



Religion

Population

Area

- Christians : **67.5%**
- Agnostics : **24.0%**
- Muslims : **5.4%**
- Atheists : **2.6%**
- Others : **0.5%**

80,682,000

357,376 Km²

Legal framework on freedom of religion and actual application

The Basic Law (Germany's constitution) provides for equality before the law and guarantees that no one may be disadvantaged or favoured on the grounds of faith or religious opinion.^[1] Article four of the Basic Law protects freedom of faith and of conscience, as well as the freedom to profess a creed and practise religion and the right to conscientious objection to military service.^[2]

The Basic Law prohibits a state Church. Religious groups may organise themselves freely and are not required to register with the government. However, to qualify for tax-exempt status, religious groups must register as non-profit associations.^[3] Religious societies may apply to organise themselves as public law corporations (Körperschaften, PLC) and, if granted this status, may levy Church taxes and appoint prison, military, and hospital chaplains.^[4] According to the Basic Law, the decision to grant PLC status is made at the state level and is based on factors including the group's size, activities, and respect for the constitutional order and fundamental rights.

An estimated 180 religious groups enjoy PLC status.^[5] No state has given the Church of Scientology (COS) PLC or non-profit status. Scientologists have also been blocked from public employment through the use of "sect filters"^[6] Few Muslim groups have PLC status.^[7] The Federal Office for the Protection of the Constitution (Bundesamt für Verfassungsschutz, BfV) and some State Offices (Landesbehörde für Verfassungsschutz, LfV) monitor the activities of the COS, as well as a number of Muslim groups, which they suspect of furthering extremist goals.^[8]

In February 2017, after more than 450 police officers conducted 24 raids, authorities shut down the Fussilet 33 mosque in Berlin as a result of its radicalisation and terrorist fundraising activities. Anis Amri, who committed a terrorist attack against a Berlin Christmas market in December 2016, had been a frequent visitor to the mosque.^[9]

In August 2016 the government of North-Rhine Westphalia (NRW) suspended PLC status negotiations with four Islamic organisations, including the Turkish-Islamic Union for Religious Affairs (Diyamet ??leri Türk-?slam Birli?i, DITIB) and the Central Council of Muslims in Germany (Zentralrat der Muslime in Deutschland, ZMD) due to concerns about DITIB's ties to Turkey.^[10] In 2017, the NRW Integration Minister announced that if DITIB broke ties with Turkey, it could join with the Liberal Islamic Federation (Liberal-Islamischer Bund) and others to advise on expanding Islamic religious instruction in the state.^[11]

The Federal Constitutional Court ruled in November 2017 that blanket headscarf bans for teachers at public schools are a violation of religious freedom but held that states could decide whether circumstances warranted a ban. The State of North-Rhine Westphalia changed its laws to permit it, whereas in Bavaria and Saarland decisions are taken on a case-by-case basis.^[12] In April 2017 the Bundestag approved a partial ban on the full-face Islamic veil known as the burka.^[13] Civil servants and soldiers are prohibited from wearing burkas at work and all people must show their faces during identity checks.^[14]

Home schooling, including for religious reasons, is not permitted.^[15] A Christian family took its case against Germany to the European Court of Human Rights in 2017 (process still open) after authorities took the children into temporary custody and imposed penalties on their parents for home schooling in 2013.^[16]

Religious instruction (or ethics courses for those who opt-out of religious education) in public schools is available in all states. Religious groups are permitted to establish private schools, provided they meet state curriculum requirements.^[17]

Laws among states differ regarding halal and kosher ritual slaughter practices and circumcision of males. Federal law permits religious groups to appoint trained individuals to circumcise males younger than six months old. Circumcision of boys older than six months must be performed in a “medically professional manner” without unnecessary pain.^[18]

In 2017, members of the Alternative for Germany party (Alternative für Deutschland, AfD) made public comments that denounced a Holocaust Memorial as a “monument of shame” and claimed that “Islam is a construct that neither knows nor respects religious freedom”.^[19] After the AfD entered the Bundestag for the first time in the September 2017 elections, both Muslim and Jewish groups expressed fears about increasing right-wing extremism.^[20]

On 1st October 2017, the Network Enforcement Act (NetzDG) went into effect. The legislation requires any internet platform with more than 2 million users (including Facebook, Twitter, Google, YouTube, and others) to delete or block “clearly illegal content”, including religiously motivated hate speech, or face fines of up to 50 million euros.^[21]

Incidents

Official figures for hate crimes with an anti-Christian or anti-Muslim bias were not available for 2016, as they were recorded under the broader category of “bias against religion”.^[22] In January 2017, police added the categories of anti-Christian and anti-Muslim hate crimes.^[23]

The Federal Criminal Police Office (Bundeskriminalamt, BKA) reported 129 anti-Christian hate crimes in 2017, 34 of which were violent. The majority of these were motivated by “religious ideology”.^[24] The OSCE 2016 hate crime report's civil society contribution of data included 40 anti-Christian incidents.^[25]

In 2016, the NGO Open Doors published two surveys among Christian refugees. The second, conducted in October 2016, expanded the data collected in its May 2016 survey of 231 refugees. According to Open Doors, as many as 40,000 Christian refugees had been harassed, insulted, and attacked in asylum centres.^[26] Calling its results from the combined surveys the “tip of the iceberg”, it reported that 743 Christian refugees had been the victims of religiously motivated violent crimes and bullying between January and September 2016. Most respondents reported more than one incident. Respondents reported fellow Muslim refugees were responsible in 91 percent of the incidents.^[27] According to the BKA, attacks in refugee shelters decreased in 2017 to pre-2015 numbers.^[28]

In August 2016, 14 young Christian Iranians fled their accommodations after being threatened with death for months by a group of Muslims living there. The Christians described the situation as similar to the one they fled in Iran.^[29]

In December 2016, a Tunisian man stole a truck and drove it into a crowded Berlin Christmas market, killing 12 and injuring 50 people. He had pledged allegiance to Daesh (ISIS) and encouraged others to kill “crusader pigs”. Daesh rhetorically uses the term “Crusaders” to refer to Christians.^[30]

A Christian Afghan refugee was badly beaten and threatened with a knife outside his home near Frankfurt in August 2016 by four Muslim Afghans shouting “Allahu Akbar”. This was the third time he had been attacked.^[31] Also in August 2016, a Christian asylum seeker was attacked in Berlin after being identified as Christian.^[32] In July 2017, a man was attacked on a Berlin tram for wearing a cross necklace^[33] and in September 2017 an Afghan man wearing a cross necklace was beaten by men who asked why he had become a Christian.^[34]

In January 2017, a self-proclaimed “anti-theist” was sentenced to life in prison for the August 2016 religiously motivated murder of his Christian flatmate. Three days before the crime, the man had written a text saying he was sorry he could not kill more Christians.^[35]

In April 2017, a Muslim Afghan asylum seeker murdered a woman, an Afghan Christian convert, in front of her children. The court called it a religiously motivated crime and sentenced him to life in prison in 2018.^[36]

One person died after a radicalised refugee attacked people with a knife in a supermarket in Hamburg-Barmbek in July 2017. The attacker said his goal was to “kill Christians and young people” and die as a martyr!^[37]

Vandalism of churches and public Christian symbols included the destruction with an axe of four summit crosses in the Bavarian Alps over a three-month period in 2016;^[38] the attack against more than 60 Christian statues in the Münsterland region from October 2016 to April 2017;^[39] and arson in churches causing damage worth several million euros.^[40]

According to the BKA, anti-Semitic offences in 2017 increased slightly compared to 2016, from 1,468 (34 violent) to 1,504 (37 violent). The vast majority of them were attributed to right-wing prejudice (94 percent).^[41] In the OSCE’s 2016 hate crime report, police counted 185 anti-Semitic hate crimes, including 28 physical assaults and two murders. Civil society groups reported 136 incidents, including 37 violent attacks against people in 2016.^[42]

In April 2017 the Independent Experts Group on Anti-Semitism (Unabhängiger Expertenkreis Antisemitismus, UEA), set up by the Bundestag, presented its report. It noted with concern anti-Semitism by Muslims, particularly refugees and migrants, as well as far-right extremists. The UEA pointed to the spread of hate speech and anti-Semitic agitation on social media and said that Jews “are also increasingly concerned for their safety due to everyday experiences of antisemitism. Such incidents often are not considered to be criminal offenses; they are seldom reported, or law enforcement authorities do not even consider them to be antisemitic (sic)”^[43]

Examples of physical attacks against people include a June 2016 assault against a Jewish man by a group shouting anti-Semitic insults. An Israeli tourist and his daughter were threatened and assaulted by a group in August 2016. An Israeli citizen was punched in the face after revealing his nationality in October 2016.^[44]

On 9th November 2016, the 78th anniversary of the anti-Jewish pogrom known as Kristallnacht, a neo-Nazi group posted

a map on Facebook entitled “Jews Among Us” with the names and addresses of 70 Jewish-owned businesses, including kindergartens. Two weeks later, after pressure from German lawmakers, Facebook deleted the image, as well as the page of the group that had published it.^[45]

Media widely reported in March 2017 the story of a Jewish couple in Berlin who removed their son from a public high school after four months of anti-Semitic harassment and physical violence mainly by Arab or Turkish classmates. The Jewish High School in Berlin receives between six and 10 applications a year from parents whose children have been harassed at other schools.^[46]

In December 2017 following protests over the US decision to recognise Jerusalem as the capital of Israel, Jewish representatives expressed concerns about security around synagogues and Jewish schools. In some incidents, protesters burnt Israeli flags, displayed Hamas symbols and chanted anti-Semitic slogans. Chancellor Merkel told the press that she condemned “this violation of fundamental principles of the rule of law” and opposed “any form of anti-Semitism”.^[47]

After an April 2018 attack in Berlin on two young men wearing Jewish skullcaps by a Syrian refugee,^[48] Chancellor Merkel said “another form of anti-Semitism” had been brought into Germany by Arab refugees and that she was “dismayed” that Jewish schools and synagogues required police protection.^[49]

Examples of damage to property include a Stolperstein stone^[50] that was intentionally damaged in 2016; a Holocaust memorial vandalised multiple times in 2016; the word “Jew” painted on a Jewish family’s apartment door;^[51] and several Jewish gravesites and cemeteries vandalised in 2017.^[52]

The BKA also reported 1,075 anti-Muslim hate crimes in 2017, 56 of which were violent. The majority of these were attributed to right-wing bias.^[53] Civil society groups reported 31 such incidents to the OSCE in 2016, including 14 violent attacks against people.^[54]

The PEGIDA movement (Patriotische Europäer gegen die Islamisierung des Abendlandes or Patriotic Europeans against the Islamisation of the West) and similar groups continued to organise weekly demonstrations in Dresden in 2016 and 2017 and supporters regularly expressed anti-Muslim sentiments during the rallies. The number of participants declined significantly from 2015 but remained constant at about 1,500 to 2,000 protesters per rally in 2017.^[55]

According to a survey by the EU Agency for Fundamental Rights in September 2017, discrimination against Muslims in Germany has both a religious and racial component. Of the Turkish Muslims surveyed, 18 percent reported experiencing discrimination over the previous 12 months compared to 50 percent of Muslims from sub-Saharan Africa.^[56]

In September 2016, a study found that in order to gain employment, women who wear headscarves must apply four times more often than other women.^[57] According to the European Network against Racism, women who wear headscarves reported discrimination during the job application process, partly because German employers often ask applicants to attach a photo to their CVs.^[58]

Incidents involving Muslim women include a June 2016 attack on a teenage girl who “was subjected to racist insults and had her headscarf ripped off”. In July 2016, a woman “was subjected to anti-Muslim slurs and punched in the face”^[59] On three occasions in April 2018, a bus driver in Lower Saxony refused to let a pregnant woman wearing a full-face veil onto his bus.^[60]

On 26th September 2016, a bomb exploded at a Dresden mosque while the imam and his wife and sons were inside the building. There were no reported injuries. As a result, security was increased around other Muslim sites.^[61] In December 2016, a 29-year-old man who had reportedly previously spoken at a PEGIDA rally about “criminal foreigners” and “lazy Africans” was charged with the attack.^[62] As of the end of June 2018, his trial was still underway.^[63]

Prospects for freedom of religion

It appears that there were few significant new or increased governmental restrictions on religious freedom during the period under review. However, if certain anti-migrant political parties continue to gain popularity, there may be greater risk of legislative proposals further restricting religious freedom for minority religions, particularly Muslims. Additionally, there is an increased risk of societal intolerance against both majority and minority religions, some of which may be a backlash to global terrorism or existing geopolitical conflicts attributed to religious groups, as well as sentiments raised by radical secularist trends in Germany.

Endnotes / Sources

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