



German Institute  
for Human Rights

# ANNUAL REPORT 2021



“I’m looking for a place to live. (...) Can you tell the government I want to talk to them?”  
Madlen

“Sometimes miracles do happen and a person opens up through their gaze, revealing a little of their character, their vulnerability, but also a little of their hopes and dreams.”  
Debora Ruppert

## **NO ROOM – Encounters with homeless persons**

Housing is a human right. Yet according to some estimates, between 313,000 and 542,000 people are currently experiencing homelessness in Germany. Where do people live if there is no room for them in our society? In a project entitled “NO ROOM – Encounters with homeless persons” which began in 2009, Debora Ruppert creates portraits of homeless persons on the streets of Berlin.

The photographer dives into a parallel world that exists right outside our front doors. She tracks down those hidden public places that have been transformed into homes by people without them. Her portraits convey the unique dignity that lives within every person, inviting us to enter into dialogue with people experiencing homelessness.

For people living on the streets, the Covid-19 pandemic only made their situation worse. Many of them suffer from addictive diseases, are afflicted by ill health and are in groups at risk from Covid. But staying at home to protect themselves from infection is not an option for them. This Annual Report presents 14 portraits taken on the streets of Berlin before and during the Covid-19 pandemic. They have previously been displayed in various exhibitions in Berlin.

You can find more information about the subjects of the portraits on pages 82–85. Links next to each portrait take you to videos recorded live on the streets, where you can hear the subjects speaking for themselves. The [www.street-life-berlin.com](http://www.street-life-berlin.com) website also includes photos, videos and information all about Debora Ruppert’s “NO ROOM” project. Read more about what politicians can do to realise everyone’s human right to housing in the chapter on “Overcoming Homelessness” on page 14.

[www.street-life-berlin.com](http://www.street-life-berlin.com)

# Foreword

In 2021 the Institute celebrated the 20th anniversary of its foundation. It came into being on 8 March 2001 following a unanimous vote by the German Bundestag, becoming Germany's independent National Human Rights Institution. Since then it has striven to ensure that Germany respects, promotes and protects human rights domestically and abroad.

Right from the beginning, the work of the Institute has been shaped by enthusiasm, but it has also faced challenges. There was no blueprint for how to develop the profile of a national human rights institution following the Paris Principles of the United Nations. The Institute is not a government office nor a civil society human rights organisation. It is an independent office with a government mandate. It falls to the Institute to be the voice of human rights within its own country, a bridge not only between civil society and the state, but also a bridge to the United Nations, the Council of Europe and other countries' national human rights institutions. The Institute has therefore made a significant contribution to creating and strengthening the European and global networks of these institutions.

The Institute has never stopped developing. It has taken on new roles such as monitoring the UN Convention on the Rights of Persons with Disabilities. It has tested out new ways of taking action and thereby developed an unmistakable profile. The only way the Institute could achieve this was thanks to the expertise and commitment of its staff.

The journey from agenda setting to implementing concrete political measures is often a long one. We have prompted and helped shape debates on many issues. One example was the major role we played in ensuring that all adult people with disabilities are now allowed to vote. We constantly draw attention to the concerns of people whose rights are not fully respected, such as homeless persons, deaf-blind persons and intersex persons.

Alongside increased social inequality, we consider racist, sexist, homophobic, transphobic and ableist hatred, violence and discrimination to be major challenges, as are attempts to polarise and divide society. These lead to the exclusion of certain parts of society and threaten the foundations of human rights, namely the recognition of the equality of all people. After all, human rights are bound up with the promise of an inclusive society, one where every person can exercise their rights and participate in society with the same opportunities as all others.

Over the past 20 years, many stakeholders from politics and society have sought out dialogue with the Institute, engaging with our research findings and the recommendations we make based on them, as well as accessing our educational and information services. It is this constructive yet critical support which makes the Institute's work relevant. Indeed, we can only make progress for human rights by working as a community, and the response our work finds in the wider community is the lifeblood of the Institute.

This year's annual report will give you an insight into the range and diversity of our work. We hope you enjoy reading it.

Berlin, November 2022

**Professor Dr Beate Rudolf**  
Director

**Michael Windfuhr**  
Deputy Director



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# 2021: An Overview

## JANUARY

### **Greater self-determination for children with diverse sex development**

At a public session of the Federal Committee for Law and Consumer Protection on 13 January, the Institute welcomes the proposed legislation to ban targeted sex reassignment treatments for children with diverse sex development. The new legislation requires that surgical procedures should only be carried out if the procedure cannot be postponed until the child is able to decide for themselves. The new law to protect children with diverse sex development came into force on 22 May.

## FEBRUARY

### **Hanau one year on. Gaps still persist in our response**

On 18 February 2021, the Institute joins Migrationsrat (migration board) Berlin to host a debate on how society and the legal system respond to racist attacks. The participants discuss a dignified culture of remembrance following racist violence, and how the police and the legal system handle such attacks.

## MARCH

### **The German Institute for Human Rights at 20**

To mark the Institute's 20th birthday, the Institute Director Beate Rudolf is joined by the political and social scientist Naika Foroutan and the political scientist Jan-Werner Müller to discuss "Thinking about democracy, the rule of law and social coexistence from the perspective of human rights". Beate Rudolf makes it clear that "It must be ensured that people who are excluded get a hearing. This is what the Institute is fighting for."

## APRIL

### **Indigenous human rights defenders in Colombia**

The 8th Werner Lottje Lecture takes place on 20 April. This year's lecture honours the Guardia Indígena – Kiwe Thegnas, which use peaceful methods to protect the ancestral lands of individual village communities of the indigenous Nasa people in the Cauca region of south-west Colombia.

## MAY

### **Covid-19 pandemic: human rights as a compass**

The Institute hosts an online symposium in partnership with Amnesty International, Bread for the World, the ECCHR and the Society for Civil Rights e.V. on 31 May 2021. The event brings together experts from politics, academia and civil society to discuss human rights issues from the Covid-19 pandemic. The event attracts over 2000 viewers and the stream can be watched on the Institute's YouTube channel.

## JUNE

### **Law governing businesses' duty of care in supply chains**

The Institute welcomes the passing of a new law by the Bundestag to regulate businesses' duty of care in supply chains. The Institute says legal regulations make it easier for businesses to enforce human rights standards for their suppliers in other countries. Regulations are planned at a European level which aim to make it easier for victims of human rights violations to access justice. The regulations also include liability under civil law and cover the whole of supply and value-creation chains. The Institute calls on the Federal Government to play an active part in the EU process and help shape regulations for the whole EU area that do justice to the responsibility of states and companies to respect and protect human rights.

## JULY

### **Creating a human rights foundation for the application of artificial intelligence**

The Institute publishes a paper on algorithmic decision-making systems, discussing human rights guidelines and developments at an international level. The paper explains how UN human rights committees assess the use of artificial intelligence from a human rights perspective. It also outlines the obligations that arise from this for states. In short, for artificial intelligence to be used in a human rights-based way, its impact on human rights must be assessed so as to prevent the risk of discrimination. It must also be ensured that those affected are involved in the development and evaluation of algorithmic decision-making systems. Users should be informed about the existence, purpose, nature and effect of the algorithmic decision-making system, and must also be given access to swift and effective legal protection. Regulators must monitor compliance with these standards and be able to impose sanctions.

## **AUGUST**

### **Taking in people from Afghanistan**

In response to the Taliban's sudden seizure of power following the end of NATO's 20-year deployment in Afghanistan, Beate Rudolf, Director of the Institute says: "Federal government resettlement capacity must be expanded so as to be generous in taking in people from Afghanistan. The international mission in Afghanistan also served to protect human rights. Human rights must therefore guide the actions of Germany and its partners until the very end of the mission. We owe this to human rights defenders in Afghanistan who have risked their lives for human rights."

## **SEPTEMBER**

### **Healthcare for older persons**

To mark the International Day of Older Persons on 1 October the Institute says: "People of all ages have a right to health and to self-determination in their lives. Politicians, health insurers, medical associations and pension providers should create specific age-sensitive provision and ensure that older persons have equal access to medical services and rehabilitation institutions. To enable older people to live independently outside retirement and nursing homes, outpatient care must be expanded and outreach services must be strengthened."

## **OCTOBER**

### **Birth certificate entails access to justice**

If parents of children born in Germany cannot provide official proof of their identity, their newborn child may not be issued a birth certificate. The National CRC Monitoring Mechanism publishes an analysis entitled "Papers from the very start", in which it explains how to enforce the right to register children's birth with official bodies and the courts, so that in future every child born in Germany will receive a birth certificate. The analysis also includes specific recommendations for practitioners and affected persons.

## **NOVEMBER**

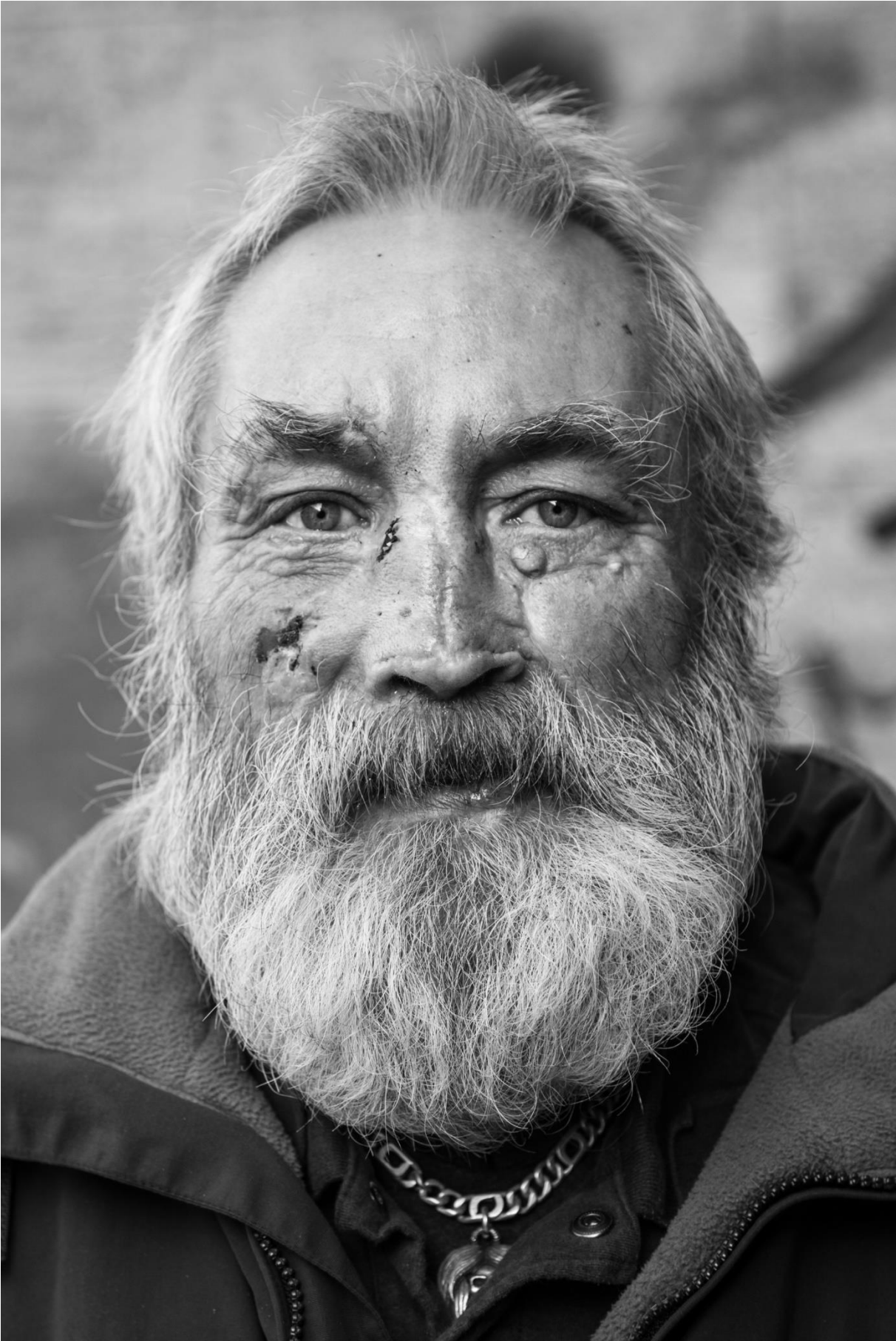
### **Implementing the Istanbul Convention**

On the International Day for the Elimination of Violence against Women on 25 November, Beate Rudolf, Director of the Institute, says: "the Institute welcomes the announcement made in the coalition agreement committing to an unconditional and effective implementation of the Istanbul Convention. This requires a holistic strategy that addresses content and structures from prevention through to prosecution. The strategy should be aligned with the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence, better known as the Istanbul Convention. Germany has been committed to implementing the convention since 2018. Along with a government coordination office, this will also require an independent monitoring office."

## **DECEMBER**

### **Human rights report to the Bundestag**

The Institute presents its 6th report on 9 December. The report to the German Bundestag takes stock of human rights in the period from 1 July 2020 to 30 June 2021 and addresses the following topics: 70 years of the Geneva Refugee Convention, racism and far-right extremism, legislation on duties of care in supply chains, reuniting refugee families, children's rights during pandemics, and the reform of guardianship law.





## **Strengthening social cohesion**

Social inequality, exclusion and hateful ideologies are a threat to social cohesion. The Institute campaigns for an inclusive society that is free of discrimination, one in which all people can make their human rights a reality.

# Global vaccine justice: a human rights obligation

For people in countries with low incomes, a lack of access to vaccines causes health, economic and social disadvantages. Yet it is also a global threat, as it is impossible to beat the Covid-19 pandemic without high vaccination rates around the world.

Vaccinating as many people around the world as quickly as possible is essential to prevent the development of new virus variants and to contain the pandemic in the long term. By the end of 2021 over 80% of all vaccine doses had been administered in rich countries. By contrast, only 5% had been administered in low-income countries, despite them being home to 20% of the world's population. All 171 state parties to the ICESCR are required to give their populations access to effective vaccines. However, this obligation does not stop at national borders. Rather, it includes supporting other states in upholding the right to health. Anna Würth, head of the Institute's department for International Human Rights Policy, stresses that "The human right to health demands both these things: protecting populations at home, and also contributing to protecting populations in other countries."

## Human rights responsibility for pharmaceutical companies

The Institute's 2021 annual human rights report included an analysis of how global vaccine justice has developed and taken shape. As rich nations, Germany and the EU have done too little to facilitate access for low-income countries. Time and again they have pledged to do so and stressed the importance of vaccine justice. However, they have done too little to deliver on this in practice. According to Anna Würth, "When it comes to procuring vaccines, the EU and its member states have failed to reach agreements with businesses on rules for voluntary licensing or transferring patents. This is despite the fact that they provided up to 90% of funding for vaccine development." Global vaccine justice is not only a health policy imperative for the 171 state parties to the ICESCR, as required in human rights terms under Article 12 of the Covenant. Pharmaceutical companies, too, have a human rights responsibility to provide vaccines that are accessible to all people in order to prevent avoidable deaths.

**"When it comes to procuring vaccines, there has been a failure to reach agreements with businesses on rules for voluntary licensing or transferring patents."**

*Anna Würth, head of International Human Rights Policy department.*

## Patent waivers: a necessary step

For this reason, the Institute has repeatedly called for all efforts to be made to ensure that more vaccine doses actually reach low-income countries. The German Federal Government should not sign any contracts with vaccine manufacturers either directly or through EU procurement contracts without agreeing on rules on voluntary licensing or patent waivers. As far as competition law allows, procurement contracts should be made more transparent for the general public. The Federal Government should also exhaust every opportunity available through the EU to increase vaccine production in the short, medium and long terms. It should also do everything it can to ensure the vaccines are fairly distributed, including the use of compulsory licences and patent waivers. Suspending patents on vaccines is an essential medium and long-term way of improving access to essential medicines such as vaccines for the populations of low-income countries. This is the only way that vaccine manufacturers in the Global South can produce high-quality vaccines without fear of legal repercussions, as well as increasing their own ability to meet the demand for vaccines.

**More vaccine doses must reach low-income countries.**

## **Covid-19 and human rights**

During 2021 the Institute also considered the human rights impact of the pandemic across other topic areas:

“Human rights as a compass through and beyond the Covid-19 crisis”, event held on 31/05/2021 in partnership with Amnesty International, Bread for the World, the ECCHR and Society for Civil Rights

The Institute published a video in the context of this event: “How do Covid measures affect vulnerable groups? Three perspectives”.

You can access the video and a recording of the event on the Institute’s YouTube channel.

German Institute for Human Rights (2021): Covid-19: impacts on the rights of people with disabilities. Why consistent disability mainstreaming is needed in response to the pandemic. Berlin (also available in easy-to-read language)

Press release: “ Intensive care must be non-discriminatory - also in triage situations” on our website

## **Further information**

German Institute for Human Rights (2021): Development of the human rights situation in Germany July 2020 – June 2021. Report to the German Federal Parliament in accordance with section 2 (5) of the Act on the Legal Status and Mandate of the German Institute for Human Rights. Berlin

Focus on “Vaccine justice as a human rights obligation” on our website

# Covid-19 pandemic: helping disadvantaged children

Gaps in children's education can often affect their whole lives. Due to the pandemic many children have fallen a long way behind in their learning. This now places a particular demand on the state, schools and teachers to realise the right of all children and young people to an education that is free from discrimination.

In order to avoid having to close completely during periods of high rates of infections, schools developed alternative solutions. These included groups attending classes on rotation, fixed groups of learners or imposing quarantine for individual classes. "Despite all this, there remains the risk that some children will never catch up and will have long-term gaps in their education," says Sandra Reitz, head of the Human Rights Education department. The effect is particularly serious on children who are already disadvantaged. "We are concerned that the gaps in children's education caused by the pandemic will have a negative impact on their later lives in many cases," Reitz explains. For Reitz, the immediate consequences include worse educational outcomes and more limited opportunities in the employment market. She explains that in turn, this can often leave those affected reliant on support from the state in order to access other human rights such as their right to appropriate and affordable housing.

## **Support for learning required**

The domestic environments of children and young people are a critical factor in access to education. Can they access the Internet at home, for example, and do they have their own devices so they can participate in distance learning? What is their learning environment like in terms of noise and space? Can parents or other caregivers provide support not only with learning but also with independence, organisation and motivation? During 2021 the Institute repeatedly drew attention to the fact that the state is responsible for ensuring children can access education without discrimination. Beyond temporary supportive teaching support, there is a need for ongoing provision, particularly for disadvantaged children and young people.

## **The state is responsible for ensuring children can access education without discrimination.**

## **Promoting human rights education in schools**

Digitalisation can make it easier to access education. However, Reitz stresses that "digitalising teaching must be about more than just providing devices to end users." She argues that digital formats and methods for learning are also important. "Analogue lessons shouldn't just be moved online like for like."

Beyond digitalisation, other issues are essential to realising the right to an education in an appropriate way. For example, schools must go much further than they do now in responding to their students' individual needs. "One example is allowing students to set their own learning goals or follow their own interests," says Reitz. "Schools can also replace fixed timetables with flexible teaching times." She also stresses that human rights values such as solidarity, cohesion and belonging are essential in addition to more individualised learning. As Reitz says, "Even during a pandemic, human rights and the principles of human rights are a great compass that show how the right to education can be realised in a way that is as free of discrimination as possible."

## Further information

Focus on "Human rights education in pandemic times" on our website



# Overcoming homelessness

Housing is a human right. However, affordable housing is scarce and the number of homeless people is rising. Germany has a duty to take stronger action against homelessness.

Very few homeless people live on the streets. They sleep on friends' sofas, in cars or in emergency shelters. According to the first-ever national statistics on homelessness from July 2022, around 178,000 find themselves in the latter kind of accommodation. No reliable data is available on the total number of homeless people in Germany, but estimates range between 313,000 and 542,000 people.

There are many different reasons why people become homeless: it could be a lack of affordable housing, low income in conjunction with rent arrears, or domestic violence, for example. Homelessness particularly affects people who are discharged from psychiatric care, addiction clinics or facilities and institutions for young people. It is not uncommon for children and young people or people with disabilities to be affected. Yet the consequences are the same: if you are homeless, your rights are massively constricted. It is not just about the right to housing. It is also about rights to a family life, to health, to participation in society, to work and to education.

## **An already precarious situation made worse by the pandemic**

Under the ICESCR, states have a duty to enforce the human right to housing and to make it possible for all people within their borders to find appropriate accommodation, including people on low incomes. Claudia Engelmann is the Institute's deputy head of department for Human Rights Policy Germany & Europe and an expert on the right to housing. "The Institute has repeatedly called on national, state and local government to improve compliance with Germany's human rights obligations and to take more active steps against homelessness," she says. "This includes creating more affordable housing, for example, expanding programmes such as Housing First and developing support structures tailored to need. For a long time now we have criticised conditions in municipal emergency accommodation where homeless people are having to live for increasingly long periods. We have also repeatedly called for the needs of homeless people to be considered when designing pandemic policies." Engelmann stresses that the Covid-19 pandemic has worsened what was already a precarious situation for homeless people in Germany.

## **Voting rights for homeless people**

Ahead of the 2021 general election, the Institute collaborated with the Nuremberg Human Rights Center to investigate the realisation of voting rights for homeless persons. The central question for the analysis was how people without a registered address can exercise their fundamental democratic rights. There is a lack of wide-ranging empirical data on how voters are registered in practice and how voting rights are exercised. Similar issues affect data on information and support services and the perspectives of those affected. Nevertheless, it is still possible to make estimations based on practice, and these indicate that there is a need for significant improvements in all areas. The study's author was Michael Krennerich, who is also a member of the Institute's Board of Trustees. He argues that "where social groups are not represented in politics, the risk arises that the process of political negotiation fails to consider their perspectives, needs and concerns." Krennerich stresses the particular challenges that homeless people are facing when it comes to engaging in politics, as simply getting by from day to day takes up so many resources. "Homeless people must be involved more fully in the process of political decision making," Krennerich argues. "By contributing their experiences and perspectives they can make a significant difference to improving how the human right to housing is realised in Germany."



# “Racism is also reproduced by institutions”

Racist discrimination does not just happen at the level of individuals. It is also reflected in institutions, practices and bodies of knowledge. The “Racism, Antisemitism, Far-Right Extremism – Strengthening Prosecutions and Victim Protection” project aims to encourage engagement with racism and antisemitism in investigating authorities and the criminal justice system, as well as raising awareness among policymakers about institutional racism.

**Beatrice Cobbinah and Chandra-Milena Danielzik – your project engages with victim protection and strengthening prosecutions in the field of racist, antisemitic and far-right crimes. Why is there a failure to prosecute these crimes properly in Germany?**

Even today, Germany still does not punish this type of offence in a consistent way. There have been several attempts to improve the situation in recent years, such as by amending legislation to require tougher sentences when punishing racist crimes. That said, there is a lack of expertise in the police and in the judiciary when it comes to even identifying racist motivations. In some cases, discriminatory motives are deliberately excluded from proceedings. This can be due to trivialising witness statements, for example, particularly from those affected by racism. In other cases, police officers rule out the possibility that a crime could be racist from the very start.

**Institutionalised racism in the judiciary and police authorities is often identified as the cause of the problem. How does that present itself?**

Our society is structured in a racist way, which means it is evident in institutions and official bodies, such as in routines, procedures and laws. One example of institutional racism is the construct of “clan criminality”, whereby the stigmatisation of certain migrant groups legitimises police operations and raids against these individuals and the places they frequent, such as shisha bars. Even though these operations usually only find minor infractions or business infractions, the way they are presented by the police and the media creates the impression that they concern groups of people and places that are particularly prone to criminality. In this way, so-called “experiential value” creates scope for police actions that chiefly target individuals and places that are coded as migrants. In this the key institutional factor is not that this or that individual officer must be racist, but rather that the system courses racism. Individual, structural and institutional racism are all intertwined here.

**Your project aims to address these problems. What approach are you taking?**

We came up with the idea for this project after realising that training alone cannot bring about structural change processes in official agencies. Training only focuses on changing individual behaviour and can at best only contribute to changing institutional culture in the longer term. On the other hand, changing structures creates new control mechanisms for the misconduct of individual officers. One practical example of this might be the creation of specialist prosecutors to conduct targeted investigations and prosecutions of criminality coursed by prejudice.



Our approach also incorporates exchange between civil society and state authorities. By doing this we hope to facilitate mutual knowledge transfer through which investigatory authorities could learn, for example, how to identify the indicators of a racially motivated crime. These exchanges can also help promote an understanding of what makes victims lose trust in state investigatory authorities, and how trust can be rebuilt.

### **What form does contact and collaboration take between victim support organisations and victims on the one hand and state actors on the other?**

When it comes to bringing the various actors together, the Institute sees its role as being a bridge. Many advice and documentation centres are extremely mistrustful of the police and judiciary, which is mainly due to their clients' negative experiences. This is why we agree common goals in advance and take care to include specific staff from official bodies who are experienced in and open to working with civil society.

By doing this, we have been able to initiate productive conversations in many cases which sometimes made it possible to establish a certain level of trust. Exchange must be sustainable and can only work when official bodies demonstrate their commitment and at least attempt to introduce measures aimed at bringing about structural change.

### **In your view, which are the key actors with a duty to tackle structural racism and what measures should they put in place?**

All institutions must engage with structural racism. One example of what we're talking about concerns staffing policy and the continual review of working processes with regard to potential mechanisms of discrimination.

If we are talking about political strategies, the first steps are taking shape. For example, the then federal government set up the Independent Commission on Antiziganism and adopted a package of measures to combat far-right extremism. Yet these measures are very vague and fail to properly consider structural racism. In addition to this, political measures so far have lacked transparency around their effectiveness. Policymakers must facilitate evaluation, giving the public an insight and making themselves available for inspection.

The necessary measures would include compulsory training, the creation of independent police complaints offices, and amending the federal police law and certain victims' laws. One example concerns psychosocial support for victims of crimes motivated by prejudice, which has until now only occasionally been funded by the state.

### **Your project will end in December 2022. What interim conclusions can you draw?**

Our interim conclusion is that this project can only be a prompt for institutions to grasp the initiative themselves in order to create the necessary structures. We were successful in our attempt to create spaces where structural racism could be discussed at all. There is huge resistance in Germany to recognising this form of racism. A critical role here falls to leaders in official bodies and their own commitment: it will take initiative and resources from above, and engagement from below.

We were pleased to be able to convince our partners of the importance of entering into dialog with civil society and including victims' expertise when it comes to making changes. This is the only way of making it possible to access justice without discrimination in future.

### **Who's who**

**Beatrice Cobbinah** is a lawyer and **Chandra-Milena Danielzik** is a political scientist. They have worked together in the department for Human Rights Policy in Germany and Europe since 2017. They have been in charge of the "Racism, Antisemitism, Far-Right Extremism – Strengthening Prosecutions and Victim Protection" project since 2020.

# Antiziganism: the need for a change in social perspectives

There is widespread racism against Sinti and Romani people in Germany. The Federal Government appointed the Independent Commission on Antiziganism in 2019. The Commission considered historical and present-day antiziganism and presented its final report in 2021.

Antiziganist racism is an everyday experience that has a profound effect on Sinti and Romani people. It presents many different faces, from illegal special registration by the Berlin police, to the deportation of Romani who have lived in Germany for years, and persistent linguistic discrimination in day-to-day life.

These examples were all included in the “Changing Perspective. Restorative Justice. Participation” report, published by the Independent Commission on Antiziganism in June 2021. The Commission was set up in March 2019 by the then Federal Government with eleven members drawn from academia and civil society. Hendrik Cremer is one of the Institute’s researchers and acted as one of the two spokespeople for the Commission. The Institute also functioned as the coordinating office.

## **Limited awareness of antiziganism until now**

“Antiziganism is a huge problem for the whole of German society”, says Hendrik Cremer. However, the lawyer notes that, unlike other forms of racism, this has not yet come to the awareness of the general public. “Antiziganist discrimination is not visible in public discourse and hardly ever gets discussed.” The Commission’s report calls for a fundamental change in perspectives in order to overcome racism against Sinti and Romani people.

A large part of the 600-page report is given over to a wide-ranging review of the various forms in which antiziganism occurs, its present scale and its historical roots. The Commission based its work in part on 15 external expert opinions based on empirical data, along with discussions with Sinti and Romani umbrella organisations in Germany and consultations with numerous grassroots organisations.

## **Recommendations to policymakers and official bodies**

Over the course of around 30 working sessions, the Commission prepared comprehensive recommendations for policymakers and official bodies, along with six key demands on national and state governments. The Institute provided support with coordinating, preparing and follow-up for the sessions. The Federal Government appointed the first-ever Commissioner against Antiziganism in March 2022. He will coordinate all measures at national and state levels and support the interests of Sinti and Romani people in Germany. Dr Mehmet Daimagüler MPA (Harvard) took office in May. He is also a member of the Institute’s General Assembly . “This is an important first step. We hope that the commissioner will vigorously initiate and promote the necessary changes,” Cremer says.

## **Further information**

Independent Commission on Antiziganism (2021): Changing Perspective. Restorative Justice. Participation”. Berlin



# For a dignified life in old age

Growing older not only leads to gaining life experience, but often brings with it discrimination and exclusion. The Institute campaigns for older people to live their lives on their own terms.

According to data from the Federal Statistical Office, the number of people aged over 67 will rise by 22% by 2035. However, rather than seeing this trend as a challenge and an opportunity for self-determination, society mainly confronts older people with negative stereotypes. “Older persons are often perceived as dependent, unproductive or helpless,” claims Claudia Mahler, UN Independent Expert for the rights of older persons and a researcher at the Institute.

## **Age discrimination has serious consequences**

Negative attributions find expression in legislation, politics and society and have serious social, health and economic consequences for older people. There is no lack of examples of age discrimination, from finding jobs and in the workplace, to insurance and healthcare, product design and many aspects of day-to-day life. This is proved by the many cases reported by the German Senior Citizens League (DSL) and the Federal Anti-Discrimination Agency.

The General Act on Equal Treatment bans age discrimination in some areas of life, but the Basic Law does not list age as a category of discrimination. “Age discrimination is a social problem that is not fully appreciated. It leads to older people being prevented from having self-determination in their lives”, notes Mahler. As the UN Independent Expert, Mahler therefore dedicated her 2021 report to the issue of “Ageism and Age Discrimination.

## **Making the rights of older persons visible**

It goes without saying that human rights also apply to the very old or people with dementia. However, in reality there is often a failure to fully consider the concerns of older people. The Institute is therefore campaigning nationally and internationally for the adoption of a UN Convention on the Rights of Older Persons. “A dedicated UN convention could specify the rights of older persons and close loopholes in regulations,” Mahler says. She hopes a new convention “could also take up new aspects that are not fully addressed in the existing human rights protection system, such as digitalisation and climate change.” A working group at UN level has been discussing the contents and implications of an international human rights treaty since 2010, with the Institute taking an active role in discussions. Mahler is emphatic: “Human rights are a basic precondition for self-determination and equality in life, no matter how old you are.”

## **Further information**

German Institute for Human Rights (2021): The Rights of Older Persons – Accessing Justice

Peter Litschke (2021): The rights of older persons with disabilities. Report of the Special Rapporteur on the Rights of Persons with Disabilities. Berlin: German Institute for Human Rights. Also available in easy-to-read language.

UN, Report of the UN Independent Expert on the enjoyment of all human rights by older persons (2021): Ageism and age discrimination. Geneva

# The complaints culture in geriatric care

Human rights protect the human dignity of everyone, including older persons and those who require care in care homes. However, care for older people often fails to deliver on the promise of human rights.

It is difficult to measure failings in residential care. Nevertheless, some voices from academia and believe that up to 20% of residents in care homes do not receive adequate care. The 6th care quality report by the medical service of the National Association of Statutory Health Insurance Funds, published in 2020, found that 10.2% of residents affected by measures that restricted their freedom were not subject to regular reviews to determine if it was necessary to continue such measures. Care documentation showed the medication given to 11.4% of residents did not match what had been prescribed by doctors.

## **Easy access to complaints mechanisms protects human dignity**

Lowering the threshold and providing easy access to complaints mechanisms is one way of protecting older people in care settings against violations of their human rights. This would also give them an influence on the shape and nature of their living conditions. As part of a research project entitled “Complaints mechanisms in geriatric care”, funded by the Josef and Luise Kraft Foundation, the Institute has investigated the specifics of how to design and implement the changes needed to ensure that residents can effectively assert their rights and interests against care institutions. “For those affected it is important that they can talk about how their rights have been violated without having to fear worsening care or other reprisals,” says Roger Meyer, a researcher at the Institute. Meyer stresses that creating a positive complaints culture is essential in geriatric care, in order to encourage residents to express criticism and address shortcomings. He also advocates making complains mechanisms easily accessible, transparent and widely known.

## **Twelve recommendations for residential care**

The research project concluded in 2021 with the publication of a research report and a set of practice guidelines with 12 recommendations for inpatient care. The Institute’s recommendations are based on the first-ever national empirical survey of extra-judicial opportunities for making complaints about care homes. The survey gathered data from persons requiring care and their relatives, carers, along with experts from care settings, verifying authorities and complaints offices.

The aim was to document and analyse the expectations, needs and desires of affected persons. This survey did not particularly focus on the number or frequency of violations of basic human rights in residential geriatric care. Rather, it aimed to provide a systematic comparison of experiences across many different cases from persons with care needs and those who support them.

The recommendations for expanding and improving easy access to complaints mechanisms are aimed at care providers and funders, official verification authorities, official complaints offices, charities, and, last but not least, the Federal Government. The Institute presented its findings and recommendations in June 2021 at a national expert discussion in collaboration with Pflege in Not and the Federal Working Group of Crisis Telephones, Advice and Complaints Office for Old Persons (BAG der Krisentelefone).

# “The desires and will of the individual are the decisive factor”

Around 1.25 million people in Germany receive “legal assistance” whereby they are supported with carrying out their legal transactions. How does that impact their right to self-determination? Sabine Bernot and Jana Offergeld talk about the human rights requirements under the UN Convention on the Rights of Persons with Disabilities and recent reforms to guardianship laws.

## **Who actually receives legal assistance and what does that mean in day-to-day life?**

**Offergeld:** People sometimes need assistance with legal matters, such as after a serious accident, during a psychosocial crisis or when suffering from progressive dementia. People with learning difficulties are also often unable to manage legal matters alone. If no other help is available to meet these needs, an order may be made for legal assistance. However, this may only be for clearly defined tasks and specific periods of time. What matters is that people receiving legal assistance still retain full legal competence. They can sign contracts, exercise their right to vote, take a driving test or get married, for example. The person providing assistance should support where requested, but they are not allowed to make a decision over someone else’s head. The desires and will of the individual must always be the decisive factor.

However, recent studies have shown that many persons receiving support feel patronised and lacking autonomy. This can occur, for example, when their legal assistant goes over their head when making a decision about housing or whether medical treatment is appropriate. Taking decisions on behalf of others is only acceptable in very exceptional circumstances when there is an acute risk of self-harm and a court has formally limited the legal capacity of the person receiving assistance. Albeit having been reformed, on this point the law governing legal assistance still contradicts the UN Convention on the Rights of Persons with Disabilities, which imposes a blanket ban on third parties making decisions on behalf of others.

## **From a human rights perspective, what will be required to allow those affected to live independently?**

**Bernot:** The principle of support is essential here, and a well constructed system of what is commonly called “external assistance”, and social services, is hugely important. What is critical is that any form of support, be it legal assistance or other support, only takes place with the consent of the affected person and without compulsion, while respecting the right to self-determination. First and foremost this entails working with the person receiving assistance to clarify their wishes and preferences, and to support them accordingly. Key to this is a relationship based on trust, sufficient in-person contact and comprehensible communication. Whether or not a supported decision is made is not solely dependent on the partnership between the person giving and the person receiving assistance, as the wider social environment is also a factor. For example, to what extent do doctors or official bodies take people receiving legal assistance seriously and respect their right to self-determination? Is enough support available for someone to live independently, such as through personal assistance?

## **The latest reforms to guardianship laws will come into power in January 2023. Where has progress been made, and where is there still a need for action?**

**Offergeld:** These reforms affect laws governing assistance and guardianship and are very wide-ranging. With regard to the right to self-determination for persons receiving assistance, one positive aspect is that the requirement to follow the desire and will of the person receiving assistance has been strengthened significantly. A new version of article 1821 has been introduced which supplies more precise regulations on the duties of the person providing assistance. Greater strength has also been given to the participation of persons who receive assistance in guardianship proceedings. However, from a human rights perspective, the reform remains unsatisfactory on other points. There have been next to no changes with regard to coercive treatment and accommodation under guardianship laws, nor as regards the sterilisation of “persons unable to give consent”. These regulations in particular stand in stark contrast to the requirements of the UN Convention on the Rights of Persons with Disabilities.

**The National Monitoring Mechanism for the UN Convention on the Rights of Persons with Disabilities of the Institute has undertaken intensive work on guardianship laws. How were you able to contribute to the discussions around reforms?**

**Bernot:** The National Monitoring Mechanism has been observing and supporting the discussion around compatibility between guardianship laws and the UN Convention on the Rights of Persons with Disabilities (CRPD) since 2009. On behalf of the Federal Ministry of Labour and Social Affairs, the National Monitoring Mechanism carried out a three-year project on CRPD in practice in guardianship law, which concluded at the end of 2021. It held expert events for guardianship judges and those responsible for enforcing the law. These made it possible to continue specialist discussions on how to implement the requirements of the CRPD within guardianship law.

One key topic at these events concerned the various barriers that confront people with disabilities when they seek to exercise their legal capacity. The focus was on the following articles of the CRPD: 12 (equal recognition before the law), 13 (access to justice), 14 (liberty and security of person), 19 (living independently and being included in the community) and 25 (health). The expert events took place with the support of a group of experts including representatives from the judiciary, academia and associations.

We also held multiplier training for persons requiring assistance, those who provide support, staff from assistance authorities and associations and other interested parties. These, too, focused on the implications of the CRPD in terms of the right of persons receiving legal assistance to live independently. The events also made it possible for the various groups involved to share perspectives and experiences. The project concluded on 11 November 2021 at an online event held in partnership with the Federal Ministry of Labour and Social Affairs. Justice of the Federal Constitutional Court Prof Dr Andreas L. Paulus delivered the keynote address, which explored the human rights implications of the CRPD along with decisions of the Court that bore on guardianship law.

The National Monitoring Mechanism for the UN Convention on the Rights of Persons with Disabilities will continue to provide critical support for the implementation of the reforms, and in particular the planned strengthening of rights to self-determination.

**[Further information](#)**

Focus on “Legal guardianship for persons with disabilities” on our website

“Intensive care must be non-discriminatory - also in triage situations” on our website

**[Who's who](#)**

**Dr Sabine Bernot** has been a researcher in the National Monitoring Mechanism for the UN Convention on the Rights of Persons with Disabilities at the Institute since 2017, where she works on issues around social and guardianship law.

**Dr Jana Offergeld** has been a researcher in the National Monitoring Mechanism for the UN Convention on the Rights of Persons with Disabilities at the Institute since 2021, where she works on guardianship law.

# “Our aim is to make court proceedings child-friendly”

Many children and young people come into contact with the judicial system in Germany, such as in the course of family law proceedings when their parents divorce. Court proceedings often place a great burden on children. Anna Lütkes and Claudia Kittel explain how children’s rights can get a foothold in the practice of family law.

## **What makes children’s rights so important in family law proceedings?**

**Lütkes:** Family law proceedings often concern fundamental elements of children’s lives and the decisions have far-reaching impacts on their lives. However, it is still not yet common for children to be involved or informed. In this regard, article 12 of the UNCRC, which concerns the right of children to be heard and for their views to be considered, is pivotal in implementing the convention.

## **In your pilot project you developed “children’s rights-based criteria for family law processes”. What makes them worthwhile?**

**Kittel:** The UN Convention on the Rights of the Child (CRC), the guidelines of the Council of Europe on child-friendly justice and the checklists provided by the European Agency for Fundamental Rights all provide guidance on how to make family law processes child-friendly. We adapted this guidance to German family law processes and worked with judges and experts from academia and practice to develop child-friendly criteria for family law processes that are rooted in children’s rights. These will help judges to realise children’s rights. They also provide tips on how to keep children informed, how to support them and how to involve them in the process. And it’s all in a child-friendly and age-appropriate way.

## **Have you tested your criteria in the practice of family law?**

**Kittel:** We worked with experts from academia and practice to develop a questionnaire on child-friendly processes. It explores issues that should be considered from a children’s rights perspective before, during and after the process. Family law judges at the district courts of Dortmund, Lübeck and Münster used the questionnaires to document every case in their practice where children were involved from March to September 2021.

**Lütkes:** Fifteen judges have said they are willing to undertake the pilot project and have thereby increased their workload. We cannot yet say for sure after six months whether questionnaires are suitable for all judges. What matters to us is not making the questionnaires compulsory but about awareness of the children’s rights-based criteria. These questionnaires can make judges more alert to children and their rights. This was also made clear by the final report on the accompanying research published by the Katholische Hochschule Münster.

## **What will happen to the findings from the pilot project?**

**Kittel:** We presented our findings at a national conference in late June 2022. We are also members of the “Child-Friendly Justice” working group of the National Council against Sexual Violence Affecting Children and Young People (Nationaler Rat). The children’s rights-based criteria we developed in that group will now be presented to the Justice Ministers’ Conference, and we hope they will gain more of a foothold in practice across the various Länder. The long-term goal is to make court proceedings child-friendly across the whole of the country.

**Lütkes:** We are also placing great hope in the willingness of judges to undertake further training. We aim to make the CRC (which has the status of a federal law) a part of training and professional development for lawyers, court advocates for children, expert witnesses, administrative staff and staff at youth welfare offices. The issue of children’s rights now figures in legal debates, but there is still a long way to go before we see truly child-friendly processes.



## What can politicians do?

**Kittel:** Until now no data has been collected at national or Länder level to identify if children are listened to. Nor is there data on where these hearings take place, how long they last, who is involved or which children are affected. In order to find out what is happening with the implementation of children's rights in family law processes, lawmakers should collect this data regularly.

**Lütkes:** Whether or not to make this topic part of training and CPD is a decision for legal policymakers. That's why it's good for the issue to come up at the Justice Ministers' Conference and for the Bundestag to be engaging with it. Furthermore, everyone involved needs enough time and space to provide child-friendly proceedings.

**Kittel:** It's important that child-friendly information should be available before, during and after the process. What are the adults doing in the process? What is the role of the court advocate for the child? What exactly have the judges decided?

**Lütkes:** Every child should be able to access information like this throughout the whole process. That's why we also produced a version of our children's rights-based criteria in child-friendly language.

## What's next on your agenda?

**Lütkes:** Next up we want to work on the criminal justice process in another partnership, looking at how children and young people are involved in the process as victims, witnesses and also as defendants.

## Who's who

**Claudia Kittel** is an education researcher. She leads the National Monitoring Mechanism for the UN Convention on the Rights of the Child of the German Institute for Human Rights.

**Anne Lütkes** is a lawyer and district president and state minister. She is Vice President of the German Children's Fund and chairs the academic advisory council on the "Children's Rights Index" pilot study. She also chairs the board of the Kinderfreundliche Kommunen association.

## Children's rights-based criteria for family law processes

- Children and young people always have a right to be heard during legal proceedings. If not, this must be explained.
- Children receive support from the court and a court advocate for the child before, during and after the process.
- The professionals involved in the process share information in order to find the best solutions for children and young people.
- Children and young people are given child-friendly information on the stages of the process. They are also given information on their rights at every phase of the process.
- The needs of children and young people are taken into consideration at hearings, such as through the provision of interpreters.
- Hearings for children and young people are designed in a child-friendly way, such as in the choice of setting, the nature of the hearing and its duration.
- Children and young people are informed of decisions in a child-friendly way. Where necessary, they are informed about support services for children, young people and their families.
- Family court judges and court advocates for children have child-specific qualifications and take part in training, such as on how to design child-friendly proceedings.

# “Effective and sustainable policy must be based on evidence.”

The Istanbul Convention and the Council of Europe Convention on Action against Trafficking in Human Beings require Germany to combat violence against women and trafficking in human beings, and also to protect the victims. In this interview, Bärbel Uhl explains how the National Rapporteur Mechanisms will contribute to the effective implementation of both conventions in Germany.

## **Bärbel Uhl, why does Germany need National Rapporteur Mechanisms on gender-based violence and trafficking in human beings?**

The Federal Criminal Office's analysis of crime statistics for domestic partner violence showed the police recorded 146,655 cases of violence in current or previous relationships in 2020. In the same year, 465 investigations were concluded for human trafficking offences. The Federal Criminal Office and civil society actors also assume a large number of offences go unreported in cases of gender-based violence or trafficking in human beings. The German NGO Network against Trafficking in Human Beings published data from specialist advisory centres for the first time in 2020. In terms of case numbers and victims' countries of origin, the data revealed a discrepancy between the number of cases recorded by police that lead to investigations, and the number of cases where victims seek advice and support.

National Rapporteur Mechanisms on gender-based violence and trafficking in human beings can help provide meaningful data for the development of effective policies. They can promote knowledge of the law among practitioners, and also work closely with state and non-state data holders to encourage the collection of additional data. They can also raise awareness about new developments.

## **What can the National Rapporteur Mechanisms specifically achieve, and what can they change?**

Unlike terrorism, the majority of cases of trafficking in human beings and gender-based violence does not take place in the public sphere. These offences take place in the private sphere or in the informal and irregular employment sector, where they are often concealed from social contact and opportunities for official scrutiny. This is why it is essential to collect and consolidate data in an evidence-based and systematic way. This will allow us to understand the prevalence of this type of offences, along with the forms and trends at work here.

National Rapporteur Mechanisms can develop practical recommendations for politicians and civil servants. They can describe trends and document the state of implementation of human rights conventions. They can draw attention to the need for amendments to legislation and the application of the law, and also record current developments in jurisprudence. The mechanisms can also provide information to the general public about gender-based violence and human trafficking, and raise awareness of these issues.

## **Are there models for this type of mechanisms in other countries?**

The idea of National Rapporteur Mechanisms on trafficking in human beings is not a new one. Twenty-five years ago, EU ministers issued a statement including European guidelines for effective measures to prevent and combat the trafficking of women aimed at sexual exploitation. Although the guidelines were not legally binding, they recommended creating rapporteur mechanisms. The Council of Europe's 2005 Convention Against Trafficking in human beings and the EU's 2011 Ant-Trafficking Directive both include a legally binding concept of rapporteur mechanisms. Thus far, 19 EU member states have set up rapporteur mechanisms on trafficking in human beings, but Germany is not among them.

The Council of Europe's Convention on preventing and combating domestic violence against women (known as the Istanbul Convention) requires state parties to create structures that collect and evaluate data on this type of offence.

## **What form should the National Rapporteur Mechanisms take?**

We recommend setting up two separate, independent reporting bodies, giving each a broad and rights-focussed mandate. Looking ahead, a legal basis should be created for the National Rapporteur Mechanisms. The work should centre upon victims of trafficking in human beings and gender-based violence as persons with their own rights.

Rapporteur mechanisms carry out their duties in accordance with the human rights principles of non-discrimination, participation and transparency. And one important principle should not be forgotten: monitoring can only work through active and close collaboration with federal and Länder ministries, subordinate authorities and civil society stakeholders.

## **Why is monitoring important? Why do good policies require good data?**

In order to assess progress with implementing the Istanbul Convention, the Convention against Trafficking in Human Beings and EU Anti-Trafficking Directive in Germany, it is necessary to observe and evaluate legislative, administrative and political measures at national, Länder and local levels.

The human rights monitoring method is based on human rights indicators from the UN High Commissioner for Human Rights. This method makes it possible to gather data on and evaluate the implementation of human rights obligations. Doing this brings trends and developments to light. In the short term, issues can be addressed that make it possible to respond to immediate challenges. These include increasing violence online, refugees experiencing violence and a pandemic.

We are convinced that, for policies to be effective and sustainable, they must be based on evidence. That is the only way to use the resources available in a targeted way to combat gender-based violence and trafficking in human beings. It makes it possible to boost prosecutions and ensure victims have easier access to their rights.

## **Who's who**

**Dr Bärbel Heide Uhl** is a political scientist. She is project lead at the Institute for the planning and testing phase of two National Rapporteur Mechanisms on gender-based violence and human trafficking.

## **The National Rapporteur Mechanisms: remit and mandate**

The mandate and remit of the National Rapporteur Mechanism on gender-based violence follows the Istanbul Convention, whereby it observes and evaluates all measures for the protection of women against gender-based violence. Its mandate and remit also cover measures to prevent, combat and prohibit gender-based violence.

The mandate of the National Rapporteur Mechanisms on trafficking in human beings is derived from the Convention Against Trafficking in human beings and the EU Anti-Trafficking Directive. Accordingly, trafficking in human beings is taken to mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

# Respecting human rights along the supply chain

The Act on Corporate Due Diligence Obligations in Supply Chains was passed in 2021. In this interview, Lissa Bettzieche and Franca Maurer explain why this is a major step towards respecting human rights around the world.

**Following heated debates, the Bundestag passed what is known as the Supply Chain Duty of Care Act on 11 June 2021. The Act will come into force in 2023. Is it a milestone for workers in Germany and around the world?**

**Bettzieche:** Germany now has a law which supports the implementation of human rights standards around the world. From January 2023, firms with over 3,000 employees in Germany will be legally required to exercise a duty of care for human rights and the environment in their own business activities, and also with partners in their supplier networks. The threshold will be reduced to 1,000 employees in Germany from January 2024.

German branches of foreign businesses are covered by the new law, as are certain subsidiaries. The act also contains clear and wide-ranging regulations for official scrutiny and enforcement, including steep fines.

Unfortunately the act does not include a provision for victims of human rights violations to be able to claim damages or other compensation. A breach of the obligations under the act also does not give rise to civil liability. Furthermore, the duties of care are limited in how they relate to the beginning of the supply chain, although it is there that the most serious risks to human rights and the environment are found.

**Why does Germany need a law like this?**

**Bettzieche:** This law is about respecting human rights at every stage of supply and value creation chains, from the rubber plantation in the Democratic Republic of Congo through to the factory run by a car manufacturer, right up to the car dealership, actually. Inhumane and life-threatening working conditions exist around the world, and they may also be found in German products. Children can be affected, for example, where they work under exploitative and hazardous conditions extracting mineral resources such as cobalt for the car industry. Serious forms of exploitation at work also exist in Germany, such as in the meat processing industry, in parts of the care sector, and in agriculture. Nevertheless, many German firms do take their duties of care seriously, integrating environmental and human rights standards into their risk management and working processes. The duty of care act creates a level playing field for everyone and helps firms to ensure their suppliers also uphold human rights standards.

**What demands does the supply chain duty of care law place on businesses?**

**Maurer:** The law requires businesses to comply with their human rights duties of care and to integrate these duties into their key business processes. To do this, businesses will have to set up risk management systems. They will also have to integrate risk analysis, prevention and remedies into their processes and report on their progress. In doing this they can – and must – consider the specific national or industrial context at hand. The law also gives businesses the necessary scope to make their own assessments and take action. Yet the law does not require businesses to guarantee that their supply chains are free of any human rights or environmental risks. What really matters is that businesses prioritise serious risks and respond with appropriate and effective measures. From the perspective of effective human rights protection, taking a risk-based approach is to be welcomed.

## **How can businesses prepare for these changes, and who will oversee implementation?**

**Maurer:** The businesses affected by this law already have extensive experience with risk management systems. Moreover, the text of the act supplies numerous examples of measures, and the official justification for the act includes explanations. Businesses can access a range of support with interpreting the act, such as the “Questions and Answers” document provided by the Federal Government.

BAFA (the Federal Office for Economic Affairs and Export Control) is also publishing handouts for businesses. These are particularly important, as BAFA is the body responsible for monitoring and enforcing this law. BAFA can impose fines worth up to 2% of a business’s annual turnover for infringements of individual duties of care. However, BAFA needs to be given adequate financial and staffing resources to carry out its wide-ranging monitoring and enforcement powers.

An advisory board will support BAFA with the implementation of the law. Along with representatives from business, civil society, academia and trade unions, the Institute will be represented in person on this board through Michael Windfuhr, Deputy Director of the Institute. Involving the advisory board in BAFA's work will do more than just promote transparency. It will also help to ensure that high standards are employed when reviewing the implementation of the law, which will lead to actual improvements in human rights protections.

## **The Institute is calling on the Federal Government to campaign for regulations for the whole EU area that do justice to the responsibility of states and companies to respect and protect human rights. Why is that important?**

**Bettzieche:** Creating regulations at an EU level would send a clear signal to many producers in other countries along the supply chain that they have to comply with human rights standards. At the same time, this step would create a level playing field across national borders. The proposed EU guidelines have existed since February 2022. These are now being negotiated by the European Parliament and the European Council. The fundamental elements of the draft legislation are comparable to the German act. However, the EU legislation places more responsibility on businesses at every stage of supply and value-creation chains. The legislation also includes liability under civil law to strengthen access to justice for victims of human rights violations. This would be a major step in the right direction.

The Federal Government should now use the negotiations on the new EU guidelines to campaign constructively for regulations on businesses’ duties of care that make a real difference to human rights, in line with the UN Guiding Principles on Business and Human Rights. This includes expanding the range of regulations to cover the entire supply chain. Civil liability needs to be effective in practice, such as by ensuring that the burden of proof is distributed fairly.

## **Who’s who**

**Lissa Bettzieche LL.M.** and **Franca Maurer LL.M.**, are researchers in the Institute’s International Human Rights Policy department. The two lawyers supported the process of drafting and enacting the law on duties of care in the supply chain. They also work on interpreting and enforcing the law.



## **Making human rights a positive force as humanity experiences a transformation in the very basis of its existence**

Climate change and pollution are making a huge impact on the very fundamentals of our existence. Yet they are also driving radical changes in other ways, such as the growth in digitalisation. The Institute wants to help shape these processes of social and political transformation in ways that are guided by human rights.

# Climate change: for a human rights-based climate policy

Extreme weather events such as storms, floods and droughts are becoming more common with horrifying effects on our lives. States must protect people from the consequences of climate change, designing climate policies around human rights principles and standards.

Under the 2015 Paris Agreement, governments must develop national strategies to protect their people and the essential elements of their existence against the consequences of climate change. At the 24th UN Climate Change Conference, held in Katowice in 2018, state parties agreed guidelines on how to implement the Agreement. These included references to human rights principles and standards. At the UN COP26 climate conference in Glasgow in 2021, the state parties again pledged to respect, promote and consider human rights when taking steps to prevent climate change.

## **Raising ambitions for climate action**

In the run-up to COP26, the Institute issued a position paper summing up the most important human rights concerns: states must raise their ambitions for climate action and amend their climate goals. Non-state actors should be able to participate in reporting on the implementation of the Paris Agreement. This particularly applies to the global stocktake, commencing in 2022. States should give more consideration to climate adaptation in their political measures, targeting the necessary funding and taking accountability for designing climate adaptation measures.

The Global Alliance of National Human Rights Institutions (GANHRI) set up the “Human Rights and Climate Change” caucus in 2021. The caucus will facilitate information sharing and cooperation for national human rights institutions on these issues. The Institute is a member of the Alliance and instigated the new body. In an open letter to mark COP26, GANHRI called on participating states to reduce emissions, strengthen climate change adaptation measures, respect human rights and ensure that non-state actors can participate in UN climate conferences.

The Institute moderated a webinar entitled “Influencing climate change-related policymaking: approaches, challenges and needs” as part of the COP26 symposium on “The role of national human rights institutions in bridging the accountability gap in the climate emergency”. The symposium was hosted by GANHRI.

## **Respecting human rights in climate measures**

According to assessments made by the Institute, the agreement reached by state parties at COP26 is not enough to avoid climate protection measures having a negative impact on human rights. The newly proposed climate goals are not sufficient to keep to the 1.5° goal set by the Paris Agreement. Sadly, state parties failed to incorporate human rights guidelines in the guidance on how to implement cooperation mechanisms for climate action. Such guidelines could prevent forced relocations of local communities to make way for renewable energy projects, for example, where the relocation violates their rights to appropriate housing, food and health.

State parties intend to give greater consideration to adaptation to climate change in future and increase their funding for such measures. This is essential as the negative impact of climate change is already apparent in all parts of the world, and the consequences for human rights are considerable. Extreme weather events are increasingly also affecting the Global North, such as the terrible floods in Germany in the summer of 2021.



## **Human rights, climate change and the environment**

In October 2021 the states represented on the United Nations Human Rights Council acknowledged that the right to a healthy environment is a universal human right. The Council adopted the resolution with a large majority. The resolution calls on states to implement the necessary policies and discuss successful measures with one another. The UN General Assembly recognised the human right to a healthy environment in July 2022.

The Human Rights Council also agreed to create a mandate on human rights and climate change. Ian Fry from Tuvalu was appointed UN Special Rapporteur on the promotion and protection of human rights in the context of climate change on 1 April 2022. Fry will hold this office for three years and his role is to find ways of integrating human rights into all aspects of climate policy. The role of Special Rapporteur combines responsibility for the whole issue of climate policy and can support states with relevant expertise and recommendations.

## **Restrictions on civil society action**

In many countries around the world, peaceful demonstrations are being broken up – or not even permitted in the first place. Civil society organisations are being closed while threats are made against environmental and climate activists. In October 2021 the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association issued a report which documents the many different ways this right is restricted in the context of climate justice protests.

In Germany, such restrictions and prohibitions are subject to independent judicial oversight. In a submission to the UN Special Rapporteur, the Institute stressed that encouraging civil society involvement in climate policy would be desirable from a human rights perspective, both here and abroad. The Institute is currently working with Goethe University Frankfurt to conduct research into the human rights challenges faced by young climate activists in Germany when they take a political stand on climate action.

## **Human rights obligations on states**

The Federal Government can make a major contribution to developing effective climate policy by lobbying other states to make human rights the basis for how they implement the Paris Agreement.

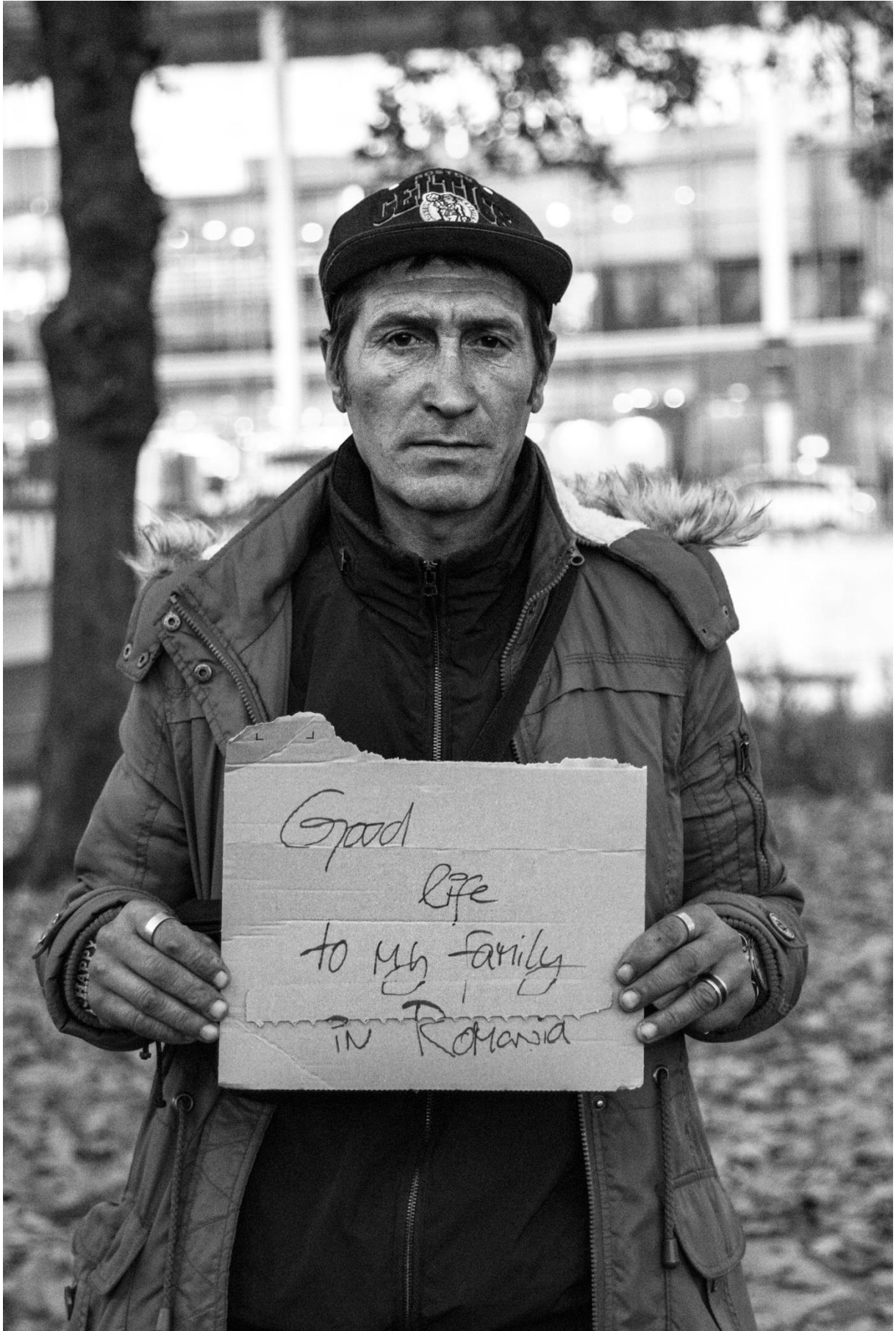
The Institute has produced a handbook on the human rights risks associated with climate action and adaptation measures, which was published in May 2022. The handbook is aimed at readers such as national human rights institutions and civil society organisations. As a member of the European Network of National Human Rights Institutions (ENNHRI), the Institute plays an active part in debates at a European level. The Institute contributed to a comprehensive position paper published by ENNHRI in May 2021. The paper addresses the increased number of climate change litigation cases against European states including Germany which are being brought to the European Court of Human Rights.

## **Further information**

„Climate change: human rights of increasing relevance “. Interview with Nina Eschke on our website

German Institute for Human Rights (2021): International recognition of a human right to a safe, clean, healthy and sustainable environment . Statement Berlin.

German Institute for Human Rights (2022): The Human Rights Impacts of Climate Change Mitigation and Adaptation Measures. Berlin.



Good  
life  
to my family  
in Romania

## **Strengthening the human rights protection system and protecting safe spaces for civil society**

Around the world the institutions of constitutional democracy and democratic processes are under threat. The Institute is campaigning to make the human rights protection system fit for purpose, to protect the institutions of constitutional democracy and to create safe spaces for civil society.

# The Geneva Refugee Convention: human rights, not isolation

For many years, national human rights institutions have observed practices of turning back asylum seekers which are incompatible with European and human rights. Nele Allenberg is head of the Human Rights Policy in Germany and Europe department at the Institute. She proposes implementing concrete measures at a European level which could put a stop to this practice.

**Nele Allenberg, the war in Ukraine has rapidly driven up the number of refugees in Germany. Thus far, we have seen great solidarity with these refugees. What is going better this time than during the reception of asylum seekers in 2015/2016?**

Following Russia's illegal invasion of Ukraine, EU member states responded swiftly and in solidarity, activating the 2001 Temporary Protection Directive for the first time. This decision has many benefits for those seeking protection. For example, Ukrainian refugees can choose the EU state where they wish to be registered while the distribution of refugees under the rules of the Dublin Regulation is suspended. Refugees who decide to come to Germany are given protected status that gives them access to employment, social services and medical care.

**What are the most urgent problems affecting refugee protection in Europe?**

Crossing the Mediterranean is extremely dangerous. According to data from the UNHCR, at least 3,231 people died or are recorded as missing from making the crossing in 2021. Yet even if people reach the EU's external borders, they are often denied access to the asylum process. Time and again human rights organisations report that those seeking protection are driven away by border officers before their claim for asylum can be reviewed. Frontex is the European Agency for monitoring Europe's borders and coastline, but it too is subject to serious accusations of involvement in or tolerating these rights violations in the European area.

The situation came to a head on the border between Belarus and Poland in August 2021. President Lukashenko of Belarus had encouraged people from regions affected by war and crisis to come to Belarus, attracting them with false promises that they would be able to continue on into the EU. However, Poland, Lithuania and Latvia adopted radical measures, sometimes employing brutal violence against those seeking protection. Belarus also used force and violence along its borders. Over 20 people have lost their lives in the border region since the late summer of 2021. Having completed the construction of a border fence, Poland lifted the state of emergency in the border zone in July 2022. However, no investigation has yet taken place into the massive violations of human rights.

**The Geneva Refugee Convention celebrated its 70th birthday in July 2021. In the light of these massive violations, is the Convention just yesterday's news?**

The Geneva Refugee Convention is a binding treaty under international law. It lays down the foundation that people fleeing persecution may not be turned away at the border. It is a pillar of refugee law that asylum seekers should be able to access a fair and effective asylum process. The non-refoulement principle bans the return, expulsion, extradition or deportation of persons to a country where their lives or freedom may be at risk of persecution. This could be due to their religion, for example, their nationality or their political beliefs.

The receiving country must guarantee refuge to recognised refugees, providing them with identification and travel documents. Refugees also have a right to access employment and education. The Geneva Refugee Convention is more relevant than ever when it comes to protecting refugees. Yet its legal requirements are ignored in practice. Access to protection must no longer be undermined at Europe's external borders.

### **What needs to happen at a European level for these human rights challenges to be solved?**

Ensuring that the situation on the border conforms to international and European law requires a strong and independent monitoring system at the borders, along with giving those affected effective access to legal protection. Frontex officers are accused of being involved in or tolerating pushbacks, but this is not the only reason why independent and transparent monitoring should be extended to European agencies. A great many national human rights institutions have years of experience with monitoring human rights violations on the EU's external borders. These institutions should certainly play a role in the creation of comprehensive and independent monitoring mechanisms. There must also be greater provisions to rescue those in distress on the Mediterranean. Furthermore, there needs to be an expansion of legal channels for migrants and asylum seekers in order to protect people's lives and facilitate safe entry.

### **The Taliban seized power in Afghanistan following the withdrawal of international forces from Afghanistan in August 2021. Images circled the world of desperate people hoping in vain to be evacuated from Kabul airport. How is the Institute campaigning for vulnerable persons from Afghanistan to be rescued?**

Our international contacts have given us first-hand reports of how dangerous the situation is under the Taliban for Afghans who have campaigned for human rights. Surveillance, imprisonment and abuse are taking place, and these people live in constant fear. Many have gone into hiding. With the assistance of the Federal Government we have been able to help colleagues from our sister institution, the Afghan Independent Human Rights Commission (AIHRC), to come to Germany. The Institute's point of contact is the Federal Foreign Office. It is working with the Federal Ministry of the Interior which grants the approval.

### **The Institute has published a study examining the duties which fall to Germany and other nations involved in the international mission in Afghanistan to protect the vulnerable. What were the most important findings?**

Our investigation draws attention to the fundamental and human rights obligations which fall to Germany and other states concerning protection for particularly vulnerable Afghans. These obligations arise from the states' involvement in the international military deployment. They stem from the right to life and physical integrity enshrined in Germany's Basic Law and in human rights treaties. Duties of care of this kind affect local staff and their families, along with particularly vulnerable persons who acted to support the objectives of the international military mission. For example, they might have campaigned for human rights and therefore now find themselves in mortal danger. The Federal Government had previous arrangements for evacuating and taking in such persons and new plans are now in place to take in more Afghans through the Federal Government acceptance programme. In the Institute's view, these continue to be absolutely essential, as specific obligations to act arise from our duty of care towards those groups of Afghans who are at particular risk.

### **Who's who**

**Nele Allenberg** has led the Human Rights Policy in Germany and Europe department at the Institute since October 2020. Her work focuses on asylum and residence laws, gender-specific violence and human trafficking, and anti-discrimination.

### **Further information**

"Asylum and Migration" page on our website

# Human rights defenders in deadly peril

Since seizing power in August 2021, the Taliban have imposed massive restrictions on human rights in Afghanistan. Sayed Abdul Qader Rahimi was previously Deputy Director of the Afghanistan Independent Human Rights Commission. He and Beate Rudolf, Director of the Institute, discussed brave women, international support and the question of why democratisation failed in Afghanistan.

**Mr Rahimi, you worked for the Afghanistan Independent Human Rights Commission before you had to leave your homeland in May 2021. Could you describe the work of the Commission?**

**Rahimi:** The Commission had about 600 people working for it across the whole of Afghanistan. We had eight regional bureaus and six provincial bureaus, and our headquarters were in Kabul. We worked on many different human rights issues, though we mainly focused on the rights of women, children and people with disabilities. We also focused on arbitrary imprisonment and torture. Human rights education was a priority for our work. When we first started our work we were very busy investigating human rights violations that had been committed under communist, Mujahideen and Taliban rule.

**What were the biggest challenges to your work?**

**Rahimi:** Breaking down people's prejudices against human rights and defending ourselves against public smear campaigns. Some people were afraid of being held to account for their actions in the past. These people deliberately tried to discredit human rights by claiming human rights were a Western invention. They said foreign powers wanted to impose human rights on us and that they contradicted Islamic values. It was mainly people living in rural areas who believed this. They accused us of wanting to change the country's Islamic culture.

It was not part of Afghan culture for men and women to have equal rights or for girls to go to school. Girls were supposed to marry young and look after their husbands. These assumptions had been taken for granted, but we challenged them. We urged people to send their girls to school. We encouraged women to express their views in public. All this was at odds with traditional culture.

**Did you face hostility?**

**Rahimi:** Two of my close colleagues lost their lives. They weren't just killed, though: they were cut up into pieces. That was the level of hatred some people felt towards human rights activists. I was under no illusions that my life would be at risk if the Taliban took me prisoner.

**What is your view of the situation in Afghanistan now?**

**Rahimi:** The Taliban haven't changed in the last 20 years. They still force women to veil their faces, only allowing them to leave their homes when accompanied by a close male relative. If women are no longer allowed to work, go to the doctor or be active in culture or politics, those are huge violations of human rights. The Taliban are forcing men to grow their beards, cover their heads and attend mosques five times a day. Yet there is nothing in the Koran that says you can only pray in the mosque or that you have to wear a beard. The Taliban are trying to use violence to impose a nomadic way of life, particularly in the cities, and all apparently in the name of Islam. They won't tolerate any dissent. My sincere hope is that they will not stay in power much longer.

## **The Taliban's return to power in August 2021 demanded a swift response. How did the Institute support people at risk in Afghanistan?**

**Rudolf:** When the situation came to a head, the Afghanistan Human Rights Commission asked its sister institutions in other countries for help. The Institute received a list of employees at the Commission who were considered to be at particular risk. We turned to the Federal Government for help, urging them to evacuate our colleagues from Afghanistan. We coordinated our actions with the Global Alliance of National Human Rights Institutions GANHRI and the Asia Pacific Forum of national human rights institutions. Yet even though our collaboration with national human rights institutions is working well, there are still far too many colleagues at risk in Afghanistan, and they are still desperately waiting to get to safety.

**Rahimi:** Human rights defenders were and still are at particular risk. These people were working in the country, going out into villages and talking to people. They were very well known and are therefore in grave danger. Where can they hide? What should these brave women do, the women who fought for their rights and are no longer allowed to work? The TV reporters whose faces could be seen across the whole country? Their lives are in danger and they feel betrayed by the international community. These women must be saved or else they will be killed at home.

## **Have all your colleagues now been able to leave Afghanistan?**

**Rahimi:** Many of my colleagues are in exile. The majority are in Europe, while some are in the US or in the neighbouring states of Uzbekistan, Tajikistan and Iran. But many still remain in Afghanistan.

## **Germany provided military flights to help evacuate people from Kabul. These flights ended in August 2021 and Germany has announced ongoing support for Afghans who are at particularly serious risk. Is Germany doing enough?**

**Rudolf:** We were astonished at Germany's lack of preparations for the Taliban's seizure of power in August 2021. The increased threat had been apparent for a long time. Germany should have prepared better for that event. Everything was very chaotic after the fall of Kabul and the procedures were very opaque. NGOs sent lists to the Federal Government with the names of people at risk. However, they were not told if these people made it onto the official evacuation lists.

That's why it was good when the then coalition government set itself the objective of establishing a humanitarian admission programme for vulnerable Afghans. Those who campaigned for human rights in Afghanistan were working at great personal risk as part of civil society organisations and with the Afghan Independent Human Rights Commission. These people were defending universal human values. Now they urgently need the protection of the international community. Fundamental and human rights place a duty on Germany to provide this. However, a year after the fall of Kabul, we still do not know how the federal admission programme will be designed. Given the mortal danger facing those affected, this is not acceptable.

## **What could help improve the human rights situation in Afghanistan?**

**Rahimi:** Without international pressure – backed by armed force if needs be – nothing will change. It was the US military which drove the Taliban out of power almost 20 years ago. Under the Bonn Agreement of December 2001, the international community agreed a timetable to establish the conditions of democracy in Afghanistan. We started opening up the country and explaining to people that everyone – including women and children – possess innate rights. When the international community withdrew from Afghanistan, that system collapsed.

## **It takes time and institutions to make democracy and human rights a reality. Why did 20 years of international support in Afghanistan fail to bring about lasting changes?**

**Rahimi:** Corruption meant that foreign money did not reach the people, disappearing instead in the pockets of a small number of people. Many people in positions of power weren't working for the good of the country but for their own purposes instead. For that reason, many people never actually felt the effect of foreign aid: not much changed for them. That's why there was no fundamental change.

**Rudolf:** Foreign governments should have ensured that money got through to the people. Now they must make sure that such mistakes can be prevented in future. The Federal Government set up a commission of inquiry for this purpose in July. In addition to investigations, there is an urgent need to bring vulnerable Afghans to safety. Germany's duty of care is not limited to human rights defenders. It also applies to local staff, i.e. those people who worked for the German armed forces and German organisations like the GIZ. The international community cannot lose sight of human rights violations in Afghanistan. In 2021 the UN Human Rights Council created the position of Special Rapporteur on the situation of human rights in Afghanistan. Even if that step cannot bring about swift improvements to human rights, it remains a sign that the world has not forgotten Afghanistan. It is also a sign that the world is laying the groundwork to hold the Taliban to account in future for their serious violations of human rights in Afghanistan.

### **Who's who**

**Sayed Abdul Qader Rahimi** was head of the Herat regional office for the Afghanistan Independent Human Rights Commission and the Commission's Deputy Director from June 2003 to June 2021. He reached safety in Germany in June 2021 thanks to the Elisabeth-Selbert-Initiative, which protects human rights defenders at risk. The Institute acted as his host organisation for the programme.

**Beate Rudolf** is Director of the German Institute for Human Rights. From March 2016 to March 2019 she also chaired the Global Alliance of National Human Rights Institutions (GANHRI).

### **Further information**

Press releases: "Rescuing Human Rights Defenders from Afghanistan - Enabling Admission to Germany" and "Evacuating from Afghanistan: rescuing vulnerable people before it's too late" on our website

Cremer, Hendrik / Hübner, Catharina (2022): Responsibility for basic and human rights following the withdrawal from Afghanistan. On Germany's duty to protect particularly vulnerable Afghans. Berlin: German Institute for Human Rights (also available in English)

### **The Afghan Independent Human Rights Commission**

Through the 2001 Bonn Agreement, the international community agreed to give full support to Afghanistan to establish democracy and human rights. This led to the creation of the Afghanistan Independent Human Rights Commission, which is enshrined in the Afghan constitution. The Taliban cut off funding to the Commission in September 2021 and announced its dissolution in May 2022. The Commission considers this a breach of the constitution. It is attempting to continue its work on a voluntary basis from abroad.



# Balancing the interests of security and freedom

Recent years have seen the continued growth of the powers of Germany's security services. The Federal Constitutional Court has declared several of these provisions to be unconstitutional. The Institute recommends that security regulations should be continually and systematically reviewed against the yardstick of fundamental and human rights.

Since 11 September 2001, a number of security laws have expanded the powers of the police, state prosecutors and the intelligence services to interfere in basic and fundamental rights. Case law from the Federal Constitutional Court requires lawmakers to monitor the effects of the laws they enact. This particularly applies where there is uncertainty around the suitability of new instruments, or where later facts emerge, such as has been the case with efforts to fight terrorism and other serious crimes.

In 2006 the Institute called for lawmakers to evaluate such laws from the perspective of fundamental and human rights as a means of exercising self-control. The Institute's analysis paper on "The Evaluation of Security Laws" repeats that recommendation. It also calls for new powers for security agencies to combat terrorism and other serious crimes to be assessed against the yardstick of fundamental and human rights. Dieter Weingärtner, a Senior Fellow at the Institute and author of the paper, stresses that "Evaluating security laws from the perspective of fundamental and human rights takes the impairments of basic rights caused by the newly enacted laws and sets them against the effect these measures achieve in promoting security. This is imperative under the rule of law, as security legislation interferes with fundamental and human rights. Moreover, such legislation is uniquely reliant on projections."

Such evaluations will inform lawmakers about how legislation is being applied and how it is impacting fundamental and human rights. This makes it possible to make objective assessments and recommendations about legislation. "For the sake of transparency, evaluation reports should be available to the public," says Eric Töpfer, a researcher at the Institute. Parliament itself should be responsible for undertaking evaluations, as it must take decisions based on the findings as to whether agencies should retain powers, or if those powers should be modified or cancelled. Ultimately, it falls to parliament to balance the interests of security and freedom. In the interests of practicality, the executive branch could take responsibility for carrying out this work. Within the framework laid down by lawmakers, independent academic experts should be free to decide the focus of their investigation and the methods to be used for it.

The Institute hosted a discussion in September 2021 which addressed the outlook for and challenges facing reviews of security legislation from the perspective of fundamental and human rights. Experts from politics, the civil service, academia and civil society joined the discussion under the title of "How can security legislation be measured against the yardstick of fundamental and human rights?" One suggestion that arose from the discussion was to earmark funding for reviews of security legislation in the budget. Another recommendation concerned setting down fixed standards in a general piece of legislation for evaluation of this kind.



# The Institute

# Mandate and Function

The German Institute for Human Rights is Germany's independent national human rights institution (article 1 of the Act regarding the Legal Status and Mandate of the German Institute for Human Rights (DIMRG)). It strives to ensure that Germany respects and promotes human rights domestically and abroad. The Institute also supports and monitors the implementation of the UN Conventions on the Rights of Persons with Disabilities and the Convention on the Rights of the Child, to which end it has set up two national monitoring mechanisms. As the centre of expertise on domestic implementation of human rights, it advises policymakers and civil society, provides information about human rights and brings a human rights perspective to political and social debates.

## **Research and advice**

The Institute conducts interdisciplinary and application-oriented research on human rights issues and monitors the human rights situation in Germany. It advises a range of stakeholders on implementing international human rights treaties. These include policymakers at Federal, Länder and sometimes municipal levels, as well as the judiciary, legal practitioners, business and civil society organisations. It reports to the German Bundestag and prepares position papers for national and international courts and international human rights bodies. It supports those working in education to enshrine human rights in the initial and ongoing professional training for careers where sensitivity to human rights is required, as well as in helping design human rights education for school and non-school contexts. The Institute sees itself as a forum for exchange between the state, civil society, business, practitioners, and national and international stakeholders.

## **Informing and documenting**

One key role for national human rights institutions is to share information about the human rights situation in their own country. The DIMRG is legislation that specifies the legal status and mandate of the German Institute for Human Rights. It therefore requires the Institute to report annually to the German Bundestag on the development of the human rights situation in Germany and to report on its activities.

In addition to this, the Institute's public library provides research literature and human rights journals. Its holdings include the largest collection of human rights educational materials in Germany. The Institute offers a range of services through social media and other online platforms which provide information about human rights issues, as well as documenting the key human rights treaties and how they are being implemented in Germany.

## **Politically independent**

The Institute is a politically independent body committed solely to human rights. As a national human rights institution, its work is based on the Paris Principles of the United Nations. The DIMRG has governed the Institute's legal status, mandate and funding since 2015. The Institute is a charitable organisation funded by the German Bundestag with funding from third parties for individual projects.

## **National Monitoring Mechanism for the UN Convention on the Rights of Persons with Disabilities**

Germany ratified the UN Convention on the Rights of Persons with Disabilities and its optional protocol in 2009. Article 33 (2) of the Convention requires state parties to establish an independent monitoring mechanism to scrutinise and support the implementation of the Convention. This task was entrusted to the Institute in 2009, which set up the National CRPD Monitoring Mechanism for the purpose.

The Monitoring Mechanism is responsible for raising awareness about the rights of people with disabilities and supporting the implementation of and compliance with the Convention. The work of the Mechanism includes research into the Convention and how it is being realised in Germany. It advises policymakers at Federal, Länder and municipal levels. It also supports the judiciary, legal practitioners, business and civil society in interpreting and implementing the Convention. The Mechanism also works closely with state agencies and NGOs.

## National Monitoring Mechanism for the UN Convention on the Rights of the Child

Germany has ratified the Convention on the Rights of the Child and its optional protocols, committing itself to uphold children's rights. In 2015 the Institute was entrusted with the task of supporting the implementation of the Convention on the Rights of the Child in Germany, to which end it set up the National CRC Monitoring Mechanism.

The Monitoring Mechanism helps raise awareness of children's rights and, where necessary, calls for compliance with the Convention. The Mechanism advises policymakers at Federal, Länder and municipal levels, as well as helping the judiciary, legal practitioners and civil society interpret the Convention on the Rights of the Child and implement it in a child-centred way. It works closely with national human rights institutions in other countries and informs the UN Committee on the Rights of the Child about the implementation of children's rights in Germany. The Monitoring Mechanism works in close partnership with civil society, stage agencies and research institutions. Of course, it also works with children and young people themselves: after all, participation (in the sense of Article 12 of the Convention on the Rights of the Child) is the very foundation of its work.

“\_The Institutes strives to convince others of the importance of human rights and of the necessity of institutions and processes which promote democracy and the rule of law. It actively campaigns for a culture of human rights.”*Beate Rudolf, Director of the Institute*

“\_The journey from agenda setting to implementing concrete political measures is often a long one. The Institute can demonstrate tenacity and pursue these issues in the long run.”*Michael Windfuhr, Deputy Director of the Institute.*

## National Human Rights Institutions

National human rights institutions dedicated to promoting and protecting human rights exist in 120 countries. Their work is based on the Paris Principles. These principles, proclaimed by the United Nations in 1993, constitute the international standard for the role and the functioning of national human rights institutions. Institutional independence is a central principle. The German Institute for Human Rights is in full compliance with this standard and has therefore been accredited with “A” status. Only human rights institutions accredited with this status have the right to speak and participate on UN committees such as the United Nations Human Rights Council in Geneva.

# Human Rights Research

The Institute uses its own research as a basis for its work on the human rights situation in Germany. By doing this, it helps ensure decisions are made based on information from well-qualified sources. The starting-point for research projects is human rights as enshrined in international human rights treaties and the Basic Law. The guiding question is whether Germany is fulfilling its human rights obligations.

Some examples of research questions are: Does legislation give adequate consideration to human rights standards? Do federal and Länder governments, state agencies and other state actors act within the meaning of human rights standards? Do laws and/or political measures achieve their human rights goals? Can people in Germany access their rights? Do they know about their human rights?

## **Free choice of topics**

The Institute is free to choose its research questions and thematic priorities, and its research is never aimed at predetermined goals.

The Institute funds its research through institutional funding from the German Bundestag. It also makes targeted applications to public sources and private foundations for funds for its research, where these bodies focus on issues that align with the Institute's research agenda.

## **Interdisciplinary approach**

With 51 experts (as of August 2022), the Institute can access expertise from a wide range of disciplines, with a particular focus on law, the social sciences, economics and education. The Institute's researchers take an interdisciplinary approach to many research topics. The Institute coordinates research across departments, conducts regular in-house training and creates forums for interdisciplinary discussions. It also carries out peer review procedures and observes guidelines on good academic practice. All these ensure the high quality of our research process.

## **Research collaboration and participation**

The Institute collaborates with several universities. In 2021 these included the Technical University of Munich, Goethe University Frankfurt and the North Rhine-Westphalia Catholic University of Applied Sciences. We include in our research the knowledge and perspectives of those whose rights are concerned. We use consultations and workshops to discuss our research plans and interim results with grassroots organisations, associations and expert communities.

## **Extending academic debates**

The Institute's research findings make their way into expert debates at national and international levels. International human rights bodies also draw on our findings. Our research is used to develop human rights perspectives in other academic debates. Developing human rights monitoring and human rights indicators are key priorities for the Institute.

**The Institute possesses expertise in a wide range of disciplines. The critical question is: is Germany fulfilling its human rights obligations?**

### **Research projects with empirical and/or legal perspectives (completed in 2021)**

- Designing effective complaints procedures for care homes: legal analysis, interviews and observations by participants
- Deported despite being ill: accessing justice in the course of deportation, legal analysis and expert interviews
- Conceptual development of an independent reporting body to combat gender-based violence and trafficking in human beings: analysis of current law and jurisprudence, developing human rights indicators, analysis of data availability
- Political participation for people with disabilities in the Land of Berlin: legal analysis, survey on the work of disability policy committees
- Living independently with a disability in Saarland: human rights analysis of secondary data
- Not rooted in the Basic Law: legal classification of political parties' positions for the purposes of civil service law
- Evaluating security laws: analysis of requirements for fundamental and human rights
- Registering births: human rights obligations and strategies for procedural law
- Voting rights for homeless people: explorative analysis on granting voting rights

# The Institute at 20 – commitment and expertise for human rights

Following a unanimous vote in the Bundestag, the Institute was founded on 8 March 2001 to serve as Germany's national human rights institution. In an event held on 19 March to kick off the celebrations of our 20th anniversary, the Director of the Deutsches Zentrum für Integrations- und Migrationsforschung, Naika Foroutan, was joined by the political scientist Jan-Werner Müller and Beate Rudolf, Director of the Institute to discuss "Thinking about democracy, the rule of law and social coexistence through the lens of human rights".

Wolfgang Schäuble, President of the Bundestag gave the opening address, in which he stressed that "Uncovering shortcomings, working on solutions, holding up uncomfortable truths to parliament and the government, and indicating where solutions are needed – this is all in a day's work for the Institute." Schäuble stressed that the voice of the Institute must not be ignored, and he said he and the Bundestag were grateful for the Institute's expertise.

Foroutan argued that the key to solving a range of social, political and economic problems was how Germany handled migration, racism and discrimination. She emphasised that "The promise in the Basic Law which is the basis for plurality stands in opposition to inequality, which is on the rise." Jan-Werner Müller teaches at Princeton University in the US. He stressed that conflict is the lifeblood of democracy, although the decisive factor is how that conflict is fought out. "There's a problematic and dangerous trend where more and more actors are saying, we don't even respect the other side as a partner in the conflict, as they aren't a part of it at all."

"I am concerned about positions that question the equality of people and our system of democracy and the rule of law," Beate Rudolf observed, adding that where hatred is sowed it is not enough to pay lip service to human rights. For Rudolf, human rights are more than just an ethical framework. They are legally binding, and the government and parliament must always follow them. This, she said, is what the Institute is fighting for. Michael Windfuhr, Deputy Director of the Institute, concluded the event by outlining how the Institute is responding to the decline in acceptance of political actors and constitutional institutions. "We are campaigning for an open and inclusive society. We are drawing attention to growing inequality and we are creating forums for exchange and argument."

On 24 September, the Board of Trustees and Annual General Meeting joined those who had accompanied the Institute on its journey. Together, they looked back on the early years and discussed future challenges to human rights work. Frauke Seidensticker, former Deputy Director of the Institute, stressed that "What I particularly remember from the early years is the enthusiasm with which the Board of Trustees and the team developed the Institute's profile. It wasn't easy, but we were open-minded, committed and willing to talk to a broad spectrum of voices and to learn from them." Heiner Bielefeldt, former Director of the Institute, called for institutions like the Institute to adopt a two-pronged strategy. "We need to get out of our comfort zone, because success does not just fall into the lap of institutions. We need to tend them from within while at the same time observing what is going on around us, identifying crises but also discovering opportunities to be found among interesting alliances with stakeholder groups such as young people, churches and cities."

## [Further information](#)

"The German Institute for Human Rights at 20" on our website



# A global network

As Germany's national human rights institution, the Institute works closely with the United Nation's human rights bodies, the Council of Europe and the European Union. It sees itself as a mediator between national and international levels. The Institute provides regular reports to international human rights bodies on the human rights situation in Germany. It also contributes its expertise to support the realisation of human rights in Germany and the development of human rights protection internationally. In turn, the Institute feeds international developments into legal and political debates within Germany.

## Supporting the work of the UN

### Country review process

The role of the UN Treaty Bodies is to use the country review process to monitor the implementation of the various human rights agreements. The Institute regularly participates in Germany's review process, submitting parallel reports on the human rights situation in Germany. The Institute is also involved in the United Nations Human Rights Council's universal periodic review process.

### UN Committee on Economic, Social and Cultural Rights

The UN Committee on Economic, Social and Cultural Rights oversees the 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR). All members of the treaty bodies provide their services on a voluntary basis and without staffing support from the UN High Commissioner for Human Rights. Since 2017 the Institute has provided specialist expertise to support the work of the German member of the committee, Michael Windfuhr, Deputy Director of the Institute. This support includes background research for the country report process or legal questions in the context of preparing general comments and opinions on the interpretation of the ICESCR. The Institute also assists Mr Windfuhr with the handling of individual complaints. This support is funded by the Federal Foreign Office.

### UN International Convention for the Protection from Enforced Disappearance

The UN Committee on Enforced Disappearances reviews the implementation of the UN International Convention for the Protection from Enforced Disappearance, which came into force on 23 December 2010. Since 2019 the Institute has provided specialist expertise to support the work of the German member of the Committee, Barbara Lochbihler. This support includes background research on the situation in various countries and legal advice. The Institute also assists with the conceptional development of measures to increase levels of ratification of the Convention against Enforced Disappearance, and also in bringing wider attention to the work of the committee. This support is funded by the Federal Foreign Office.

### UN Open-Ended Working Group on Ageing

The Institute provides information for key stakeholders in Germany working on the rights of older people on the work of the ended Working Group on Ageing (OEWG-A). In partnership with the Federal Ministry for Families, Seniors, Women and Youth, the Institute holds regular expert discussions with civil society organisations and academics. It makes the outcomes of these discussions available to the public. The aim here is to promote better networking among German stakeholders and to enrich discussions at the UN working group in New York with useful examples and input.

### UN Independent Expert on the Rights of Older Persons

Older people are entitled to the same human rights as everyone else. However, older people are faced with many different forms of discrimination when exercising their rights. This can occur in the healthcare and care sectors, in employment and when accessing services. Violence, isolation and high rates of poverty also increase the likelihood of human rights violations.

The role of the Independent Expert on the Rights of Older Persons is to investigate the situation of older people in UN member states and to report annually to the UNHRC and the General Assembly of the UN.

In May 2020 the UN Human Rights Council appointed Dr Claudia Mahler, who works at the Institute, as the Independent Expert. Through her unpaid work, she investigates the human rights situation of older persons around the world. She visits countries and formulates recommendations on how best to realise the rights of older persons.

The Institute has provided specialist expertise to support the Independent Expert since May 2021. This support is funded by the Federal Foreign Office. Dr Mahler's work as Independent Expert is also supported by contributions from the Austrian social and foreign ministries.

Further information can be found at: [www.ohchr.org/en/special-procedures/ie-older-persons](http://www.ohchr.org/en/special-procedures/ie-older-persons)

## **Partnerships with national human rights institutions**

National human rights institutions (NHRIs) are part of global and regional networks. The Global Alliance of National Human Rights Institutions (GANHRI) represents the interests of 120 national human rights institutions around the world (as of April 2022). It coordinates working groups on human rights issues and monitors compliance with the UN's "Paris Principles", which form the set of regulations for NHRIs. It also campaigns for NHRIs to be given rights to participate in all UN bodies engaged with human rights issues.

There are also regional networks in Africa, America, Europe and the Asia-Pacific area. These networks support the establishment of NHRIs in their respective regions, organise training and discussions and draw up joint position papers as part of regional and global human rights bodies.

### **The Global Alliance of National Human Rights Institutions**

The Institute is an active member of GANHRI and chairs its Working Group on Business and Human Rights. The Working Group aims to improve collaborations between national human rights institutions in the field of business and human rights. It is also campaigning for a binding UN treaty on business and human rights. The Institute plays an active part in GANHRI's working groups on the rights of older persons and the rights of people with disabilities. It also contributes to discussions on climate change and human rights. It is also a member of the recently created GANHRI climate caucus. As part of a task force consisting of GANHRI, UNDP and UNEP and the OHCHR, the Institute is actively contributing to the strategic development of GANHRI's climate activities.

### **The European Network of National Human Rights Institutions**

The European Network of National Human Rights Institutions (ENNHRI) comprises over 40 national human rights institutions from Europe. It speaks out on human rights issues at a European level. As a member of ENNHRI, the Institute works with other NHRIs to prepare position papers, reports and recommendations for European stakeholders such as the Council of Europe and the EU, the EU Agency for Fundamental Rights and the OSCE. This work includes submitting an annual report on trends in the rule of law in Europe. The Institute also sits on various ENNHRI working groups. These include groups on economic, social and cultural rights, the rights of people with disabilities, climate change and human rights, and business and human rights. The Institute is particularly involved in contributing to joint opinions for proceedings at the European Court of Human Rights (ECHR). These concerned issues around climate action and human rights in 2021. The Institute is represented in person by Michael Windfuhr, Deputy Director of the Institute. He serves on the finance committee, which advises the ENNHRI Secretariat and General Assembly on finance and budgeting. The Director of the Institute, Beate Rudolf, was again elected to the General Assembly of ENNHRI in April 2022.

## **Collaboration with the European Agency for Fundamental Rights**

The Institute has been the German research partner of the EU Agency for Fundamental Rights (FRA) in Vienna since 2011, on behalf of which it prepares legal and sociological studies of the human rights situation in Germany. These studies focus on issues such as access to justice, data protection, the rights of victims of violence and children's rights. The Institute's reports form a basis for the production of comparative reports by the FRA, which analyse concerns and associated problems at an EU level. The Agency has Focal Points in all 27 EU member states.

## **Supporting the work of the International Federation of Library Associations and Institutions**

The Institute was also an active member of the Library Services to People with Special Needs section of the International Federation of Library Associations and Institutions from 2013 to August 2021. The Section campaigns around the world for the provision of barrier-free and inclusive access to libraries. It particularly focuses on people with disabilities, homeless people, and those in hospitals, care homes and prisons.



# Facts

# Annual financial report 2021

<b>Income</b>	
Institutional allocation from federal government	€3,115,000
Income from projects with third-party federal funding	€2,159,937
Income from projects with third-party Länder funding	€186,818
Mixed income	€1,201,285
<b>Total income</b>	<b>€6,663,040</b>
<b>Expenditures</b>	
Human rights policy Germany & Europe	€502,269
Third-party mandates & projects funded by third parties, Human Rights Policy Germany & Europe	€1,072,006
National Monitoring Mechanism for the UN Convention on the Rights of Persons with Disabilities	€369,828
Third-party mandates & projects funded by third parties, CRPD Monitoring Office	€495,664
Third-party mandates & projects funded by third parties, National CRC Monitoring Mechanism	€478,150
Human Rights Education	€196,977
Third-party mandates & projects funded by third parties, human rights education	€26,881
International Human Rights Policy	€197,482
Third-party mandate & projects funded by third parties, International human rights policy	€694,989
Library	€224,683
Communications	€602,745
Third-party mandates & projects funded by third parties, Communications	€121,560
Administration (overhead)	€1,222,677
Board of Directors/Management	€439,918
Third-party mandates & projects funded by third parties, Board of Directors/Management	€17,211
<b>Total Expenditures</b>	<b>€6,663,040</b>
<b>2021 Result</b>	<b>€0</b>

# Comments on the annual financial report

In 2021 the German Institute for Human Rights received an institutional allocation of €3,115,000. The Institute receives this institutional allocation, which constitutes its core funding, from the German Bundestag annually. It is intended to ensure that the Institute has adequate financial resources, as required by the Paris Principles of the United Nations for an independent national human rights institution. In 2021 the allocation included an extra €30,000 to adjust for increases in staffing costs associated with collective bargaining agreements.

In addition to the institutional funding, the income section includes three additional positions used to **record third-party funding**. How they are allocated depends on the respective allocation and accounting modalities.

(1) A total of €2,159,937 was received from projects with **third-party federal funding**. Projects with third-party funding are reported separately in the annual financial report, as they are recorded individually for each funding body. These expenditures, like the institutional allocation, are subject to the Federal Budget Code.

(2) The projects with **third-party Länder funding** are also reported separately in the annual financial report, again due to the separate accounting. These expenditures are subject to the budget codes of the relevant German Länder. A total of €186,818 was received from German Länder by way of third-party-funded projects in 2021. Other funds received by the Institute from the Länder are accounted for along with the Institute's funds and are therefore included under mixed income.

(3) The **mixed income item** is made up of income from third parties which is accounted for with the institutional allocation. This includes fees for lectures by employees of the Institute. The mixed income item is also used to record income from lump-sum administrative fees charged to third-party funded projects and (1) and (2), which flow into the institutional allocation. Mixed income for 2021 amounted to €1,201,285.

In 2021 income derived from **third-party federal funding (1)** was again used to fund the research carried out to support the work of the German member of the UN Committee on Enforced Disappearances and of the German member of the UN Committee on Economic, Social and Cultural Rights. There were further projects to support the UN Independent Expert on the Rights of Older Persons and Preventing Torture. The Federal Foreign Office was the source of funding for these projects.

The Institute also received funding from the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth to support the UN Open-Ended Working Group on Ageing, and for the Rights of the Child Monitoring Office. The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth also support a project to expand reporting bodies on the European conventions on violence against women (the Istanbul Convention) and trafficking in human beings.

The Federal Ministry of Justice and Consumer Protection supported a project on the qualification of judges.

The Federal Ministry of Labour and Social Affairs funded the National Action Plan for Business and Human Rights research and consultancy project, along with a project to raise awareness of jurisdiction in guardianship cases in relation to the UN Convention on the Rights of Persons with Disabilities.

In 2021 the Federal Ministry of the Interior, Building and Community provided project funding for work on a coordination office for the Independent Antiziganism Commission, which is based at the Institute.

**Projects with third-party Länder funding (2):** This item includes the allocation from the Land of Berlin to fund the Monitoring-Stelle Berlin project. Other projects funded by the Länder are currently accounted for together with institutional funding and are therefore listed under mixed income (3).

**Mixed income (3)** includes income from contracts with third parties which is accounted for as part of institutional funding. They comprise funds from the Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (GIZ) for a project on implementing human rights in development policy. The funds also include research contracts with the Institute on land rights in Ethiopia and human rights due diligence in the palm oil industry; funds also came from the European Union Agency for Fundamental Rights (FRA) for FRANET reporting which the Institute took over for the FRA in 2021.

North Rhine-Westphalia funded the work of the Monitoring Mechanism for the UN Convention on the Rights of Persons with Disabilities in the Land of NRW. Saarland awarded a contract to evaluate its CPRD action plans. Aktion Mensch is funding a project on access to justice for people with disabilities.

Minor, the Project Office for Education and Research of the Federal Government Commissioner for Migration, Refugees and Integration, also funded a study into exploitative working conditions for Eastern European workers in Germany. The Republic of Austria also provided support to the Institute for the UN mandate on promoting the human rights of older people. The Council of Europe funded background research on organisations working on economic, social and cultural human rights in Europe. A project on Sinti and Romani people was carried out in partnership with the EVZ Foundation. One temporary relocation of a human rights defender was funded through the Elisabeth-Selbert-Initiative, with the DIMR acting as host organisation. The CMS Foundation commissioned the UN Convention on the Rights of the Child Monitoring Office to conduct a project on birth certificates. The Land of Hesse also contributed to the project, for which the Institute developed plans for monitoring the UN Convention on the Rights of the Child.

The Paris Principles of the United Nations call for national human rights institutions to be financed primarily through institutional funding, to ensure that they have free choice of the issues they explore and how they conduct their work. Third-party funding for specific purposes should be subordinate to an institution's own funds. This requirement was narrowly missed in 2021. Funding for specific projects across all three categories amounted to 53% of the Institute's income in 2021. In 2021, the Institute also only raised funding targeted at supporting the strengthening and implementation of work on independently chosen and pre-existing areas of activity, as included in the Institute's strategic plans. The Institute wishes to thank all its sponsors for their support for its work.

The summary of expenditure shows the funding available for the work of each of the Institute's departments. The "administration (overhead)" item includes the Institute's running costs – e.g. rent and related ancillary payments, IT services and miscellaneous administrative expenses (experts, bank fees, etc.) – and also membership dues for GANHRI and ENNHRI, as well as expenditures associated with all departments.

The financial report of the German Institute for Human Rights is examined by two auditors appointed by the General Meeting. The Annual General Meeting is responsible for formal approval of the actions of the Board of Directors. The General Meeting has issued its approval for the 2021 financial year and confirmed that all allocations were used efficiently and economically.





# Funded projects 2021

**Arbeitsausbeutung beenden. Osteuropäische Arbeitskräfte in der häuslichen Betreuung (Live-Ins 2)  
[Ending exploitation at work. Eastern European domestic care workers in Germany]**

Funded by: Minor

Funding period: December 2021 – May 2022

**Background Research for Targeted Capacity Building Measures on Social Rights for Civil Society Actors in Germany**

Funded by: Council of Europe

Funding period: July 2021 – June 2022

**Begleitung der Umsetzung des Nationalen Aktionsplans Wirtschaft und Menschenrechte der Bundesregierung [Supporting the implementation of the National Action Plan for Business and Human Rights]**

Funded by: Federal Ministry of Labour and Social Affairs

Funding period: 2017 – 2022

**Advice on human rights in conservation**

Funded by: KfW Development Bank

Funding period: September 2019 – December 2021

**Consultation on the Partnership for Renewable Textiles review process**

Funded by: Deutsche Gesellschaft für Internationale Zusammenarbeit

Funding period: May – November 2021

**Beratung zum Themenfeld Wirtschaft und Menschenrechte [Advice on issues around business and human rights]**

Funded by: Deutsche Gesellschaft für Internationale Zusammenarbeit

Funding period: August 2020 – April 2022

**Reporting to the European Agency for Fundamental Rights**

Funded by: European Agency for Fundamental Rights

Funding period: commenced in 2011, currently 2019 – 2022

**Die UN-Behindertenrechtskonvention in der betreuungsgerichtlichen Praxis [The UN Convention on the Rights of Persons with Disabilities in practice in guardianship law]**

Funded by: Federal Ministry of Labour and Social Affairs

Funding period: January 2019 – December 2021

**Entwicklung eines Konzeptes für ein Kinder- und Jugendrechte Monitoring für das Land Hessen  
[Developing plans for monitoring children's and young people's rights in the Land of Hesse]**

Funded by: Land of Hesse

Funding period: July 2021 – April 2022

**Konzept für eine Berichterstattungsstelle gegen geschlechtsspezifische Gewalt und Menschenhandel [Conceptual development of an independent reporting body to combat gender-specific violence and human trafficking]**

Funded by: Federal Ministry for Family Affairs, Senior Citizens, Women and Youth

Funding period: January 2020 – April 2021

**“Independent Commission on Antiziganism“ Coordination Centre**

Funded by: Federal Ministry of the Interior, Building and Community

Funding period: July 2019 – September 2021

**Menschenrechte umsetzen in der Entwicklungszusammenarbeit [Implementing human rights in development collaborations]**

Funded by: Deutsche Gesellschaft für Internationale Zusammenarbeit

Funding period: commenced in 2005, currently 2019 – 2023

**Berlin Monitoring Mechanism for the UN Convention on the Rights of Persons with Disabilities**

Funded by: Land of Berlin

Funding period: since October 2012

**North Rhine-Westphalia Monitoring Mechanism for the UN Convention on the Rights of Persons with Disabilities**

Funded by: North Rhine-Westphalia Ministry for Work, Integration and Social Affairs

Funding period: since March 2017

**Saarland Monitoring Office for the UN Convention on the Rights of Persons with Disabilities**

Funded by: Saarland Ministry of Health, Social Affairs, Women and the Family

Funding period: May 2020 – March 2022

**Papiere von Anfang an. Warum eine Geburtenregistrierung den Zugang zum Recht erschließt [Papers from the very start. Why registering births opens up access to justice]**

Funded by: CMS Stiftung

Funding period: June – December 2021

**Planning and testing phase for reporting bodies on gender-specific violence and human trafficking**

Funded by: Federal Ministry for Family Affairs, Senior Citizens, Women and Youth

Funding period: May 2021 – October 2022

**“Recht haben – Recht bekommen” project [Be in the right – win your case]**

Funded by: Aktion Mensch e.V.

Funding period: October 2020 – November 2022

**Rassismus, Antisemitismus, Rechtsextremismus – Stärkung von Strafverfolgung & Opferschutz [Racism, antisemitism, right-wing extremism – Strengthening law enforcement and victim protection]**

Funded by: Federal Ministry of Justice and Consumer Protection, Länder of Berlin, Schleswig-Holstein and Saxony

Funding period: January 2020 – December 2022

**Supporting the Independent Expert on the Rights of Older Persons**

Funded by: Federal Foreign Office

Funding period: March 2021 – April 2023

**Supporting the mandate for the human rights of older persons**

Funded by: The Austrian Federal Ministry for European and International Affairs

Funding period: July 2022 – December 2024

**Supporting the UN Committee on Economic, Social and Cultural Rights**

Funded by: Federal Foreign Office

Funding period: annual funding since 2017, currently in place until December 2023

**Supporting the UN Committee on Enforced Disappearances**

Funded by: Federal Foreign Office

Funding period: September 2019 – June 2023

**Supporting the UN mandate for the human rights of older persons**

Funded by: Austrian Ministry of Social Affairs, Health, Care and Consumer Protection

Funding period: March 2021 – May 2023

**Preliminary and follow-up work for the Open-ended Working Group on Ageing**

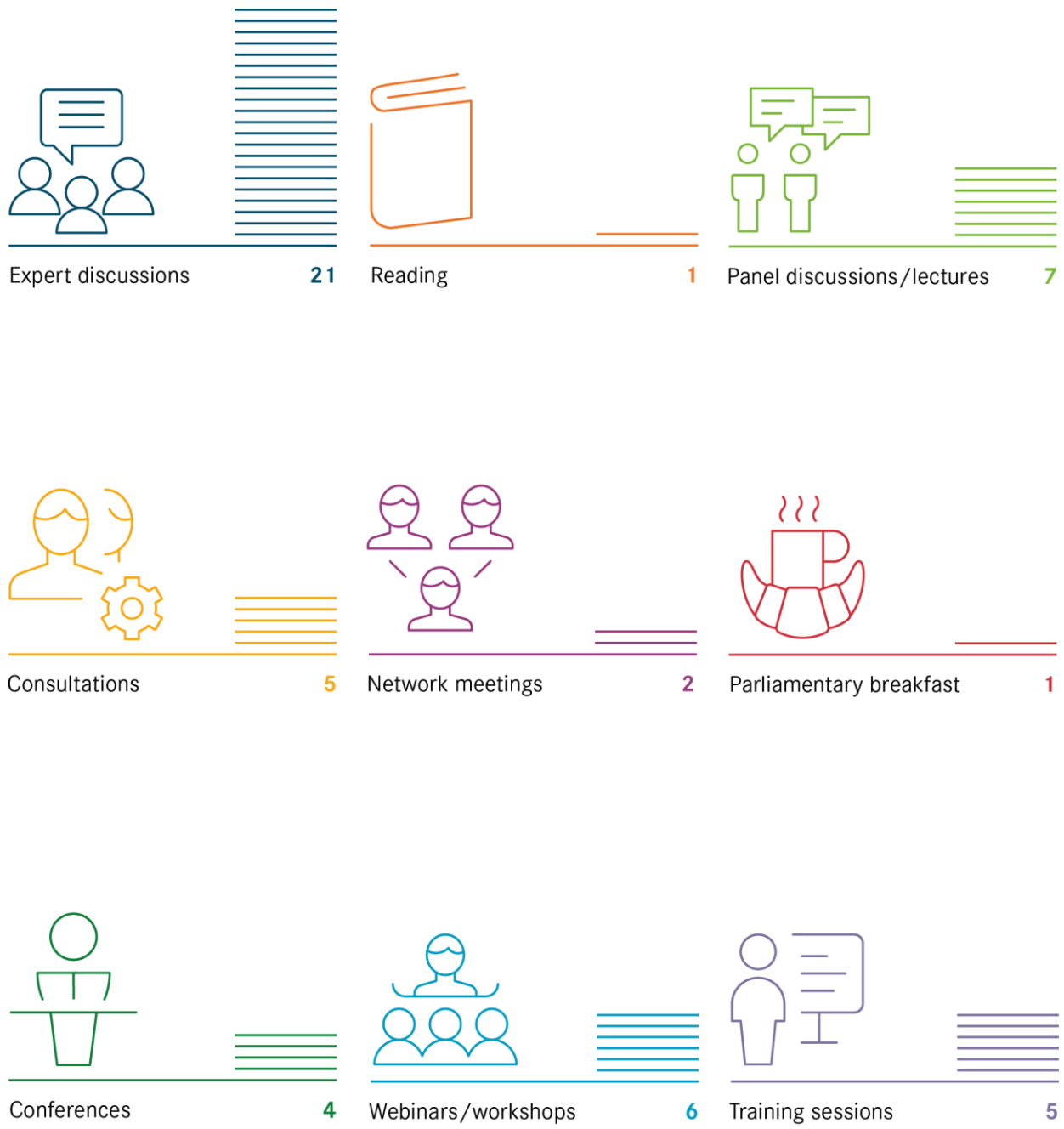
Funded by: Federal Ministry for Family Affairs, Senior Citizens, Women and Youth

Funding period: since 2017

**Further information**

“Geförderte Projekte” page on the Institute’s website

# Events 2021



# Events partners

- Amnesty International Deutschland e.V.
- Development Policy and Humanitarian Aid working group at DeGEval – Gesellschaft für Evaluation e.V.
- Federal Government Commissioner for Matters relating to Disabled Persons
- Bread for the World
- Bundesarbeitsgemeinschaft der Krisentelefone, Beratungs- und Beschwerdestellen für alte Menschen
- Federal Ministry for Family Affairs, Senior Citizens, Women and Youth
- German Institute for Development Evaluation
- German Children’s Fund e.V.
- German Centre for Accessible Reading
- European Center for Constitutional and Human Rights e.V.
- Society for Civil Rights e.V.
- Kommission Kundenorientierte und inklusive Services des Deutschen Bibliotheksverbands
- Migrationsrat Berlin e.V.
- Pflege in Not - Beratung bei Konflikt und Gewalt in der Pflege

# Publications

**Algorithmische Entscheidungssysteme. Menschenrechtliche Vorgaben und Entwicklungen auf internationaler Ebene.** Berlin: Deutsches Institut für Menschenrechte, 2021, 8 pp. (Information no. 35)

**Berliner Teilhabebericht. Empfehlungen für eine an der UN-Behindertenrechtskonvention ausgerichtete datenbasierte Berichterstattung.** Berlin: Deutsches Institut für Menschenrechte, 2021, 4 pp. (Information no. 22)

**Children’s rights into the basic law. Questions on the current legislative proposal for Article 6 (2) of the Basic Law.** Berlin: Deutsches Institut für Menschenrechte, 2021, 5 pp. (factsheet)

**Covid-19: impacts on the rights of people with disabilities. Why consistent disability mainstreaming is needed in responses to the pandemic.** Berlin: Deutsches Institut für Menschenrechte, 2021, 4 pp. (Information no. 21)

**Cremer, Hendrik:** Nicht auf dem Boden des Grundgesetzes. Warum die AfD als rassistische und rechtsextreme Partei einzuordnen ist. Berlin: Deutsches Institut für Menschenrechte, 2021, 32 pp. (Analysis)

**Development of the human rights situation in Germany July 2020 – June 2021. Report to the German Federal Parliament in accordance with section 2 (5) of the act on the legal status and mandate of the German Institute for Human Rights.** Berlin: Deutsches Institut für Menschenrechte, 2021, 14 pp. (Executive Summary)

**Die Rechte älterer Menschen mit Behinderungen. Bericht der Sonderberichterstatterin für die Rechte von Menschen mit Behinderungen.** Berlin: Deutsches Institut für Menschenrechte, 2021, 10 pp. (Information no. 37)

**Die Rechte von älteren Menschen mit Behinderungen.** Berlin: Deutsches Institut für Menschenrechte, 2021, 11 pp (Information no. 37 in easy-to-read language)

**Empfehlungen zur Umsetzung der UN-Behindertenrechtskonvention in Berlin in der 19. Wahlperiode (2021–2026). 11 Punkte für eine menschenrechtlich ausgerichtete behindertenpolitische Agenda.** Berlin: Deutsches Institut für Menschenrechte, 2021, 10 pp.

**Empfehlungen zur Umsetzung der UN-Behindertenrechtskonvention in der 20. Wahlperiode (2021 – 2025). 11 Eckpunkte.** Berlin: Deutsches Institut für Menschenrechte, 2021, 13 pp.

**Entwicklung der Menschenrechtssituation in Deutschland Juli 2020 – Juni 2021. Bericht an den Deutschen Bundestag gemäß § 2 Absatz 5 DIMRG.** Berlin: Deutsches Institut für Menschenrechte, 2021, 120 pp.

**Entwicklung der Menschenrechtssituation in Deutschland Juli 2020 – Juni 2021. Bericht an den Deutschen Bundestag gemäß § 2 Absatz 5 DIMRG.** Berlin: Deutsches Institut für Menschenrechte, 2021, 14 pp. (Summary)

**Gerbig, Stephan / Krause, Sigrun / Schubert, Katja:** Papiere von Anfang an. Das Recht auf eine unverzügliche Geburtenregistrierung nach der UN-Kinderrechtskonvention und seine Durchsetzung. Berlin: Deutsches Institut für Menschenrechte, 2021, 68 pp. (Analysis)

**2020 Annual Report.** Berlin: Deutsches Institut für Menschenrechte, 2021, 82 pp.

**Kinderrechte ins Grundgesetz. Fragen zum aktuellen Regelungsvorschlag von Artikel 6 Absatz 2 Grundgesetz.** Berlin: Deutsches Institut für Menschenrechte, 2021, 5 pp. (factsheet)

**Leitbild “Berichterstattungsstelle zu geschlechtsspezifischer Gewalt”.** Berlin: Deutsches Institut für Menschenrechte, 2021, 7 pp.

**Leitbild “Berichterstattungsstelle zu Menschenhandel”.** Berlin: Deutsches Institut für Menschenrechte, 2021, 7 pp.

**Menschenrechtliche Folgen des Klimawandels in Deutschland.** Berlin: Deutsches Institut für Menschenrechte, 2021, 6 pp. (Information no. 36)

**Meyer, Roger / Jordan, Laura-Maria:** Beschwerdeverfahren verbessern – Menschenrechte schützen. Zwölf Empfehlungen für die stationäre Pflege. Berlin: Deutsches Institut für Menschenrechte, 2021, 41 pp. (Practice)

**Mit-Reden in Berlin.** Berlin: Deutsches Institut für Menschenrechte, 2021, 31 pp. (text in easy-to-read language)

**Politische Partizipation von Menschen mit Behinderungen in Berlin. Erfahrungen, Herausforderungen und Handlungsempfehlungen.** Berlin: Deutsches Institut für Menschenrechte, 2021, 67 pp. (Report)

**Rechte älterer Menschen. Recht auf Arbeit – Zugang zum Recht. Nachbereitung der 11. Sitzung der UN Open-Ended Working Group on Ageing (OEWG-A) 2021.** Berlin: Deutsches Institut für Menschenrechte, 2021, 11 pp. (Documentation)

**Selbstbestimmtes Wohnen mit Behinderung. Bericht zum Stand der Umsetzung von Artikel 19 UN-BRK im Saarland.** Berlin: Deutsches Institut für Menschenrechte, 2021, 41 pp. (Report)

**Sexuelle Gesundheit, Selbst-Bestimmung und Familien-Planung von Frauen mit Behinderungen.** Berlin: Deutsches Institut für Menschenrechte, 2021, 12 pp. (Information no. 38 in easy-to-read language)

**Sexuelle und reproduktive Rechte von Frauen mit Behinderungen. Bericht der UN-Sonderberichterstatterin für die Rechte von Menschen mit Behinderungen.** Berlin: Deutsches Institut für Menschenrechte, 2021, 9 pp. (Information no. 38)

**Suerhoff, Anna / Engelmann, Claudia:** Abschiebung trotz Krankheit. Perspektiven aus der Praxis und menschenrechtliche Verpflichtungen. Berlin: Deutsches Institut für Menschenrechte, 2021, 58 pp. (Analysis)

**Versammlungs- und Vereinigungsfreiheit im Kontext von Klimaprotesten. Eingabe vom Mai 2021 an den Sonderberichterstatter der Vereinten Nationen für seinen Bericht an die 76. Sitzung der Generalversammlung.** Berlin: Deutsches Institut für Menschenrechte, 2021, 22 pp.

**Weingärtner, Dieter:** Die Evaluation von Sicherheitsgesetzen. Grund- und menschenrechtliche Anforderungen. Berlin: Deutsches Institut für Menschenrechte, 2021, 32 pp. (Analysis)

**Wie können Beschwerdeverfahren den Schutz pflegebedürftiger älterer Menschen in der Lebenswelt Pflegeheim stärken? Abschlussbericht des Forschungsprojekts „Beschwerdemechanismen in der Altenpflege“.** Berlin: Deutsches Institut für Menschenrechte, 2021, 136 pp.

**Zugang zur Justiz für Menschen mit Behinderungen. Internationale Grundsätze und Leitlinien.** Berlin: Deutsches Institut für Menschenrechte, 2021, 7 pp. (Information no. 39)

**Zwangsmaßnahmen in der Kinder- und Jugendhilfe. Eine kinderrechtliche Perspektive.** Berlin: Deutsches Institut für Menschenrechte, 2021, 9 pp. (Information no. 34)



## Statements

**Abschiebungen nach Syrien. Eine menschenrechtliche Bewertung der aktuellen Debatte.** Berlin: Deutsches Institut für Menschenrechte, 2021, 12 pp.

**Bericht zur Lebenssituation von Menschen mit Beeinträchtigungen und zum Stand der Umsetzung der UN-Behindertenrechtskonvention in Nordrhein-Westfalen (Drucksache 17/3538). Schriftliche Anhörung im Ausschuss für Gleichstellung und Frauen des Landtags NRW.** Berlin: Deutsches Institut für Menschenrechte, 2021, 11 pp.

**Bericht zur Lebenssituation von Menschen mit Beeinträchtigungen und zum Stand der Umsetzung der UN-Behindertenrechtskonvention in Nordrhein-Westfalen (Drucksache 17/3538). Schriftliche Anhörung im Ausschuss für Heimat, Kommunales, Bauen und Wohnen des Landtags NRW.** Berlin: Deutsches Institut für Menschenrechte, 2021, 11 pp.

**“Berlin inklusiv” Berliner Maßnahmenplan 2020 bis 2025 zur Umsetzung der UN-Behindertenrechtskonvention (Drucksache 18/3353).** Berlin: Deutsches Institut für Menschenrechte, 2021, 13 pp.

**Empfehlungen für die 26. UN-Klimakonferenz (COP26) in Glasgow.** Berlin: Deutsches Institut für Menschenrechte, 2021, 8 pp.

**Gesetzentwurf der Fraktionen der CDU/CSU und SPD zur Modernisierung des Personenbeförderungsrechts (BT-Drucksache 19/26175).** Berlin: Deutsches Institut für Menschenrechte, 2021, 8 pp.

**Internationale Anerkennung eines Menschenrechts auf eine sichere, saubere, gesunde und nachhaltige Umwelt.** Berlin: Deutsches Institut für Menschenrechte, 2021, 8 pp.

**International recognition of a human right to a clean, healthy and sustainable environment.** Berlin: Deutsches Institut für Menschenrechte, 2021, 8 pp.

**Kinderrechte ins Grundgesetz. Aktualisierte Stellungnahme zum Gesetzentwurf der Bundesregierung zur Änderung des Grundgesetzes zur ausdrücklichen Verankerung der Kinderrechte.** Berlin: Deutsches Institut für Menschenrechte, 2021, 13 pp.

**Menschenrechte und Klimakrise. Öffentliche Anhörung des Bundestagsausschusses für Menschenrechte und humanitäre Hilfe am 19. Mai 2021. Sachverständiger: Michael Windfuhr.** Berlin: Deutsches Institut für Menschenrechte, 2021, 21 pp.

**Stellungnahme im Rahmen der Verbändeanhörung zum Referentenentwurf des Bundesministeriums für Arbeit und Soziales. Entwurf eines Gesetzes über die unternehmerischen Sorgfaltspflichten in Lieferketten vom 28. Februar 2021.** Berlin: Deutsches Institut für Menschenrechte, 2021, 20 pp.

**Stellungnahme zu Artikel 1 Landesgleichberechtigungsgesetz (LGBG) des Senatsbeschlusses eines Gesetzes zur Umsetzung des Übereinkommens der Vereinten Nationen über die Rechte von Menschen mit Behinderungen im Land Berlin vom 08.06.2021.** Berlin: Deutsches Institut für Menschenrechte, 2021, 20 pp.

**Stellungnahme zu Artikel 2 Denkmalschutzgesetz (DSchG) des Senatsbeschlusses eines Gesetzes zur Umsetzung des Übereinkommens der Vereinten Nationen über die Rechte von Menschen mit Behinderungen im Land Berlin vom 08.06.2021.** Berlin: Deutsches Institut für Menschenrechte, 2021, 8 pp.

**Stellungnahme zum Diskussionsentwurf des Bundesministeriums der Justiz und für Verbraucherschutz. Entwurf eines Gesetzes zur Ersetzung des Begriffs „Rasse“ in Artikel 3 Absatz 3 Satz 1 des Grundgesetzes.** Berlin: Deutsches Institut für Menschenrechte, 2021, 5 pp.

**Stellungnahme zum Entwurf eines Gesetzes zum Schutz von Kindern mit Varianten der Geschlechtsentwicklung. Öffentliche Anhörung des Bundestagsausschusses für Recht und Verbraucherschutz 13. Januar 2021.** Berlin: Deutsches Institut für Menschenrechte, 2021, 10 pp.

**Stellungnahme zum Entwurf eines Gesetzes zur Änderung des Grundgesetzes (Änderung des Artikels 3 Absatz 3 – Streichung des Begriffs Rasse), BT-Drs. 19/20628, der Fraktion DIE LINKE, sowie zum Gesetzentwurf der Grünen zur Änderung des Grundgesetzes (Artikel 3 Absatz 3 – Ersetzung des Wortes Rasse und Ergänzung zum Schutz gegen gruppenbezogene Menschenwürdeverletzungen), BT-Drs. 19/24434. Öffentliche Anhörung des Ausschusses für Recht und Verbraucherschutz des Deutschen Bundestages am 21. Juni 2021.** Berlin: Deutsches Institut für Menschenrechte, 2021, 25 pp.

**Stellungnahme zum Gesetzentwurf der Bundesregierung Entwurf eines Gesetzes zur Umsetzung der Richtlinie (EU) 2019/882 des Europäischen Parlaments und des Rates über die Barrierefreiheitsanforderungen für Produkte und Dienstleistungen 19/28653.** Berlin: Deutsches Institut für Menschenrechte, 2021, 16 pp.

**Stellungnahme zum Gesetzentwurf des Bundesministeriums für Arbeit und Soziales zur Umsetzung der Richtlinie (EU) 2019/882 über die Barrierefreiheitsanforderungen für Produkte und Dienstleistungen (European Accessibility Act).** Berlin: Deutsches Institut für Menschenrechte, 2021, 17 pp.

## In partnership with other institutions

**Factsheet Regenbogen-Philanthropie 5. Deutsche Förderung von LSBTIQA+ Menschenrechtsarbeit im globalen Süden und Osten in den Jahren 2018 und 2019.** Berlin: Dreilinden gGmbH; Deutsches Institut für Menschenrechte, 2021, 1 p.

**Krennerich, Michael:** Wahlrecht von wohnungslosen Menschen. Rechtliche, organisatorische und politische Bedingungen der Wahlrechtsnutzung durch wohnungslose Menschen. Berlin: Deutsches Institut für Menschenrechte; Nürnberg: Nürnberger Menschenrechtszentrum e.V. (NMRZ), 2021, 32 pp (Analysis)

**Phan-Warnke, Lê / Freitag, Nora:** Ending live-in care workers' labour exploitation in the European Union. Lessons from Germany. Berlin: Deutsches Institut für Menschenrechte; Minor – Project Office for Education and Research, 2021, 52 pp. (Analysis) ISBN 978-3-946499-95-4

**Promising practice. The human rights-based approach (HRBA) in German development cooperation: Strengthening non-discrimination for LGBT in Uganda.** Bonn: Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ); Berlin: Deutsches Institut für Menschenrechte, 2021, 4 pp.

**Regenbogen-Philanthropie. Deutsche Förderung von LSBTIQA+ Menschenrechtsarbeit im globalen Süden und Osten.** Berlin: Dreilinden gGmbH; Deutsches Institut für Menschenrechte, 2021, 64 pp. (Regenbogen-Philanthropie 5)

**Selected Resources for human rights-based evaluation.** Berlin: Deutsches Institut für Menschenrechte; Bonn: DEval - German Institute for Development Evaluation, 2021. 9 pp.

## External publications

**Allenberg, Nele / González Méndez de Vigo, Nerea:** Kommentar: Die Europaratskonvention zur Bekämpfung des Menschenhandels. Impulse für die Unterbringung von Opfern von Menschenhandel. In: Heuser, Helene / Junghans, Jakob / Kluth, Winfried (eds.): Der Schutz vulnerabler Personen im Flucht- und Migrationsrecht. Halle an der Saale: Universitätsverlag Halle-Wittenberg, 2021, pp. 145–151

**Bernot, Sabine:** Zum Umgang mit Zwang aus menschenrechtlicher Perspektive. In: Kerbe: Forum für soziale Psychiatrie 39 (1), pp. 26–27

- Cremer, Hendrik:** Bildungsauftrag Grund- und Menschenrechte in der Polizei. Zum Umgang mit rassistischen und rechtsextremen Positionen von Parteien. In: Jahrbuch öffentliche Sicherheit 2020/21. Baden-Baden: Nomos, 2021, pp. 190–204
- Cremer, Hendrik:** Nicht neutral. Rassistische und rechtsextreme Positionen von Parteien in der politischen Bildung. In: if – Zeitschrift für Innere Führung 2021 (1), pp. 13–19
- Engelmann, Claudia:** De jure temporary, de facto permanent: Shelters for people experiencing homelessness in Germany. In: European Journal of Homelessness 15 (1), pp. 109–129
- Engelmann, Claudia / Suerhoff, Anna:** „Ein Ding der Unmöglichkeit“ – zur Schwierigkeit, Nachweise für krankheitsbedingte Abschiebungshindernisse zu erbringen. In: FluchtforschungsBlog: Netzwerk Fluchtforschung (03.11.2021). <https://blog.fluchtforschung.net/ein-ding-der-unmoeglichkeit-zur-schwierigkeit-nachweise-fur-krankheitsbedingte-abschiebungshindernisse-zu-erbringen>
- Feige, Judith / Funke, Sophie:** Mitbestimmungsrechte von Kindern am Beispiel ihres Engagements im Klimaschutz. Grundlagen der UN-Kinderrechtskonvention. In: Forum Jugendhilfe 2021 (3), pp. 46–49
- Goldenbogen, Anne / Kleinmann, Sarah:** Aktueller Antisemitismus in Deutschland. Verflechtungen, Diskurse, Befunde. Berlin: Rosa Luxemburg-Stiftung, 2021
- González Méndez de Vigo, Nerea / Berthold, Thomas:** Kein Ort für Kinder. Ergebnisse einer Studie zur Lebenssituation von minderjährigen Geflüchteten in Aufnahmeeinrichtungen. In: Nachrichtendienst des Deutschen Vereins für Öffentliche und Private Fürsorge 101 (1), pp.16-20
- Hübner, Catharina:** Versagung von Vorkehrungen kann diskriminieren. UN-Ausschuss gibt Leitlinien und Handlungsempfehlungen vor. In: Sozialrecht + Praxis 31 (1), pp. 3–13
- Kroworsch, Susann:** Ohne ein inklusives Bildungssystem keine Chancengleichheit. Rechtliche Verpflichtungen aus der UN-Behindertenrechtskonvention und Herausforderungen in der schulpraktischen Umsetzung. In: Die deutsche Schule: DDS: Zeitschrift für Erziehungswissenschaft, Bildungspolitik und pädagogische Praxis 113 (4), pp. 381–395
- Krug, Anne-Kathrin:** Rechte von Betroffenen von Menschenhandel im Strafverfahren – Eine Untersuchung zur Umsetzung der Menschenhandelsrichtlinie 2011/36/EU in Deutschland. Berlin: Bundesweiter Koordinierungskreis gegen Menschenhandel KOK e. V., 2021
- Mahler, Claudia:** Sozialpakt: 67. und 68. Tagung 2020. In: Die Vereinten Nationen 69 (5), pp. 229–230
- Offergeld, Jana:** Unterstützung oder Behinderung von Selbstbestimmung - wie erleben Menschen mit Lernschwierigkeiten und rechtlicher Betreuung ihre Situation? In: BtPrax 30 (2), pp. 48–52
- Reitz, Sandra:** Corona macht menschenrechtliche Handlungsbedarfe sichtbar. Interview. In: Außerschulische Bildung: Zeitschrift der politischen Jugend- und Erwachsenenbildung 2021 (1), pp.p. 46–48
- Reitz, Sandra:** Menschenrechte in der Pandemie: Versuchen, die Welt besser zu gestalten. Interview. In: Erziehung & Wissenschaft: E & W; Zeitschrift der Bildungsgewerkschaft GEW 2021 (3), pp. 32–33
- Reitz, Sandra / Bauer, Annett:** Partizipation ohne Grenzen? Teilhabe, Gemeinschaftsbildung und Kinderrechte. In: Betrifft Kinder: das Praxisjournal für ErzieherInnen, Eltern und GrundschullehrerInnen heute 2021 (7–8), pp. 18–21
- Suerhoff, Anna:** Migration im Jahr 2020 - aus der Perspektive des Deutschen Instituts für Menschenrechte. In: Jahrbuch des Migrationsrechts für die Bundesrepublik Deutschland 2020. Baden-Baden: Nomos, pp. 289–309

**Töpfer, Eric:** „Reisende Täter“. OK-Bekämpfung und rassistische Stigmatisierung. In: Bürgerrechte & Polizei 2021 (126), pp. 72–79

**Voß-Kyeck, Silke:** Mehr als ein Virus bedroht die Menschenrechte. In: Die Vereinten Nationen 69 (2), pp. 69–73

**Weingärtner, Dieter:** Plädoyer für eine grundrechtsorientierte Evaluation von Sicherheitsgesetzen. In: Recht und Politik 57 (3), pp. 343–351

## Videos

All audio and video content can be accessed at the Institute's YouTube channel, “Deutsches Institut für Menschenrechte”.

- Wie wirken sich Corona-Maßnahmen auf vulnerable Gruppen aus? Drei Perspektiven
- Online-Veranstaltung: Antiziganismus im Kontext von Polizei und Justiz
- May Ayim – Lesung und Gespräch
- Menschenrechte als Kompass in und aus der Covid-19-Pandemie
- Debatte: Demokratie, Rechtsstaat und gesellschaftliches Zusammenleben menschenrechtlich denken
- 20 Jahre DIMR: Grußwort von Freddy Carrión Intriago, Vorsitzender der GANHRI
- 20 Jahre DIMR: Grußwort von Michael O’Flaherty, Direktor der EU Agency for Fundamental Rights (FRA)
- 20 Jahre DIMR: Grußwort von Dr. Wolfgang Schäuble, Präsident des Deutschen Bundestages
- 20 Jahre DIMR: Grußwort von Dunja Mijatović, Menschenrechtskommissarin des Europarates



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The current list of Board Members may be found on our website.  
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# Service

# Library

The Institute's specialist Library provides printed and electronic literature on human rights. Its collections of materials on human rights education, the UN Convention on the Rights of Persons with Disabilities and the Convention on the Rights of the Child are unique in Germany. The Library holds events and provides training on academic research online.

Under the Institute's Covid protection plan, the Library remained closed to external users from January to July 2021. Inquiries were answered by phone or e-mail. Since August 2021, external users have once again been able to access the library by appointment. A copying service is also available for items held in the Institute Library, within the framework of copyright provisions.

## Holdings

At the end of 2021, there were some 46,750 records on human rights topics in the Library's online catalogue and German union catalogues. The Library houses 13,000 books and e-books, and users of its facilities can access national and international human rights journals in print and electronically.

The Library is a member of free and low-cost national and alliance lists, giving users access to numerous other electronic journals. The Library's holdings also include a collection of 330 publications in language adapted for people with learning difficulties or with German as an additional language.

## Deutschland im Menschenrechtsschutzsystem [Germany in the Human Rights Protection System] database

The Library's Deutschland im Menschenrechtsschutzsystem database, which can be accessed via the Institute's new website, holds the texts of key human rights treaties along with documents about international human rights bodies' reporting processes on Germany. The database can be accessed free of charge and additional documents are added on an ongoing basis.

## Open access to Institute publications

The library regularly uploads the Institute's own publications to the SSOAR, the open access repository maintained by GESIS – Leibniz Institute for the Social Sciences. The library provides metadata for these uploads. According to SSOAR statistics, Institute publications were downloaded 47,772 times in 2021, around 6,700 more than in the previous year. Since 2020, educational materials produced by the Institute have also been available via the peDOCS service run by DIPF | Leibniz Institute for Research and Information in Education. These materials were downloaded 818 times in 2021.

## Accessibility

A parking space in front of the building is available for visitors with disabilities. There are no thresholds at points of access to the Institute and the lift is wheelchair-accessible. The door on the 7th floor opens automatically. The Library offers a working space for people with severe disabilities. A wheelchair-accessible toilet is located immediately adjacent to the Institute. We will be happy to provide as much extra support as we can.

## Opening hours

Monday – Friday, 10 a.m. to 4 p.m.

The Library is open to users by appointment. Please observe the latest information and rules regarding infection prevention: [www.institut-fuer-menschenrechte.de/bibliothek/nutzung-der-bibliothek](http://www.institut-fuer-menschenrechte.de/bibliothek/nutzung-der-bibliothek).

We will be happy to help with your research via email ([bib-info@dimr.de](mailto:bib-info@dimr.de)) or phone (030 259 359 -10). We can supply copies of articles and book chapters where these exist in our collections only. This service is available by request and on a limited basis.

# Educational materials

The Institute provides educational materials on a range of issues for different age groups and educational contexts. The Institute develops these materials in-house or in partnership with other stakeholders. These materials contain core knowledge about human rights in general or explain individual rights. The materials also encourage processes of reflection and provide methods for engaging more deeply with individual topics.

## Human rights education in schools and non-school contexts

### **Compasito**

Compasito is a handbook for human rights education with children aged 6 to 14. It builds on the philosophy and pedagogical approaches of Kompass. It is the first German-language human rights education handbook for primary school-aged children. The print version of the second edition in German is now out of stock. A third, updated English-language edition of Compasito has been available since 2021.

### **Kompass**

Online and print handbook for human rights education in schools and non-school contexts. Kompass includes 57 exercises to familiarise users with a range of human rights issues, encouraging their implementation in educational practice. By providing background information on selected issues, Kompass makes it possible for users to prepare educational activities and workshops in a well-informed way.

### **The Human Rights Yardstick – Reinforcing education practice on the topics of flight, asylum and racist discrimination**

This 108-page publication is aimed at all people, groups and institutions working in educational contexts around human rights, refugees, asylum and / or racist discrimination.

### **Human Rights – Materials for educational work with young people and adults**

Educational materials for educational activities in schools and non-school contexts. For use with those aged 15 and over. The materials consist of teaching notes on human rights education and six modules on the following topics: protection against discrimination, accessing justice, disability and inclusion, children's rights and participation, and refugees and asylum.

### **“Inclusion as a human right” online handbook**

Supported by the EVZ Foundation, the Institute provides a website with information, games and teaching materials on topics around inclusion, disability and human rights.

### **Reckahner Reflections**

At the heart of the Reckahner Reflections is a voluntary commitment consisting of ten guidelines which provide ethical guidance for day-to-day use in schools, early-years education and socio-pedagogical settings. The Reckahner Reflections are aimed at all teachers, regardless of stage, institutional context, school type and educational philosophy.

### **What are human rights?**

Thirty questions and answers linked to the question of “What are human rights?”

You can find all educational materials produced by our Human Rights Education department at Educational Materials | [institut-fuer-menschenrechte.de](http://institut-fuer-menschenrechte.de)

## Registering births

### **The right to a birth certificate**

This website consolidates all kinds of useful knowledge about registering births and how to apply the relevant laws in a child-friendly way. Civil servants and social workers can find answers to practical questions in a quick and uncomplicated way. The website also provides background information and references to publications.

## Research materials for legal practice

Human rights play a fundamental role in the German legal system and in the courts. The following materials are focused on the application of ordinary law in the light of human rights.

### **Social Law**

Equal treatment and the UN Convention on the Rights of Persons with Disabilities in the practice of social law: This handbook draws on examples to explore how the CRPD can be applied in legal practice of social law, and provides practical tips on how this can be achieved (last updated 2014).

Human rights in practice in social welfare courts: This collection of materials includes fundamentals on selected rights under the CRPD and on the application of the CRPD in German social law. It also lists important UN documents relating to the CRPD and decisions from European and German courts. It is intended as a reference resource for all legal practitioners (last updated 2018).

### **Guardianship law**

Materials collected from multiplier training as part of the “Human rights in practice in guardianship law: the UN Convention on the Rights of Persons with Disabilities” project: Materials on selected rights from the CRPD that are important for guardianship law, along with brochures and information to help make informed decisions. The documents are intended for wide distribution, such as at workshops or training sessions.

## Racism and human rights – strengthening criminal justice

**Identifying and dealing with racist offences** – a reader for criminal justice practitioners

The “Racism and human rights – strengthening criminal justice” project (2017 – 2018) developed and tested a range of training services for criminal justice practitioners. It aimed to support the recognition and effective prosecution, while also promoting the appropriate treatment of victims of such offences. The Reader is aimed at interested persons working in the justice system. It provides background reports on individual topics drawn from the training, along with specific encouragement on how to act in day-to-day practice.

### **Racism and human rights – training materials for criminal justice**

This collection of materials provides background texts on the topic of racism and criminal justice. It is aimed at interested readers from the judicial system. It aims to support advisers and multipliers with designing and implementing their own measures tailored to the needs of participants in provision aimed at increasing qualifications and raising awareness within the criminal justice system. Advisers working in the justice system will benefit from the materials, as well as diversity and anti-bias trainers.

## Accessibility in Libraries: making everything inclusive

Libraries play a major role in social cohesion. The services they provide should be equally accessible – including for people with disabilities. Since 2021 the Institute Library has worked with the German Centre for Accessible Reading and the commission for customer-oriented and inclusive services at the German Library Association to provide an online series entitled “Accessibility in Libraries: making everything inclusive”. Over a series of one-hour webinars, advisers discussed the fundamentals of accessibility and concrete ways of making it a reality. The materials from these seminars are available on our website.

### **Accessibility – Legal guidelines and requirements**

The Institute’s National CRPD Monitoring Mechanism introduces readers to the legal basis for accessibility and the requirements for libraries that arise from it. It covers the right to accessing information, education and cultural participation, physical accessibility, providing accessible media, designing inclusive services, and accessible events.



**From the front door to the book and back again – thinking inclusively about access and facilities in my library!** An inclusive design agency share their experience with designing and redesigning accessible libraries. They present topics such as inclusive service counters and signposting systems, along with accessible shelf labelling.

#### **Accessible documents – requirements and implementation**

Two members of the Saxony Monitoring Office for Accessibility in IT and the Competence Centre for Accessible Information and Communication Services share tips on how to create accessible documents.

#### **Don't overlook us or leave us out – the Neuss City Library in concrete**

This real-life example shows how various stakeholders can work together to improve accessibility not just in buildings and services, but also in people's minds and city society as a whole.

#### **Reading Differently – providing easy-to-read language and adaptations for those with learning difficulties**

A member of staff from Lebenshilfe Berlin reports on how to break down language barriers to accessing libraries and literature.

#### **A disability-friendly university library - UB Marburg**

When the new university library at the University of Marburg was constructed in 2018, it implemented all the accessibility measures which were standard at the time, with a particular focus on blind and visually-impaired students. Other points concerned the accessibility of services and technology.

#### **Discrimination-aware language in libraries**

Over a series of three webinars, experts from the Social Heroes Project, the Eine Welt der Vielfalt network and the former head of the gender library at HU Berlin discuss "Language and visual language about disabilities", "Racism-critical language" and "Gender-sensitive language". All three events were translated live by a sign-language interpreter.

#### **Building and redesigning libraries inclusively**

The Munich city libraries report about building a new inclusive library. The Hamburg libraries are making their existing spaces and services accessible.

#### **Diversity and anti-discrimination: How the law can contribute to "libraries for all"**

How does the anti-discrimination law protect against discrimination, including in and through libraries? An expert from the Federal Anti-Discrimination Agency provides answers.

#### **Accessible events in libraries**

An advisor on inclusive and sustainable events shares information on accessible events and provides specific practical tips.

#### **Accessible websites**

What makes digital accessibility different? A member of the National Monitoring Mechanism for the UN Convention on the Rights of Persons with Disabilities shares her experiences as the monitoring body for Saarland. She explains how to break down barriers or even to avoid them from the outset.

This series is documented at [www.institut-fuer-menschenrechte.de/bibliothek/inklusive-bibliotheken/veranstaltungsreihe](http://www.institut-fuer-menschenrechte.de/bibliothek/inklusive-bibliotheken/veranstaltungsreihe). The series is being continued in response to high levels of interest.

# Websites, social media, databases

## Websites

- The Institute website: [www.institut-fuer-menschenrechte.de](http://www.institut-fuer-menschenrechte.de)
- “Human Rights Education” online handbook: [www.kompass-menschenrechte.de](http://www.kompass-menschenrechte.de)
- Overview of children's rights implementation: <https://landkarte-kinderrechte.de>
- The right to a birth certificate: [www.recht-auf-geburtsurkunde.de](http://www.recht-auf-geburtsurkunde.de)
- “Inclusion as a human right” online handbook: [www.inklusion-als-menschenrecht.de](http://www.inklusion-als-menschenrecht.de)
- Text in easy-to-read language: [www.institut-fuer-menschenrechte.de/leichte-sprache](http://www.institut-fuer-menschenrechte.de/leichte-sprache)
- UN Convention on the Rights of the Child platform: <https://kinderrechtcommentare.de>

## Social media

- Twitter: @DIMR\_Berlin; @DIMR\_Bibliothek
- YouTube: Deutsches Institut für Menschenrechte
- LinkedIn: Deutsches Institut für Menschenrechte

## Databases

Through our databases you can carry out targeted research on human rights documents and questions.

### **Deutschland im Menschenrechtsschutzsystem**

Through the “Germany in the Human Rights Protection System” database you can access the texts of key human rights agreements and documents on recent reporting processes on Germany for international human rights committees. Additional documents are added to the database on an ongoing basis.

### **ius menschenrechte**

The “ius menschenrechte” jurisprudence database contains selected decisions by international panels such as UN technical committees, the European Court of Human Rights (ECHR) and the Court of Justice of the European Union (CJEU), along with selected decisions relevant to human rights from national courts.

### **Menschenrechte und Behinderungen**

Our “Human Rights and Disabilities” database provides key international law documents from the UN on the rights of persons with disabilities. The structure follows the Convention on the Rights of Persons with Disabilities.

You can find a current list of our databases at

[www.institut-fuer-menschenrechte.de/menschenrechtsschutz/datenbanken](http://www.institut-fuer-menschenrechte.de/menschenrechtsschutz/datenbanken).



# NO ROOM – Encounters with unhoused persons

## Sven, 53



“The situation is absurd. The slogan says 'stay at home', so naturally you ask yourself, what is that – a home? When you get handed your bags at 7.30 a.m. you're at the mercy of the streets of Berlin. My home over the past few days has been the Grunewald forest. There at least I had peace and quiet, as the conditions in the city are like something by George Orwell. Nothing but police cars and closed-up shops. You hear about the economy collapsing and it's just a nightmare. You feel it on the trams and metro trains – this fear, and it spreads.”

Sven has been homeless since June 2018. **“We lived in a shared flat and the landlord said they needed it for themselves”**

Emergency accommodation/Am Containerbahnhof  
Berlin/Friedrichshain April 2020 (1st Covid-19 lockdown)

[www.street-life-berlin.com/sven](http://www.street-life-berlin.com/sven)

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## Madlen

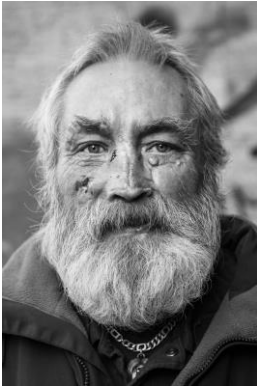


Madlen has been living on the streets for three years. **“I'm looking for a place to live. Can you help me? I'd really like to talk to the government about it. Can you tell them I want to talk to them?”**

TagesTreff, Berlin/Lichtenberg  
November 2020 (2nd Covid-19 lockdown)

[www.street-life-berlin.com/madlen](http://www.street-life-berlin.com/madlen)

## Dieter



**“I’ve been living on the streets since 1982. I had a job and a flat for a while but I lost it all again because of drink.”**

Bahnhof Zoo, Berlin/Tiergarten

Dezember 2016

[www.street-life-berlin.com/](http://www.street-life-berlin.com/)

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## Romana, 32



**“Being a woman alone in a wheelchair on the streets is shit.”**

Romana has used a wheelchair ever since an accident over 10 years ago. She has lived on the streets for four years.

TagesTreff, Berlin/Lichtenberg

September 2020

[www.street-life-berlin.com/romana](http://www.street-life-berlin.com/romana)

## Bruno



**“I’d really like a flat.”**

“I can’t read. I was born in this neighbourhood, but I’ve slipped down. Fucking booze! I’ve been on the streets for years. It’s a miracle that I’m still alive. That’s thanks to him up there. I sleep outside the church. It’s got a roof and I’ve got a star. It’s always up there in the sky. I close my eyes and when I wake up, it’s always there. The stars move, don’t they, but my star stays where it is.”

S-Bahn-Station Wollankstrasse, Berlin/Wedding

November 2017

[www.street-life-berlin.com/bruno](http://www.street-life-berlin.com/bruno)

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## Thomas, 30



**“The problem is I’ve got nowhere I can take a shower.** Many institutions have closed down and I can’t get clean clothes anymore. I’ve never been as filthy as I am now. I really don’t like being like this. I get on a train and people move away.” Thomas is sitting outside the branch of a bank in Prenzlauer Berg. The money he makes by begging has halved. “But the guy who owns the kiosk over there, he’s really cool. I can buy food to warm up. He even lends me money when I’m in trouble and puts my drinks on a tab.”

Berlin/Prenzlauer Berg

April 2020 (1st Covid-19 lockdown)

[www.street-life-berlin.com/thomas](http://www.street-life-berlin.com/thomas)

## Sabrina, 28



Sabrina's dogs are called Sky and Susie. Now that many day centres have shut their doors, she usually spends the colder days in the underground station. **"I often don't know where to go ... We have to stay outside, don't we? Everyone else gets to stay in a flat."** Sometimes she sleeps in the emergency shelter by the container yard, "but we have to leave in the morning. I'd like to stay here," she says.

Emergency accommodation/Am Containerbahnhof, Berlin/Friedrichshain

April 2020 (1st Covid-19 lockdown)

[www.street-life-berlin.com/sabrina](http://www.street-life-berlin.com/sabrina)

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## Florine, 51



**"Good life to my family in Romania."** "I have a son – I wish him and my mother and the rest of my family in Romania a good life."

Ostbahnhof, Berlin/Friedrichshain

November 2018

[www.street-life-berlin.com/florine](http://www.street-life-berlin.com/florine)

## Monika, 67



Monika has been homeless for a year. “I used to live in a flat near Rummelsburger Bucht. **Now I sleep here some nights, sometimes elsewhere – often in the metro trains**, sometimes I stay with my uncle. My parents are sleeping forever now – in the cemetery.”

TagesTreff · Berlin/Lichtenberg  
November 2020 (2nd Covid-19 lockdown)  
[www.street-life-berlin.com/monika](http://www.street-life-berlin.com/monika)

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## Matze



Off and on, Matze has been on the streets for over ten years. He had a place in supported housing for a time, but he said he was thrown out because of a punch-up. Matze used to be a heroin addict, but he managed to kick the habit. But instead he started drinking. He says: **“My dealer’s name is Netto.”**

A few weeks later he says he has found another place in supported housing. He goes there for three or four days, and the rest of the time he sleeps in his tent under a bridge. “No, no – I’m keeping my tent in case I get thrown out again. Otherwise I’ve got nowhere to sleep.”

Oberbaumbrücke, Berlin/Friedrichshain  
April 2017  
[www.street-life-berlin.com/matze](http://www.street-life-berlin.com/matze)



## Elli\*, 62



**“I couldn’t give a shit about Covid”**, says Elli. She has been living on the streets for several years. “I’ve got to look after my own life. I’m looking for a place to live.”

To protect Elli, we have changed her name. Her real name is known to the photographer.

Suppenküche Franziskanerkloster, Berlin/Pankow

April 2020 (1st Covid-19 lockdown)

[www.street-life-berlin.com/elli](http://www.street-life-berlin.com/elli)

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## Tarek



Tarek came to Germany from Poland to find work. He worked in construction for a few months. One day he was so tired he fell asleep on the train on the way home from work. When he woke up, his rucksack and all his papers were gone – stolen.

**“No ID, no job. No job, nowhere to live”**. Now he lives on the streets.

Schönhauser Allee, Berlin/Prenzlauer Berg

January 2017

[www.street-life-berlin.com/tarek](http://www.street-life-berlin.com/tarek)

## Marlis



Marlis has been homeless since 2015. **“Once upon a time I was the beauty queen of Hohenschönhausen.”** In 1972 I won second prize in Miss Hohenschönhausen at a bar. I don't look like I used to. When you get ugly, you feel ashamed of yourself. I won't find a husband now, no – I won't find a husband now, will I? ... Or do men get more interested in inner values as they grow older?”

TagesTreff, Berlin/Lichtenberg  
September 2020

[www.street-life-berlin.com/marlis](http://www.street-life-berlin.com/marlis)

## Samed, 35



“I know about Covid from when I was inside, from when I was in prison. It was really bad there. Due to Covid there were only a few staff. We were locked down the whole time. I've been living on the streets since 2012 except for a few times when I was sent down for driving without a licence. ... **I can't stand this anymore.**

No flat, nowhere to live. ... I trained as a scaffolder and roofer, but due to Covid you can now only get work occasionally. There was none today and there probably won't be any tomorrow. ... If I could make one wish, I would wish to go back to my parents. There's been trouble between me and my dad for years. I can't go home.”

Emergency accommodation/Am Containerbahnhof, Berlin/Friedrichshain  
November 2020 (2nd Covid-19 lockdown)

[www.street-life-berlin.com/samed](http://www.street-life-berlin.com/samed)

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