication-File&v=12 (accessed 26 Jun. 2025); Otto, M. (2024): Das Antidiskriminierungsrecht in der Kritik internationaler Menschenrechtsorganisationen: Empfehlungen der UN-Fachausschüsse zur Reform des Allgemeinen Gleichbehandlungsgesetzes (AGG). Berlin: Deutsches Institut für Menschenrechte. https://www.institut-fuer-menschenrechte.de/fileadmin/Redaktion/Publikationen/Information/Information_Das_Antidiskriminierungsrecht_in_der_Kritik_internationaler_Menschenrechtsorganisationen.pdf (accessed 27 Jun. 2025).

months), a lack of representative action (*Verbandsklagerecht*), and low compensation weaken the enforcement of the AGG.

A draft bill¹⁸ presented in October 2024 by the former Federal Ministry for Families, Senior Citizens, Women and Youth aimed at implementing two EU directives on equality bodies¹⁹, but civil society actors expressed disappointment over its postponement.²⁰ The coalition agreement renewed the commitment to an AGG reform to enhance anti-discrimination protection, but concrete measures and a timeline are pending.²¹ Berlin's State Anti-Discrimination Act (LADG) currently stands as the only anti-discrimination legislation at the Länder (state) level, offering a broader scope of protection than the federal AGG. Consequently, it could serve as a crucial model for the upcoming AGG reform. For instance, the Berlin LADG recognizes social status as a ground of discrimination.²² It also allows recognized anti-discrimination associations to bring legal action on behalf of individuals affected by discrimination, or to address structural discrimination directly. This enables associations to sue in their own name, thereby reducing the financial, psychological, and professional burden on affected individuals and lowering the threshold for pursuing discrimination claims.

1.5.2 Protection against Age Discrimination in the German Basic Law

Age discrimination is widespread in Germany and affects both young people and older persons. A recent representative survey, conducted by the Federal Anti-Discrimination Agency, found that one in three persons aged 65 years and over had experienced age discrimination, with the labour market and health care being the most common areas of discrimination.²³ Another study found that 15,7 per cent of persons aged 66 to 76 years had experienced age discrimination.²⁴ Young people's interests remain inadequately reflected in political decision-making and in broader societal agendas due to lacking participation mechanisms.²⁵ For instance, they often experience discrimination

¹⁸ Bundesministerium für Familie, Senioren, Frauen und Jugend (2024): Entwurf eines Gesetzes zur Umsetzung der Richtlinien über Standards für Gleichbehandlungsstellen. <https://www.bmfsfj.de/resource/blob/246468/f923ae66aae4b57d5a63875a68ab9576/entwurf-eines-gesetzes-zur-umsetzung-der-richtlinien-ueber-standards-fuer-gleichbehandlungsstellen-data.pdf> (accessed 26 Jun. 2025).

¹⁹ Council Directive (EU) 2024/1499 of 7 May 2024 on standards for equality bodies in the field of equal treatment between persons irrespective of their racial or ethnic origin, equal treatment in matters of employment and occupation between persons irrespective of their religion or belief, disability, age or sexual orientation, equal treatment between women and men in matters of social security and in the access to and supply of goods and services, and amending Directives 2000/43/EC and 2004/113/EC, OJ L, 2024/1499, 29.5.2024; Directive (EU) 2024/1500 of the European Parliament and of the Council of 14 May 2024 on standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation, and amending Directives 2006/54/EC and 2010/41/EU, OJ L, 2024/1500, 29.5.2024.

²⁰ Deutscher Frauenrat (2024): Stellungnahme zum Referent*innenentwurf eines Gesetzes zur Umsetzung der Richtlinien über Standards für Gleichbehandlungsstellen. <https://www.frauenrat.de/stellungnahme-zum-referentenentwurf-eines-gesetzes-zur-umsetzung-der-richtlinien-ueber-standards-fuer-gleichbehandlungsstellen/> (accessed 26 Jun. 2025); LSVD⁺ – Verband Queere Vielfalt (2024): Stellungnahme des LSVD⁺ – Verband Queere Vielfalt zum Entwurf eines Gesetzes zur Umsetzung der Richtlinien über Standards für Gleichbehandlungsstellen. <https://www.lsvd.de/de/ct/12990-Stellungnahme-des-LSVD-Verband-Queere-Vielfalt-zum-Entwurf-eines-Gesetzes-zur-umsetzung-der-richtlinien-ueber-standards-fuer-gleichbehandlungsstellen> (accessed 26 Jun. 2025).

²¹ CDU/CSU/SPD (2025), paras 2952-2954.

²² Aghazadeh-Wegener, N. (2025): § 2 Diskriminierungsverbot – Sozialer Status. In: Klose, Alexander / Liebscher, Doris / Wersig, Maria / Wrase, Michael (eds.): Landesantidiskriminierungsgesetz Berlin. Handkommentar. Baden-Baden: Nomos, pp. 140 ff.

²³ Antidiskriminierungsstelle des Bundes (2025): Altersdiskriminierung. Erkennen, Verstehen, Begegnen. Kurztstudie und Handlungsempfehlungen, p. 3, https://www.antidiskriminierungsstelle.de/SharedDocs/downloads/DE/publikationen/Umfragen/20250324-Altersdiskriminierung-Kurztstudie.pdf?__blob=publicationFile&v=3.

²⁴ Spuling, Svenja M. / Weinhardt, Michael / Mavi, Leyla (2025): Wahrgenommene Altersdiskriminierung in der zweiten Lebenshälfte, in: dza aktuell, Issue 02/2025, p. 10, https://www.dza.de/fileadmin/dza/Dokumente/DZA_Aktuell/DZAAktuell_02_2025_Altersdiskriminierung.pdf.

²⁵ Bundesministerium für Familie, Senioren, Frauen und Jugend (2024): 17. Kinder- und Jugendbericht Bericht über die Lage junger Menschen und die Bestrebungen und Leistungen der Kinder- und Jugendhilfe. Drucksache 20/12900, p. 116. <https://www.bmfsfj.de/resource/blob/244626/b3ed585b0cab1ce86b3c711d1297db7c/17-kinder-und-jugendbericht-data.pdf> (accessed 30 Jun. 2025); There is still too little research on age-discrimination against persons who are perceived as 'too young'. For this reason, the Federal Anti-Discrimination Agency is also running a project until 2026 to

based on their parents' status - in the housing market (see 1.5.3), when applying for a birth certificate (see 1.5.5), accessing healthcare (see 2.7.2) and education (see 2.8.1). While every person is equal before the law, the German Basic Law (*Grundgesetz*) only explicitly mentions several characteristics such as disability, gender, race or origin as grounds for discrimination, but leaves out age.²⁶

1.5.3 Poverty and Social Exclusion among People of Colour and Persons with a “Migration Background”

The risk of poverty in Germany is disproportionately high for persons with a so-called “migration background”²⁷ and for people of colour.²⁸ This disparity is rooted in structural racial discrimination.²⁹ Contributing factors include the limited recognition of foreign qualifications, the concentration of migrant workers in low-wage and precarious employment, and intersecting racial- and class-based discrimination in the education system, for example, implicit teacher biases that channel pupils into lower school tracks and thereby reduce future earning potential.³⁰ Recent studies also show that Black, Asian and Muslim residents remain at a higher risk of poverty than white residents even when they hold university degrees and work full-time, owing to discrimination in pay and promotion.³¹

Moreover, experiences of racial discrimination in the German healthcare system are widespread, disproportionately affecting Black, Muslim, and Asian individuals, and leading to adverse health outcomes and barriers to accessing care. This includes issues such as medical complaints not being taken seriously, delayed treatment due to fear of discrimination, and discriminatory barriers in accessing appointments.³² Racist stereotypes in medical education and a lack of comprehensive data on health inequalities persist.³³ At the same time, frequent experiences of discrimination not only pose significant health risks for people of colour, but also exacerbate their already elevated risk of unemployment and poverty, as such experiences are associated with an increased likelihood of anxiety disorders and depressive symptoms.³⁴

investigate how discrimination is experienced by youth: https://www.antidiskriminierungsstelle.de/SharedDocs/forschungsprojekte/DE/Studie_Adultismus_u_Diskr_entl_d_jungen_Alters.html.

²⁶ Grundgesetz für die Bundesrepublik Deutschland (Basic Law for the Federal Republic of Germany), Article 3. https://www.gesetze-im-internet.de/englisch_gg/englisch_gg.html#p0027 (accessed 30 Jun. 2025).

²⁷ The definition of a person with a migration background according to the Federal Statistical Office is as follows: A person has a migration background if he or she or at least one of their parents was not born with German citizenship. The definition includes non-Germans and immigrant and non-immigrant naturalised citizens, and the descendants of these groups born as Germans (<https://www.destatis.de/DE/Themen/Gesellschaft-Umwelt/Bevoelkerung/Migration-Integration/Glossar/migrationshintergrund.html>) (accessed 30 Jun. 2025).

²⁸ Statistisches Bundesamt (Destatis): Tabellen: Migrationshintergrund - Armutsgefährdung. <https://www.destatis.de/DE/Themen/Gesellschaft-Umwelt/Bevoelkerung/Migration-Integration/Tabellen/migrationshintergrund-armutsgefaehrung.html> (accessed 22 Jan. 2025); Sozialpolitik-aktuell: Armutsgefährdungsquoten nach Staatsangehörigkeit und Migrationshintergrund 2005 – 2023. https://www.sozialpolitik-aktuell.de/files/sozialpolitik-aktuell/_Politikfelder/Einkommen-Armut/Datensammlung/PDF-Dateien/abbIII28.pdf (accessed 22 Jan. 2025).

²⁹ Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration, Beauftragte der Bundesregierung für Antirassismus (eds.) (2025): Arbeitsdefinition Rassismus des Expert*innenrats Antirassismus. Berlin. Online unter: <https://www.integrationsbeauftragte.de/resource/blob/1864320/2337298/867de6459981a576f7887dec3363ecb2/broschuere-rassismusdefinition-data.pdf?download=1> (accessed 30 June 2025).

³⁰ Salikutluk, Zerrin / Podkowik, Klara (2024): Grenzen der Gleichheit: Rassismus und Armutsgefährdung. Kurzbericht des Nationalen Diskriminierungs- und Rassismusmonitors. Berlin: Deutsches Zentrum für Integrations- und Migrationsforschung. https://www.dezim-institut.de/fileadmin/user_upload/Demo_FIS/publikation_pdf/FA-6057.pdf (accessed on 27-01-25), p. 10; see also 2.8.1.

³¹ *Ibid.*, p. 11, 14-17.

³² Deutsches Zentrum für Integrations- und Migrationsforschung (DeZIM) (2023): Rassismus und seine Symptome. Bericht des Nationalen Diskriminierungs- und Rassismusmonitors. Berlin. https://www.dezim-institut.de/fileadmin/user_upload/Demo_FIS/publikation_pdf/FA-5824.pdf (accessed 30 Jun. 2025).

³³ *Ibid.*

³⁴ *Ibid.*

Finally, people of colour and migrants face systemic discrimination on the housing market. A representative survey by the Federal Anti-Discrimination Agency (2020) found that in the past 10 years 15 % of flat-seekers, and 35% of those with a “migration background”, experienced discrimination on the grounds of race, ethnicity or origin.³⁵

1.5.4 Access to Women’s Shelters and Protection Services for Women with Intersecting Vulnerabilities

The prohibition of discrimination in Art. 4 (3) of the Istanbul Convention stipulates that access to protection and advice must be non-discriminatory. However, women with intersecting vulnerabilities continue to face significant barriers when seeking support and protection from domestic violence. In that regard, the coalition agreement, the National Strategy on Protection against Violence and the Violence Protection Support Act (*Gewalthilfegesetz*) of 2025 still lack concrete measures and funding, nationwide standards and monitoring.

Access Barriers for Women with diverse Migration and Protection statuses

A central obstacle for women with diverse migration and protection statuses, including refugee and asylum-seeking women, women with subsidiary protection and tolerated status as well as undocumented women, is the mandatory reporting requirement under § 87 (2) of the Residence Act, which obliges public authorities to report individuals without legal residency status or those who breach geographic restrictions to immigration authorities. This deters affected individuals from turning to public institutions or shelters for help, as they fear deportation.

In addition, residency requirements (§ 12a and § 61(1d) of the Residence Act) and geographic restrictions (§ 56 Asylum Act, § 61 (1) Residence Act) further limit access to women’s shelters. Affected individuals are not allowed to move their place of residence from their assigned federal state or, in case of a geographic restriction, to leave their assigned area. This hinders their freedom of movement in general but also spontaneous escape from a domestic violence situation. Although exceptions, e.g. in cases of domestic violence, are legally possible, they frequently fail in practice due to high documentation requirements and lengthy application procedures. Cost coverage by social service providers is also often denied if the shelter is located outside the assigned area.

Although the coalition agreement includes the intention to ease residence and domicile requirements for victims of domestic violence, it lacks specific details on implementation measures. Given that the needs of refugee women were not explicitly addressed in the Violence Protection Support Act it is unclear how this commitment will be enacted.

Access Barriers for Women with Disabilities

Women with disabilities continue to face significant barriers to protection facilities. In 2022, nearly one-third (29,5%) of women’s shelters were devoid of any barrier-free features and thus remained entirely inaccessible.³⁶ The National Strategy on

³⁵ Federal-Anti-Discrimination Agency (2020): Housing Market. <https://www.antidiskriminierungsstelle.de/EN/about-discrimination/areas-of-life/daily-business/housing-market/housing-market-node.html> (accessed 30 Jun. 2025).

³⁶ Deutsches Institut für Menschenrechte (2024): Monitor Gewalt gegen Frauen: Umsetzung der Istanbul-Konvention in Deutschland. Erster Periodischer Bericht. Berlin: Deutsches Institut für Menschenrechte.

Protection against Violence, adopted in January 2025, emphasizes the importance of addressing the specific needs of women with disabilities. One of the measures mentioned is the Violence Protection Support Act which explicitly states in § 4 (2) that women with disabilities should receive appropriate support in protection facilities. However, the strategy itself lacks sufficient concrete measures to implement this goal. Such measures are only mentioned sporadically and fall short of what is needed to ensure nationwide accessibility and adequate support.

Access Barriers for Other Women with Intersecting Vulnerabilities

There are more factors that create intersecting vulnerabilities and can hinder the accessibility of shelters for women since not all shelters provide protection for women with specific support requirements. This includes homeless women, women with psychological illnesses or addictions.

1.5.5 Birth Registration for Children of Undocumented Women and Women with Unclear Proof of Identity

Despite the obligation to register every child immediately after birth (Art. 7 UNCRC), children of parents who cannot present the identity documents required under domestic law or by the registry office face delays or denial of birth certificates. This may be, for instance, because they had to flee their country of origin and sought asylum in Germany. For a considerable number of parents, the rigorous standards established, particularly for the purpose of verifying their identity, present a significant challenge.³⁷ Failure to obtain a birth certificate hampers children's access to social security (Art. 9), health care (Art. 12) and education (Art. 13).

The non-registration for this group of children is exacerbated by the mandatory reporting requirement to immigration authorities in § 87 (2) of the Residence Act which also extends to civil registry offices and medical service providers seeking cost recovery. For fear of deportation, undocumented pregnant women thus refrain from seeking prenatal, obstetric and postnatal care at designated facilities (see 0) or from registering the birth of their child with a registry office.

2 Specific Rights

2.1 Article 6 ICESCR: Inclusive Employment

The vast majority of young persons with disabilities complete their vocational training outside of the regular training system. In the majority of cases, the training they receive in special forms of vocational training does not lead to a recognised qualification enabling their transition to the regular labour market, but rather to sheltered workshops. In the previous Concluding Observations, the Committee recommended the State party to ensure that workers in sheltered workshops are fully covered by labour and social protection measures, including the national minimum wage, and that it takes effective measures to facilitate the transition of workers with disabilities from sheltered workshops to the open labour market.³⁸ However, the number of sheltered workshop employees has stagnated at a high level and totalled 312,000 in 2021.³⁹

³⁷ <https://www.institut-fuer-menschenrechte.de/publikationen/detail/monitor-gewalt-gegen-frauen-umsetzung-der-istanbul-konvention-in-deutschland> (accessed 26 Jun. 2025), p. 193.

³⁸ Recht auf Geburtsurkunde. <https://www.recht-auf-geburtsurkunde.de/en/> (accessed 30 Jun. 2025).

³⁹ UN Committee on Economic, Social and Cultural Rights (2018), para. 35.

³⁹ Bundesarbeitsgemeinschaft Werkstätten für behinderte Menschen e.V. (2022): Menschen in Werkstätten. <https://www.bagwfbm.de/page/25> (accessed 30 Jun. 2025).

Their pay is well below the statutory minimum wage, which does not apply to sheltered workshops, as they are considered to offer rehabilitation rather than employment. Despite the new instruments, the rate of transition from the sheltered workshops to the general labour market is vanishingly small and has been below 1% for many years. The government further intends to fund sheltered workshops from the compensation levy (so-called “Ausgleichsabgabe”). This means that funds intended for inclusion are being used to promote segregated structures. The reform of the remuneration system and the segregated workshop system as a whole is long overdue.⁴⁰

2.2 Article 7 ICESCR: Labour Exploitation

2.2.1 Child labour

Findings from a 2024 study by Terre des Hommes (TDH) indicate that some children and young people in Germany are reportedly engaged in work that compromises their physical and mental health, as well as their development and educational opportunities.⁴¹ This situation often extends beyond what supervisory authorities identify. However, a significant lack of comprehensive data exists regarding child labour in Germany, particularly concerning the prevalence and specific situations of young carers, especially those with refugee or migrant backgrounds.⁴² From 2020-2022, the federal authority *Finanzkontrolle Schwarzarbeit* initiated 35 investigations for irregular employment of minors (§ 11 Par. 1 Nr. 3 SchwarzArbG), but no information is available on the number of minors identified, nor the outcome of these investigations.⁴³ While children living in poverty are more likely to be engaged in remunerated employment and exposed to greater risks, violations of the Youth Employment Protection Act occur across all social classes, particularly in the field of “family-influencing”.⁴⁴

2.2.2 Labour Exploitation of Migrant Workers

Frequent reports from media, civil society organizations and law enforcement authorities reveal severe violations of basic rights at work, especially for migrant workers in certain industries. The problems mentioned comprise inter alia wage fraud, overly long working hours, dangerous work, confiscation of legal documents, illicit terminations of working contracts, lack of health care or inadequate accommodations. Among those industries most often mentioned are roll-out of fibre broadband, building construction, cleaning, international road-transport⁴⁵, delivery industry⁴⁶, digital labour platforms / gig economy, agriculture⁴⁷ or nail and cosmetic studios.

⁴⁰ UN Committee on the rights of Persons with Disabilities (2022): General Comment No. 8.

⁴¹ Terre des Hommes (TDH) (2024): “Child labour? In Germany?” Child labour report 2024. <https://www.tdh.de/en/inform/material-shop>.

⁴² Ibid, p. 48.

⁴³ Deutsches Institut für Menschenrechte (2024): Monitor Menschenhandel in Deutschland: Erster Periodischer Bericht. https://www.institut-fuer-menschenrechte.de/fileadmin/Redaktion/Publikationen/Weitere_Publikationen/Monitor_Menschenhandel_2024.pdf (accessed 27 Jun. 2025).

⁴⁴ Terre des Hommes (TDH) (2024), p. 48.

⁴⁵ Servicestelle gegen Zwangsarbeit (2024): Branchenspezifische Analyse Reinigung / Straßentransport. <https://www.servicestelle-gegen-zwangsarbeit.de/arbeitshilfen/publikationen-und-studien/servicestelle-branchenspezifische-analyse-reinigung-strassentransport-2024/> (accessed 27 Jun. 2025).

⁴⁶ DGB-Faire Mobilität (2024): Fallsammlung KURIER-EXPRESS-PAKETDIENST-BRANCHE 2024: Erfahrungen der Beratungspraxis arbeitsrechtlicher Beratungsstellen https://www.faire-mobilitaet.de/dgb-fm-fileadmin/dateien/Dokumente/Kurier-Paketdienst/Fachinformationen/Fallsammlung_KEP-Branche_2024.pdf (accessed 27 Jun. 2025); Generalzolldirektion (2023): Anfrage des BMWK zum Regulierungsbedarf bei Subunternehmerketten in der Kurier-, Express- und Paketbranche. https://wp.table.media/wp-content/uploads/2024/12/01231318/GZD_KEP.pdf (accessed 27 Jun. 2025).

⁴⁷ Initiative Faire Landarbeit (2025): Saisonarbeit in der Landwirtschaft Bericht 2024: Hauptthema Unterkünfte. https://www.faire-mobilitaet.de/dgb-fm-fileadmin/dateien/Dokumente/Landwirtschaft/Fachinformationen/Saisonbericht_2024.pdf (accessed 27 Jun. 2025).

2.2.3 Labour Inspection

Labour exploitation, including trafficking for the purpose of labour exploitation, is not sufficiently monitored. When labour inspection is combined with enforcement tasks, especially those tied to migration control, it weakens its purpose to protect workers' rights and to ensure decent working conditions. GRETA has therefore recommended a clear separation within the labour inspection authority between its role in monitoring exploitative labour conditions and its other law enforcement tasks and emphasised that inspectors should prioritise the detection of persons vulnerable to exploitation and trafficking.⁴⁸

2.3 Article 9 ICESCR: Adequacy of Benefits, Poverty Rates, and Access Challenges

2.3.1 Social Benefit Levels and Non-take-up Rates

In the previous Concluding Observations, the Committee recommended the State party to increase the level of the basic social benefits by improving the calculation methods of the subsistence level.⁴⁹ The government intends to replace the current basic income support (*Bürgergeld*) according to Book II of the German Social Code (SGB II) which was introduced in 2022 as a reform of the former *Hartz IV/Arbeitslosengeld II*. The prospective scheme, entitled *Neue Grundsicherung*, however reverts to sanctions, i.e. withholding up to 100% of basic social benefits in the event of failure to accept employment offers or other breaches of cooperation obligations, as well as to the pre-2020 calculation method of the subsistence level.⁵⁰ The Federal Constitutional Court reaffirmed the fundamental right to the guarantee of an existential minimum in accordance with human dignity (Article 1 (1) in conjunction with Article 20 (1) of the German Basic Law) in 2019 and held that sanctions are subject to strict proportionality requirements and must regularly not exceed 30% of the relevant basic rate (*Regelbedarf*).⁵¹

Beyond prospective regressions in benefit levels, the non-take-up rates of benefits are alarming.⁵² Between 37 % and 56 % of households eligible for SGB II basic income support do not claim it. Around 60 % of seniors entitled to *Grundsicherung im Alter*, a non-contributory pension for older persons living in poverty, remain uncovered. For the *Bildungs- und Teilhabe-Paket* (BuT), the socio-cultural participation benefit package for children and youths living in poverty, the non-take-up rate reaches ≈85 %. Studies identified multiple barriers for benefits applications, including information gaps (potential claimants are unaware of eligibility or overestimate asset/earnings tests), administrative complexity (burdensome application procedures, lengthy forms, means-testing and disclosure of relatives' income, frequent renewals, digital hurdles), stigma and fear of loss of dignity (negative public discourse deters applications), low perceived

⁴⁸ Group of Experts on Action against Trafficking in Human Beings (GRETA) (2024): Evaluation Report on Germany - Third evaluation round: Access to justice and effective remedies for victims of trafficking in human beings. <https://rm.coe.int/greta-evaluation-report-on-germany-third-evaluation-round-focus-access/1680b04977> (accessed 27 Jun. 2025), p. 44 no. 168; see also Committee of Experts on the Application of Conventions and Recommendations (CEACR) (2024): Direct Request concerning the Labour Inspection Convention, 1947 (No. 81) and the Labour Inspection (Agriculture) Convention, 1969 (No. 129) for Germany. In: 113th International Labour Conference (ILC) session. https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEX-PUB:13100:0::NO::P13100_COMMENT_ID%2CP13100_COUNTRY_ID:4414310%2C102643 (accessed 27 Jun. 2025), .

⁴⁹ UN Committee on Economic, Social and Cultural Rights (2018), para 47.

⁵⁰ CDU, CSU, SPD (2025), paras 500-542.

⁵¹ Federal Constitutional Court, 5 Nov. 2019, 1 BvL 7/16, BVerfGE 152, 68.

⁵² van Rieën (2024), Ursachen der Nichtnutzung von monetären und infrastrukturellen sozialpolitischen Leistungen. Eine Einordnung DIFIS Studie 9/2024, p. 6-7.

net gain when entitlements are small (fear of benefit recovery or maintenance claims against relatives), system fragmentation (more than 150 different means-tested programmes spread across federal, Länder and municipal levels).⁵³ It is recommended to simplify application procedures, automatize benefit administration across levels and authorities, introduce targeted outreach campaigns and low-threshold advisory services to destigmatise claiming rights.⁵⁴

2.3.2 Old-Age Poverty

In its Concluding Observations, the Committee urges the State Party to combat poverty among older women.⁵⁵ Old-age poverty in Germany remains high, especially among older women.⁵⁶ Every fifth person aged 65 or over is affected by poverty, with women being more affected than men (21.4 and 17 per cent, respectively).⁵⁷ Of all women receiving age-related pensions, more than 38 per cent got less than 1.000 Euro per month, compared to 14.7 per cent of men.⁵⁸ The number of beneficiaries of *Grundsicherung im Alter* increases year after year, from 512.000 in 2014 to 562.000 in 2019 to 739.000 in 2024,⁵⁹ with more women receiving basic security than men in 2024 (419.000 and 320.000, respectively).⁶⁰ Older persons living in poverty are more likely to be affected by loneliness than other older persons.⁶¹ In the age group of 65 to 75 years, men work more than women to improve their income (16.2 to 9.9 per cent, respectively).⁶² The gender pension gap (without survivor's pension) remains high with 39.4 per cent in 2023, and older women aged 65 or over are more at risk of poverty than older men (20.8 to 15.9 per cent, respectively).⁶³ To combat poverty in old age, the government intends to, among others, to implement an early start pension (*Frühstart-Rente*), improve the occupational pension scheme, set incentives for working in retirement, and improve the mother's pension (*Mütter-Rente*).⁶⁴

2.3.3 Child Poverty

In line with the EU Child Guarantee, the German Government adopted Germany's Child Guarantee National Action Plan (NAP) on 17 July 2023 and published an additional progress report on 29 January 2025.⁶⁵ The German Child Guarantee National Action Plan focuses on Early Childhood Education and Care (Third Act on the Further

⁵³ Ibid, p. 9-14.

⁵⁴ Ibid, p. 15-17

⁵⁵ UN Committee on Economic, Social and Cultural Rights (2018), paras 38-39.

⁵⁶ BAGSO (2025): Armut im Alter. Existenzsicherung verbessern, Teilhabe sicherstellen, p. 6, https://www.bagso.de/fileadmin/user_upload/bagso/06_Veroeffentlichungen/2025/BAGSO_Positionspapier_Armut-im-Alter.pdf.

⁵⁷ Deutscher Paritätischer Wohlfahrtsverband (2025): Verschärfung der Armut. Paritätischer Armutsbericht, p. 12-13, https://www.der-paritaetische.de/fileadmin/user_upload/Publikationen/doc/armutsbericht_2025_web_fin.pdf.

⁵⁸ Human Rights Watch (2025): "It Tears You Apart". Poverty and Gender in Germany's Social Security System, p. 51, https://www.hrw.org/sites/default/files/media_2025/04/germany0325%20web.pdf.

⁵⁹ Statistisches Bundesamt (Destatis) (2025): 4,1 % mehr Empfängerinnen und Empfänger von Grundsicherung im Alter und bei Erwerbsminderung Ende 2024. https://www.destatis.de/DE/Presse/Pressemitteilungen/2025/03/PD25_121_228.html (accessed 30 Jun. 2025).

⁶⁰ Statistisches Bundesamt (Destatis) (2025): Empfänger von Grundsicherung: Deutschland, Berichtsmonat im Quartal, Nationalität, Geschlecht, Altersgruppe. <https://www-genesis.destatis.de/datenbank/online/statistik/22151/table/22151-0003> (accessed 30 Jun. 2025).

⁶¹ Deutsches Zentrum für Altersfragen (DZA) (2023): Pressemitteilung: Armut stellt ein Risiko für die soziale Integration älterer Menschen dar. <https://www.dza.de/presse/pressemitteilungen/armut-stellt-ein-risiko-fuer-die-soziale-integration-aelterer-menschen-dar> (accessed 30 Jun. 2025).

⁶² Statistisches Bundesamt (Destatis) (2022): Mehr als ein Viertel der Rentnerinnen und Rentner haben ein monatliches Nettoeinkommen von unter 1 000 Euro. https://www.destatis.de/DE/Presse/Pressemitteilungen/2022/09/PD22_N061_12_13.html (accessed 30 Jun. 2025).

⁶³ Statistisches Bundesamt (Destatis) (2024): Gender Pension Gap 2023: Alterseinkünfte von Frauen 27,1 % niedriger als die von Männern. https://www.destatis.de/DE/Presse/Pressemitteilungen/2024/04/PD24_N016_12_63.html (accessed 30 Jun. 2025).

⁶⁴ CDU, CSU, SPD (2025), paras. 596-619, 635-63,

⁶⁵ Bundesministerium für Familie, Senioren, Frauen und Jugend (BMFSFJ) (2025): Nationaler Aktionsplan Kinderchancen. <https://www.bmfsfj.de/bmfsfj/themen/familie/nationaler-aktionsplan-kinderchancen> (accessed 30 Jun. 2025).

Development of Quality and Participation in Child Daycare from 1 January 2025), Education (legal right to all-day care from 2026), Healthcare (less bureaucracy for access to health for migrant children) and Nutrition (National Strategy for breastfeeding support, Nutrition Strategy to foster healthy eating). However, the implementation of Germany's Child Guarantee National Action Plan (NAP) has stalled since the March 2025 election.

2.3.4 Regressions in Asylum Seekers' Benefits

Asylum seekers in Germany who cannot financially support themselves are entitled to benefits under the Asylum Seekers' Benefits Act. Several legal amendments have introduced regressions. As of autumn 2024, asylum seekers in Germany whose asylum application is the responsibility of another EU member state under the EU's Dublin III Directive have been excluded from receiving benefits under the Asylum Seekers Benefits Act (section 1 (4) sentence 1) and are thus left to live in destitution.

As of 16 May 2024, the federal states can decide to distribute the benefits for asylum seekers under the Asylum Seekers' Benefit Act via a debit card (*Bezahlkarte*). The debit card is an additional form of benefit, alongside in-kind benefits, cash and vouchers. The specific implementation of the payment card and the amount of money that can be withdrawn within a certain period lies within the exclusive competence of the federal states (Länder). Fourteen federal states have already agreed to standardize the implementation of the payment card, while Bavaria and Mecklenburg-Western Pomerania are pursuing their own implementations.⁶⁶ In thirteen federal states, a maximum cash withdrawal limit of 50 euros per person per month has been set. In Hamburg, only 10 euros per month can be withdrawn per minor.⁶⁷

The general maximum limit for cash withdrawals is imposed by the payment card without considering individual needs. The federal states have failed to account for the fact that in rural areas, everyday items such as second-hand goods or purchases at local markets and small shops can only be paid for in cash. By limiting access to cash, the *Bezahlkarte* deprives those affected of the freedom to choose more affordable options that would otherwise be available with cash payments. For example, it impacts on their right to food when they can no longer access ethnic foods that are only available in shops where debit cards are not accepted.

2.4 Article 10 ICESCR: Protection of Family and Children for Vulnerable Groups

2.4.1 Suspension of Family Reunification for Subsidiary Protection Holders

In its previous Concluding Observations, the Committee recommended ensuring that persons entitled to subsidiary protection are allowed to reunite with their families and to lift the quota of 1,000 persons per month.⁶⁸ However, the German Parliament adopted a law on 27 June 2025 which suspends family reunification for beneficiaries of subsidiary protection for at least two years⁶⁹, a measure similar to that implemented

⁶⁶ Konferenz der Regierungschefinnen und Regierungschefs der Länder (2024): Beschluss der Konferenz der Regierungschefinnen und Regierungschefs der Länder vom 20. Juni 2024 in Berlin. https://hessen.de/sites/hessen.hessen.de/files/2024-06/mpk_20.06._top_1.5.1_b_bezahlkarte.pdf (accessed 12 Mar. 2025).

⁶⁷ Amt für Migration, Hamburg (2025): SocialCard erhalten. <https://www.hamburg.de/service/info/111095363/> (accessed 12 Mar. 2025).

⁶⁸ UN Committee on Economic, Social and Cultural Rights (2018), para 28.

⁶⁹ CDU/CSU/SPD (2025), paras 2975 – 2978; Deutscher Bundestag (2025): *Familiennachzug zu subsidiär Schutzberechtigten wird ausgesetzt*. <https://www.bundestag.de/dokumente/textarchiv/2025/kw26-de-familiennachzug-1084812> (accessed 30 Jun. 2025).

from 2016 to 2018⁷⁰. While hardship cases remain an exception, the criteria for such a determination continue to be vague. Furthermore, the renewed suspension expands the scope to a much larger group of people, including family members who are already in the visa process or on a waiting list for a visa appointment at the embassies. After the two years of suspension, the government plans to examine whether a further suspension of this solution is necessary and possible in the context of the migration situation.

2.4.2 Age Assessment of Unaccompanied Minor Refugees

Unaccompanied minors often do not have any documents with them that could prove their age and identity. In such cases, their exact age can only be estimated. Age assessment determines access to children's rights, and errors can lead to unjustified exclusion from the youth welfare system. Access to child-friendly accommodation and support, consideration of the child's best interests, the appointment of a guardian, access to education, child-friendly information in court proceedings, and support from legal representatives or psychosocial support during proceedings are particularly important in relation to age assessment.⁷¹ Certain legal consequences also apply to minors in asylum proceedings or under the German Residence Act.⁷² The UN Committee on the Rights of the Child states in its General Comment No. 6 that such assessments must be carried out in a scientific, safe, child-friendly, gender-sensitive, culturally appropriate, and fair manner. It is imperative that human dignity and physical integrity are preserved.⁷³

Usually, the youth welfare office carries out age assessments. In particular, the primacy of self-disclosure applies this may only be questioned in justified exceptional cases. If self-disclosure does not dispel existing doubts, a so-called qualified visual inspection is carried out as a precautionary measure. This takes into account the young person's appearance and behaviour, as well as biographical facts obtained during the interview. If, after the visual inspection, there is insufficient probability that the person is a minor or of legal age, the youth welfare office shall arrange for a medical examination to determine the age (Section 42f (2) sentence 1 Book VIII of the German Social Code). The medical examination to determine age has been critically examined on many occasions.⁷⁴ There are concerns regarding its invasiveness and inaccuracy. Forensic age assessment and the question of which methods are appropriate are highly controversial. In any case, the examinations cannot determine an exact chronological age. It is often difficult for unaccompanied minor refugees to defend themselves against incorrect assessments and the resulting termination of their care by the youth welfare office because they are unaware of their rights, often lack legal support, and the deadlines are very short.⁷⁵

⁷⁰ Gesetz zur Einführung beschleunigter Asylverfahren (Law on the Introduction of Accelerated Asylum Procedures) of 11 March 2016. BGBl. I Nr. 12 2016, p. 390.

⁷¹ Pursuant to § 42 of the German Social Code Book VIII, the Youth Welfare Office (*Jugendamt*) is authorized and obliged to take a child or young person into temporary custody or protective care to ensure a child's or young person's well-being.

⁷² For example, protection against deportation for unaccompanied minors who have entered the country pursuant to Section 58 1a of the Residence Act or special guarantees under Directive (EU) 2024/134.

⁷³ UN Committee on the Rights of the Child (2005): General Comment No. 6 (2005) on Treatment of unaccompanied and separated children outside their country of origin.

⁷⁴ E.g. Huesmann, M. L. (2022): Ethical aspects of medical age assessment in unaccompanied minor migrants. Springer Verlag.

⁷⁵ BuMF (2025): Interview: Falling through the cracks – underage refugees without counselling or assistance in shared accommodation facilities - BuMF. <https://b-umf.de/p/interview-minderjaehrige-gefluechtete-in-gemeinschaftsunterkuenften/> (accessed 29 Apr. 2025).

2.4.3 Visiting Rights of Children of Incarcerated Parents

A parent's incarceration has an enormous impact on the life of a child. Studies have shown that having direct contact with an incarcerated parent on a regular basis can help children to cope with this stressful situation. There is no official data on the number of children in Germany affected by this difficult situation. However, experts have estimated that they number around 100,000. The average total number of persons incarcerated in penal institutions in 2022, as reported by the German Federal Statistical Office, was 56,601.⁷⁶

2.5 Article 11 ICESCR: Food Poverty

2.5.1 Monitoring Food Poverty

Already in 2020 and 2023, the Scientific Advisory Board on Agricultural Policy, Food and Consumer Health Protection of the Federal Ministry of Agriculture, Food and Regional Identity pointed towards the growing phenomenon of food poverty in Germany and found that too little was done to ensure access to a healthy diet for all during the full life course.⁷⁷ In its nutrition strategy (*Ernährungsstrategie*, 2024), the government acknowledges the existence of food poverty in Germany and defines it as a diet that is qualitatively or quantitatively inadequate, which can have various causes including insufficient access to healthy food or a lack of nutritional skills. It finds that easy and fair access for all people to a sufficient and healthy diet remains an unattained goal and that someone's socioeconomic status has a significant influence on their nutrition and health. The government expresses its commitment to fight food poverty but also concedes that food poverty has not yet been systematically monitored in Germany.⁷⁸

2.5.2 Ensuring a Healthy Diet within the Basic Social Benefit Scheme

The Scientific Advisory Board on Agricultural Policy, Food and Consumer Health Protection of the Federal Ministry of Agriculture, Food and Regional Identity has repeatedly pointed out that the food allowance in the SGB II basic-social-benefit scheme is insufficient to guarantee a healthy diet. Based on multiple affordability studies, the Advisory Board recommends revising the SGB II needs-calculation method so that benefit levels enable a healthy diet.⁷⁹ Indeed, most scientific studies conclude that a diet according to the recommendations of the German Nutrition Society (DGE) is not possible at current SGB II rates.⁸⁰ After her 2024 country visit, the Council of Europe Commissioner for Human Rights, Dunja Mijatović, likewise questioned the adequacy of the SGB II food component, citing rising poverty, high food prices and growing reliance on food banks.⁸¹ In its nutrition strategy (*Ernährungsstrategie*, 2024), the government acknowledges that it is difficult to enjoy a healthy and sustainable diet while receiving basic government benefits.⁸²

⁷⁶ DIMR (2024): Opportunities for contact between children and incarcerated parents. A survey on current practice within the German penal system. Summary: <https://www.institut-fuer-menschenrechte.de/publikationen/detail/opportunities-for-contact-between-children-and-incarcerated-parents-a-survey-on-current-practice-within-the-german-penal-system-summary>

⁷⁷ Wissenschaftlicher Beirat für Agrarpolitik, Ernährung und gesundheitlichen Verbraucherschutz (2020): Politik für eine nachhaltigere Ernährung. Wissenschaftlicher Beirat für Agrarpolitik, Ernährung und gesundheitlichen Verbraucherschutz (2023): Ernährungsarmut unter Pandemiebedingungen.

⁷⁸ Bundesministerium für Ernährung und Landwirtschaft (BMEL) (2024): Gutes Essen für Deutschland. Ernährungsstrategie der Bundesregierung. pp. 12, 26.

⁷⁹ Wissenschaftlicher Beirat für Agrarpolitik, Ernährung und gesundheitlichen Verbraucherschutz (2020, 2023).

⁸⁰ See for example Kabisch, S., et al. (2021). Affordability of Different Isocaloric Healthy Diets in Germany—An Assessment of Food Prices for Seven Distinct Food Patterns. In: *Nutrients*, 13(9), 3037.

⁸¹ Commissioner for Human Rights of the Council of Europe (2024). Report following her visit to Germany from 27 November to 1 December 2023, paras 67-68.

⁸² Bundesministerium für Ernährung und Landwirtschaft (BMEL) (2024), p. 26.

2.6 Article 11 (1) ICESCR: Housing Crisis

2.6.1 Homelessness and Discrimination in Access to Emergency Shelters

The number of homeless persons in Germany continues to rise and has doubled from 2022 (262,600) to 2024 (531,600).⁸³ In 2024, the government has adopted a National Action Plan Against Homelessness with the goal of ending homelessness by 2030. However, the measures adopted remain vague and very few have been implemented so far⁸⁴, there is no public information on the progress that has been made and there is little political commitment to the Plan.

Under Länder police and public-order laws, municipalities are legally obliged to provide emergency accommodation to persons experiencing homelessness, yet numerous studies document routine denial of shelter to homeless migrants from south-east European countries, including Bulgaria, Romania and Poland.⁸⁵ In consequence, such persons are forced to live under intolerable circumstances, either sleeping on the street or facing unacceptable housing conditions.

2.6.2 Forced Evictions

Forced evictions are part of the housing crisis in Germany; they are a legally sanctioned process in which tenants are removed from their homes by a court order. Due to insufficient data, it is not possible to evaluate to which extent Germany is fulfilling human rights requirements regarding forced evictions. Little is known about the households affected by evictions, e.g. there is no statistic about the households with children. There is a lack of data about the reasons for forced evictions and the whereabouts of those affected by forced evictions.

2.6.3 Affordable Housing

The Committee has previously called on the State party to increase the threshold for housing reimbursement under the basic social benefits to reflect market prices.⁸⁶ However, the rental burden continues to be very high. In 2022, 16 percent of all households spent more than 40 percent of their household income on rent.⁸⁷ The rental burden affects low-income households in particular: In 2021, households in the lowest income quintile spent almost 36 percent of their disposable income on rent, with single-person households and single-parent households bearing the highest burden.⁸⁸ While households receiving *Bürgergeld* are entitled to a reimbursement for rental and energy costs within a strict framework, in 2023, 12 percent did not get full

⁸³ Bundesministerium für Wohnen, Stadtentwicklung und Bauwesen (BMWSB) (2025): Wohnungslosenbericht 2024. <https://www.bmwsb.bund.de/SharedDocs/downloads/Webs/BMWSB/DE/veroeffentlichungen/wohnen/wohnungslosenbericht-2024.html> (accessed 14 May 2025).

⁸⁴ Engemann, C. (2025): Aktionsplan gegen Wohnungslosigkeit: Potenzial jetzt nutzen. In: epd sozial weekly. https://w.epd.de/digital/soz_weekly/2025/04/17/846175.htm (accessed 14 May 2025)

⁸⁵ Busch-Geertsema, V., Henke, J., Steffen, A., Reichenbach, M.-T., Ruhstrat, E.-U., Schöpke, S., & Krugel, N. (2019): Entstehung, Verlauf und Struktur von Wohnungslosigkeit und Strategien zu ihrer Vermeidung und Behebung: Endbericht. (Forschungsbericht / Bundesministerium für Arbeit und Soziales, FB534). Bremen: Gesellschaft für innovative Sozialforschung und Sozialplanung e.V., p. 120. <https://nbn-resolving.org/urn:nbn:de:0168-ss0ar-64339-4> (accessed 24 Jan. 2025); Engemann, C. (2021): De jure temporary, de facto permanent: Shelters for People Experiencing Homelessness in Germany. In: European Journal of Homelessness, Volume 15, No. 1 2021, FEANTSA: European Journal of Homelessness, Volume 15, Issue 1.

⁸⁶ UN Committee on Economic, Social and Cultural Rights (2018), para 55c.

⁸⁷ Statistisches Bundesamt (Destatis) (2023): Haushalte wendeten 2022 durchschnittlich 27,8 % ihres Einkommens für die Miete auf. https://www.destatis.de/DE/Presse/Pressemitteilungen/2023/03/PD23_129_12_63.html (accessed 14 May 2025).

⁸⁸ Deutsches Institut für Wirtschaftsforschung (DIW) (2024): DIW Wochenbericht, No. 41/2024. https://www.diw.de/de/diw_01.c.916094.de/publikationen/wochenberichte/2024_41_1/.html (accessed 14 May 2025).

reimbursement and paid an average of 103 Euros per month on top.⁸⁹ In consequence, housing costs compromise other basic needs or, at worst, lead to homelessness.

2.6.4 Financialization of Housing

The Committee has previously called on the State party to take appropriate measures to curb the impact of speculation in urban residential accommodation on access to affordable housing.⁹⁰ Extensive liberalization and deregulation of German financial markets from 1990 to 2002 created new investment opportunities and enabled various financial instruments and actors to enter the residential real estate market, leading to the large-scale privatization and sale of formerly publicly subsidized housing stock to private financial market players.⁹¹ This ongoing financialization of housing has led to a substantial shortage of (social) housing and increased rental prices.

2.6.5 Accessible Housing

Germany faces an acute shortage of accessible housing: fewer than 2.5 percent of the country's roughly 37 million dwellings are even "barrier reduced." Current funding schemes and building regulations have proven insufficient to substantially improve accessibility.

2.6.6 Energy Poverty

Around ten percent of households in Germany are vulnerable to rising energy prices. They are unable to adequately heat their homes or are heavily burdened by energy cost expenditure. This corresponds to about three million of the total 30 million households that currently still heat with fossil fuels (gas, oil).⁹² Vulnerability to energy poverty already extends into the middle class. Forecasts predict the number of households affected by or at risk of energy poverty to continue to rise.⁹³ The Committee identified permanent access to energy for cooking, heating, and lighting as an integral part of the right to housing.⁹⁴ According to UN Sustainable Development Goal 7, everyone is entitled to have access to affordable, reliable and modern energy services.

Germany classifies energy poverty as a problem of income poverty that can be solved through appropriate social transfers. Beyond this, energy poverty is, however, also a structural problem of insufficient energy efficiency, for example due to people's lack of capacity to increase their energy efficiency or switch to renewable energy sources.⁹⁵ Social transfers cannot address this structural problem.

⁸⁹ Deutscher Bundestag (02.08.2024): Antwort der Bundesregierung auf die Kleine Anfrage der Abgeordneten Heidi Reichinnek, Caren Lay, Susanne Ferschl, weiterer Abgeordneter und der Gruppe Die Linke: Wohnkostenlücke 2023. Drucksache 20/12470. Available online at: <https://dserver.bundestag.de/btd/20/124/2012470.pdf> (accessed 30 June 2025).

⁹⁰ UN Committee on Economic, Social and Cultural Rights (2018, para 55f).

⁹¹ Heeg, Susanne (2022): Finanzinvestoren auf dem deutschen Wohnungsmarkt. In: WSI Mitteilungen 75 (3), pp. 197–204. https://www.boeckler.de/data/wsimit_2022_03_heeg.pdf (accessed 27 Jun. 2025).

⁹² Öko-Institut (2025): Identifying and supporting vulnerable households in light of rising fossil energy costs, <https://www.oeko.de/publikation/identifying-and-supporting-vulnerable-households-in-light-of-rising-fossil-energy-costs/>.

⁹³ Öko-Institut & Green Budget Germany (FÖS) (2024): CO₂-Preis in Deutschland - Umsetzung des ETS II und des Klima-Sozialfonds in Deutschland, <https://www.oeko.de/publikation/umsetzung-des-ets-ii-und-des-klima-sozialfonds-in-deutschland/>, p. 25.

⁹⁴ UN Committee on Economic, Social and Cultural Rights (1991): General Comment No. 4 (1991) on the Right to Adequate Housing, E/C.12/1991/4, para. 8 (b).

⁹⁵ European Commission (2023): Recommendation on the draft updated integrated energy and climate plan of Germany covering the period 2021 – 2030, C(2023) 9618 final, p.8, https://commission.europa.eu/document/download/f4607ccb-1a19-4428-8b2b-3eb02a35e747_en?filename=Recommendation_draft_updated_NECP_Germany_2023.pdf; Öko-Institut (2025): Identifying and supporting vulnerable households in

2.6.7 Housing for Women from Shelters

The measures to financially support social housing included in the National Strategy on Protection against Violence are to be welcomed, as they can make a crucial contribution to facilitating access to permanent housing for women after their stay in a women's shelter. The 2023 Women's Shelter Statistics highlight the importance of long-term housing prospects: women searching for housing stayed the longest in shelters, with an average of 145 days.⁹⁶ Women in shelters are often at such high risk that returning to their previous living environment is not an option. Following traumatic experiences, many also do not wish to return.⁹⁷ Many alternatives to independent housing either offer insufficient protection from further violence or are merely insecure transitional solutions.⁹⁸ It is therefore necessary to create affordable housing so that women can leave shelters more quickly and rebuild their lives. A proportionate share must also be accessible, allowing women with disabilities to leave shelters and rebuild their lives in safety and autonomy.

2.7 Article 12 ICESCR: Inequalities in Access to Healthcare

2.7.1 Access to Healthcare for Persons with Disabilities

Accessibility of the Healthcare System

In the previous Concluding Observations, the Committee recommended the State party to take measures to guarantee the availability and accessibility of health services across the Länder, in particular for women with disabilities and in rural areas, without discrimination, by identifying and removing barriers and providing accessible medical equipment.⁹⁹ As it stands, only 10% of medical practices state that they are accessible to persons of limited mobility and equipped with accessible sanitary facilities; only 7% have orientation aids for visually impaired persons.¹⁰⁰ There are too few special healthcare services for persons with disabilities and there is also a lack of healthcare services specifically for women with disabilities, such as specialised gynaecological outpatient clinics.

Rights-based and Disability-specific Training of Health Care Professionals

In the previous Concluding Observations, the Committee recommended the State party to strengthen mechanisms for the regular training of health professionals about human rights, dignity, autonomy and the requirements of persons with disabilities.¹⁰¹ Studies highlight specific discrimination risks affecting persons with intellectual and psychosocial impairments and deaf persons availing themselves of healthcare services, especially in the form of communication barriers and professionals who lack awareness.¹⁰² When medical professionals are trained, disability-specific knowledge, the human rights-based model of disability and treatment requirements (such as special communication needs) are not adequately taught. Without this knowledge, the

light of rising fossil energy costs, <https://www.oeko.de/publikation/identifying-and-supporting-vulnerable-households-in-light-of-rising-fossil-energy-costs/>, p. 30.

⁹⁶ Frauenhauskoordination e.V. (FHK) (2023): Bundesweite Frauenhaus-Statistik 2023. https://www.frauenhauskoordination.de/fileadmin/redakteure/Publikationen/Statistik/2024-10-08_Langfassung_Frauenhausstatistik_2023_final.pdf (accessed 27 Jun. 2025), p. 34.

⁹⁷ Ibid, p. 19.

⁹⁸ Ibid, p. 35.

⁹⁹ UN Committee on Economic, Social and Cultural Rights (2018), para. 58 (a).

¹⁰⁰ Bundesministerium für Arbeit und Soziales (2021): Dritter Teilhabebericht der Bundesregierung über die Lebenslagen von Menschen mit Beeinträchtigungen. Teilhabe – Beeinträchtigung – Behinderung. https://www.bmas.de/SharedDocs/Downloads/DE/Publikationen/a125-21-teilhabebericht.pdf?__blob=publicationFile&v=7, p. 434; the survey covered just under half of the federal states.

¹⁰¹ UN Committee on Economic, Social and Cultural Rights (2018), para. 58 (b).

¹⁰² Bartig, S. et al. (2021), pp. 44 ff.

self-determination of patients with disabilities and their free and informed decision-making cannot be guaranteed.

Reproductive Rights of Persons with Disabilities

In Germany, women with disabilities are more than eight times more likely to be sterilised than women in general.¹⁰³ Women with intellectual impairments are especially hard-hit. Another common practice used to prevent pregnancy of women with intellectual impairments is the three-month or long-term hormonal contraceptive injection. There are also no nationwide structures enabling or supporting parenthood among persons with disabilities.

2.7.2 Access to Healthcare for Migrants

Access to Healthcare for Undocumented Persons

Despite the Committee's recommendation in its previous Concluding Observations to establish a clear separation ("firewall") between public service providers and immigration enforcement authorities, including through repealing § 87 (2) of the Residence Act, this provision remains in effect.¹⁰⁴ The obligation of public entities to report persons without a residence title to the immigration authorities, severely restricts their access to healthcare. For fear of detection and deportation, many undocumented persons seek care only at an advanced stage of illness or not at all, with life-threatening consequences and heightened public-health risks.¹⁰⁵

In particular, undocumented pregnant women see their rights to maternal and reproductive health infringed. Under the Asylum-Seekers' Benefits Act (AsylbLG), undocumented persons are legally entitled to the same basic health benefits as asylum-seekers, including medical care during pregnancy, childbirth and the puerperium (AsylbLG § 4 (2)). In practice, however, they must first obtain a sickness certificate from the social-welfare office. § 87 (2) of the Residence Act obliges these offices to report them to immigration authorities, discouraging use of the scheme. Furthermore, hospitals may claim emergency-care costs from social-welfare offices only with proof of need for assistance but required documentation (e.g. bank account statements) is often unavailable to these women. As a result, they are usually forced to pay privately for reproductive health services, or they must rely on the goodwill of health professionals, selected municipal or non-governmental initiatives to provide free and anonymous services.

¹⁰³ Bundeszentrale für gesundheitliche Aufklärung (2019): Verhütungsverhalten Erwachsener. Ergebnisse der Repräsentativbefragung 2018. <https://shop.bzga.de/pdf/13317300.pdf>

¹⁰⁴ UN Committee on Economic, Social and Cultural Rights (2018), paras 26-27.

¹⁰⁵ Gesellschaft für Freiheitsrechte (2024): Beschwerde zur Europäischen Kommission. Verstoß der aufenthaltsrechtlichen Übermittlungspflicht in § 87 Abs. 2 S. 1 Nr. 1 AufenthG gegen Art. 5 Abs. 1 lit. b), Art. 6 Abs. 4 Datenschutzgrundverordnung und Art. 8 Abs. 1 sowie Art. 35 Europäische Grundrechtecharta, 2.1. <https://freiheitsrechte.org/uploads/documents/Soziale-Teilhabe/Ohne-Angst-zum-Arzt/Beschwerde-EUKommission.pdf> (accessed 13 May 2025); Deutsches Institut für Menschenrechte (2008): Frauen, Männer und Kinder ohne Papiere in Deutschland – Ihr Recht auf Gesundheit, 2nd ed., pp. 16 f. https://www.institut-fuer-menschenrechte.de/fileadmin/Redaktion/Publikationen/studie_frauen_maenner_und_kinder_ohne_papiere_ihr_recht_auf_gesundheit.pdf (accessed 13 May 2025); Wissenschaftliche Dienste des Bundestags (2012): Zugang zur Gesundheitsversorgung für Menschen mit irregulärem Aufenthalt, pp. 7 f. <https://www.bundestag.de/resource/blob/407250/79e1dbd0696e1a35531c1618edf19edc/wd-6-035-12-pdfdata.pdf> (accessed 13 May 2025); Bundesarbeitsgruppe Gesundheit/Illegalität (2017): Gesundheitsversorgung für Menschen ohne Papiere – Aktuelle Herausforderungen und Lösungsansätze, p. 4. https://forum-illegalitaet.de/wordpress_01/wpcontent/uploads/2017/05/BAG-Gesundheit_Illegalitaet%3%a4t-Arbeitspapier-2017-final.pdf (accessed 13 May 2025).

The Federal Government has not provided evidence that reporting is essential for cost-recovery or fraud prevention. A complaint against § 87 (2) of the Residence Act is pending before the European Commission).¹⁰⁶

Access to Healthcare for EU Seasonal Workers in Agriculture

EU migrants working in agriculture over a limited period of time face barriers in accessing health services. In Germany, seasonal work in agriculture is not subject to social insurance contributions (*sozialversicherungsfreie Beschäftigung*) if workers are employed less than 71 days and if this employment is not their first profession, i.e. its economic importance is subordinate for the workers' livelihood (§ 8 Par. 1 Nr. 2 SGB IV and § 7 Par. 1 SGB V). Nevertheless, farmers must report which type of health insurance workers are covered by (§ 28a Par. 9a SGB IV). Often farmers revert to private group insurances for seasonal workers. These insurances, however, do not guarantee equal access to health services and may not secure the highest attainable standard of physical and mental health for seasonal workers. Several studies imply that seasonal work does not have a subordinate economic importance for workers and, thus, must be subject to social insurance contributions.¹⁰⁷ Moreover, the same studies report of alarming deficits in the health care of seasonal workers.

Access to Healthcare for Refugees with disabilities

Within the asylum process, there have been major problems in providing healthcare for refugees with disabilities for years. The provision of disability-related care, such as therapies and aids, is therefore often lacking, which can cause permanent damage to the health.

2.7.3 Human-Rights-Based-Approach to Care of Older Persons

Older persons have the right to live where and with whom they want. They have the right to live independently, free from violence and make their own decisions over every aspect of their life, for example in regard of care.¹⁰⁸ Care must take a human rights approach into account, including the accessibility and age-inclusiveness of community-based care services, care-settings free of violence and the raising of awareness in respect of the human rights of older persons, both for caregivers and caretakers. In its coalition agreement, the government announced to reform the German care system.¹⁰⁹

¹⁰⁶ Gesellschaft für Freiheitsrechte (2024).

¹⁰⁷ Wichern, Janna; Gotter, Christa (2025): Außerhalb des Versichertenkollektivs: Gesundheitliche Risiken in der landwirtschaftlichen Saisonarbeit und ihre unzureichende Absicherung. PECO Institut für zukunftsfähige Arbeitswelten. <https://igbau.de/Binary/Binary21845/Studie-Ausserhalb-des-Versichertenkollektivs-2025.pdf> (accessed 27 Jun. 2025); Kingreen, Thorsten (2024): Der krankenversicherungsrechtliche Status von Saisonarbeitenden in der Landwirtschaft. PECO-Institut für nachhaltige Entwicklung e.V. <https://www.peco-ev.de/docs/Rechtsgutachten-Kingreen-T.-2024-Der-krankenversicherungsrechtliche-Status-von-Saisonarbeitenden-1.pdf> (accessed 27 Jun. 2025); Dietrich, Anna-Katharina; Friess, Eliane; Heineck, Kordula (2022): ZWANGSARBEIT UND ARBEITSAUSBEUTUNG VERHINDERN: Branchenspezifische Analyse - Anzeichen erkennen & handeln, 2. Ausgabe: Landwirtschaftliche Saisonarbeit und häusliche Pflege. ARBEIT UND LEBEN Berlin-Brandenburg DGB/VHS e. V., Servicestelle gegen Arbeitsausbeutung, Zwangsarbeit und Menschenhandel. https://www.servicestelle-gegen-zwangsarbeit.de/wp-content/uploads/2023/01/2022_Servicestelle_Branchenanalyse_Saisonarbeit_Pflege.pdf (accessed 27 Jun. 2025).

¹⁰⁸ UN Human Rights Council (2015): Report of the Independent Expert on the enjoyment of all human rights by older persons. Rosa Kornfeld-Matte. UN Doc. A/HRC/30/43 A/77/239, A/HRC/57/42; UN General Assembly. (2022): Older persons and the right to adequate housing. Report of the Independent Expert on the enjoyment of all human rights by older persons. Claudia Mahler, UN Doc. A/77/239; UN Human Rights Council (2024): Legal capacity and informed consent. Report of the Independent Expert on the enjoyment of all human rights by older persons. Claudia Mahler, UN Doc. A/HRC/57/42; UN Committee on Economic, Social and Cultural Rights (2018), paras 48-49.

¹⁰⁹ CDU/CSU/SPD (2025), paras 3465-3490.

2.8 Article 13 ICESCR: Inequalities in Access to Education and Human Rights Education

2.8.1 Racial and Socio-Economic Discrimination and Educational Disparities

Protection against discrimination is not fully guaranteed within the German education system. Educational attainment is still often tied to students' racial and socio-economic background. Structural and institutional transformation processes are necessary at all levels from early childhood education over primary to secondary and tertiary education.

Structural discrimination mechanisms start in early childhood education (ECE) settings with discriminatory allocation of daycare spots and racist biases in cooperation with parents in daycare facilities.¹¹⁰ Children with a migration background attend kindergartens less frequently.¹¹¹ Moreover, in 2021, one-third of children under three with a non-German family language (32.6%) and 37.1% of those aged three to six attended a kindergarten where at least half of the children had a non-German origin language, indicating patterns of segregation in ECE.¹¹² This reduces their opportunities to practice and learn German, thereby hindering their later academic development.

In school settings, PISA studies consistently reveal a strong correlation between students' socio-economic status and their academic outcomes, a disparity that remains notably pronounced in Germany compared to other OECD countries.¹¹³ Children and young people with a migrant background are at a significantly higher risk of educational disadvantage, since they are disproportionately affected by socio-economic risks.¹¹⁴ Young people with a migration background are disproportionately represented in *Hauptschulen* (lower secondary track, increasingly less relevant for vocational training) and underrepresented in *Gymnasien* (highest secondary track leading to university).¹¹⁵ Their academic competencies often lag considerably behind those of their peers without a migrant background, with this gap even widening again due to the COVID-19 pandemic.¹¹⁶ The severity of this disparity is underscored by the fact that students without German citizenship are almost three times as likely (13.4% versus 4.6%) to leave school without any qualifications compared to their peers with German citizenship¹¹⁷, and also less likely to achieve higher educational qualifications like the Abitur or a university degree.¹¹⁸

2.8.2 Inclusive Education

In the previous Concluding Observations, the Committee recommended the State party to continue to roll out the inclusive education programme and encourage the enrolment of children with disabilities in inclusive schools.¹¹⁹ However, Germany has a

¹¹⁰ Bostanci, Seyran / Wirth, Benedikt (2024): Institutioneller Rassismus in Kindertageseinrichtungen. Erscheinungsformen und Handlungsstrategien. In: Migration und Soziale Arbeit 1 (2024), pp. 56–62.

¹¹¹ Ibid.

¹¹² Sachverständigenrat für Integration und Migration (SVR) (2023): Ungleiche Bildungschancen. https://www.svr-migration.de/wp-content/uploads/2023/02/Kurz-und-buendig_Bildung_2024.pdf (accessed 26 Jun. 2025), p. 3.

¹¹³ OECD (2023): PISA 2022 Results (Volume I and II) - Country Notes: Germany. https://www.oecd.org/en/publications/pisa-2022-results-volume-i-and-ii-country-notes_ed6fbc5-en/germany_1a2cf137-en.html (accessed 26 Jun. 2025).

¹¹⁴ Ibid; Diehl, Claudia / Hunkler, Christian / Kristen, Cornelia (2016): Ethnische Ungleichheiten im Bildungsverlauf: Eine Einführung. In: Diehl, Claudia / Hunkler, Christian / Kristen, Cornelia (Hrsg.), Ethnische Ungleichheiten im Bildungsverlauf: Mechanismen, Befunde, Debatten. Wiesbaden: Springer VS, pp. 24–27.

¹¹⁵ Sachverständigenrat für Integration und Migration (SVR) (2023), pp. 4–6

¹¹⁶ Ibid, pp. 6–8.

¹¹⁷ Bertelsmann Stiftung (2023): Jugendliche ohne Hauptschulabschluss. Demographische Verknappung und qualifikatorische Vergeudung. <https://www.bertelsmann-stiftung.de/de/publikationen/publikation/did/jugendliche-ohne-hauptschulabschluss-1> (accessed 27 Jun. 2025).

¹¹⁸ Sachverständigenrat für Integration und Migration (SVR) (2023), pp. 9–10.

¹¹⁹ UN Committee on Economic, Social and Cultural Rights (2018), para. 61 (b).

highly differentiated system of special schools for children with disabilities. There is no transformation towards an inclusive school system. Human and financial resources are being poured into special schools rather than into an inclusive school system. Data shows that currently, on average throughout Germany, 6 out of 10 of pupils with special educational needs are taught in special schools. The proportion of children in special schools is even rising in some federal states. Germany continues to train special needs teachers for special schools instead of training all teachers for inclusion in mainstream schools. Special schools are treated as if they were part of an inclusive system, and parents' right to choose is used to justify the system. However, without well-equipped inclusive mainstream schools, parents do not have a real choice.

2.8.3 Human Rights Education

Education shall “strengthen the respect for human rights” (Article 13 ESCR) and human rights education shall be provided to the general public and to specific professions “acting on behalf of the state” (UN Declaration on Human Rights Education and Training, A/RES/66/137, especially Article 7).

2.9 Article 15 ICESCR: Open Science and Accessible Libraries

2.9.1 Open Science

Article 15 ICESCR enshrines the principle tenets of Open Science, an umbrella term for various movements and practices, including open scientific knowledge, open science infrastructures and science communication, among others.¹²⁰ In Germany, several policy papers and initiatives have endorsed Open Science.¹²¹ However, the current coalition agreement does not explicitly promote Open Science or endeavours such as Open Access and Open Data.¹²²

2.9.2 Accessible Libraries

To ensure access to scientific research results, libraries and related facilities as instruments for the diffusion of science must be accessible without discrimination. There are still too many barriers for people with disabilities to accessing libraries in Germany, including access to buildings, media offerings, communication and digital services. The vast majority of libraries (97.41%) have no budget for accessibility and inclusion.¹²³

¹²⁰ UN Committee on Economic, Social and Cultural Rights (2020): General Comment No. 25 (2020) on science and economic, social and cultural rights. E/C.12/GC/25, § 8; UN General Assembly (2024): Right to participate in science. Report of the Special Rapporteur in the field of cultural rights, Alexandra Xanthaki. A/HRC/55/44, § 33; UN Educational, Scientific and Cultural Organization (UNESCO) (2021): UNESCO Recommendation on Open Science. Paris. Document code SC-PCB-SPP/2021/OS/UROS

¹²¹ See, among others, Bundesministerium für Bildung und Forschung (BMBF) (2018): Open Access in Deutschland. Die Strategie des Bundesministeriums für Bildung und Forschung. Berlin. https://www.bmbf.de/SharedDocs/Publikationen/DE/1/24102_Open_Access_in_Deutschland.pdf?__blob=publicationFile&v=4 (accessed 16 May 2025); Bundesministerium für Bildung und Forschung (BMBF) / Kultusministerkonferenz (2023): Open Access in Deutschland. Gemeinsame Leitlinien von Bund und Ländern. Berlin. https://www.bmbf.de/SharedDocs/Publikationen/DE/1/772960_Open_Access_in_Deutschland.pdf?__blob=publicationFile&v=4 (accessed 16 May 2025); National Research Data Infrastructure (NFDI) (Year of last update). <https://www.nfdi.de> (accessed 16 May 2025).

¹²² CDU/CSU/SPD (2025), especially pp. 69-70 (“Kultur der Datennutzung und des Datenteilens”) and pp. 75-76 („Wissenschaftskommunikation und -verbreitung“).

¹²³ Deutscher Bibliotheksverband (dbv) (2022): Bericht zur Lage der Bibliotheken. Zahlen und Fakten 2022/2023. https://www.bibliothekverband.de/sites/default/files/2022-10/Bericht%20zur%20Lage%20der%20Bibliotheken_2022-23_web.pdf (accessed 22 May 2025).

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German Institute for Human Rights

The German Institute for Human Rights is the independent National Human Rights Institution of Germany (§ 1 GIHR law). It is accredited according to the Paris Principles of the United Nations (A-status). The Institute's activities include the provision of advice on policy issues, human rights education, information and documentation, applied research on human rights issues and cooperation with international organizations. It is supported by the German Bundestag. The Institute is mandated to monitor the implementation of the UN Convention on the Rights of Persons with Disabilities and the UN Convention on the Rights of the Child and established Monitoring Bodies for these purposes. It is also mandated as National Rapporteur Mechanism under the Council of Europe Conventions on Violence against Women and Domestic Violence (Istanbul Convention) and on Trafficking in Human Beings.