



International Convention on the Elimination of All Forms of Racial Discrimination

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Summary record of the 3028th meeting

Held at the Palais Wilson, Geneva, on Friday, 24 November 2023, at 10 a.m.

Chair: Ms. Shepherd

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The meeting was called to order at 10 a.m.

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention *(continued)*

Combined twenty-third to twenty-sixth periodic reports of Germany (continued)
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1. *At the invitation of the Chair, the delegation of Germany joined the meeting.*
2. **Mr. Yeung Sik Yuen** (Country Rapporteur) said that he would be interested to know whether the State party continued to participate in the “No Hate Speech” movement of the Council of Europe, whether it continued to pursue efforts to strengthen activism to counter online hate, and whether those efforts had been evaluated. He would appreciate examples of action taken by the “jugendschutz.net” civil society organization against websites used by extremists to influence young persons, and clarification as to whether the operators of those websites were investigated and prosecuted and the websites closed down. It would be good to have examples of fines imposed on social media companies under the Network Enforcement Act for failing to clamp down on hate speech and other illegal content, and to know whether those fines were subject to judicial review. He would be interested to know what proportion of offensive content was deleted by the main social media companies and to have an overall assessment of the success of the Network Enforcement Act in combating hate crime and other illegal content on social media.
3. The Committee would be interested to know whether a criminal investigation had been opened into the incident in Plauen, Saxony, in which a house occupied by Roma persons had caught fire and some of the neighbours had allegedly shouted “let them burn”, made Nazi salutes and attempted to prevent the police and firefighters from saving the persons inside, many of whom had been injured. Similarly, he would like to know whether prosecutions had been brought against the perpetrators of attacks on asylum-seekers, including bomb attacks on shelters committed by right-wing terrorists.
4. It would be interesting to know whether the operators of the banned “Altermedia Deutschland” neo-Nazi Internet platform, who had been charged with forming a criminal organization, had been convicted and, if so, what sentences they had received. He would also like to know which criminal law provisions declared illegal and prohibited organizations and propaganda activities that promoted and incited racial discrimination. He wondered which laws provided for the criminal liability of organizations that promoted hate speech and incited racial hatred.
5. It would be interesting to know how the decision of the Federal Constitutional Court not to ban the right-wing extremist National Democratic Party had been received in the legislative and legal spheres and whether the Court had reached a decision on a motion to prevent that party from receiving public funding. Noting that another right-wing extremist party, Alternative for Germany, had been excluded from elections to the parliaments of Bremen and Schleswig-Holstein, he wished to know the reasons for its exclusion and whether the federal Government intended to seek the prohibition of Alternative for Germany under article 21 of the Basic Law.
6. Furthermore, he would like to know whether the main defendant in the case of the racist murders committed by the National Socialist Underground group, who had been sentenced to life imprisonment, would serve a whole-life term; whether a third committee of inquiry into that case would be established, given that many years had elapsed since the crimes had been committed; and what had been the rationale for establishing committees of inquiry at the *Land* level.
7. **Ms. Chung** (Country Task Force) said that the Committee would welcome information on measures adopted to address racial discrimination against people of African descent, particularly in the areas of education, housing and employment, and to implement the recommendations issued by the Working Group of Experts on People of African Descent following its visit to Germany in 2017. It would also appreciate further information on the racial abuse and violence experienced by Karamba Diaby, a Member of Parliament of African descent, and on the steps taken to address such abuse. She would like to know how the

Government responded to calls from civil society for a parliamentary commission and action plans on anti-black racism. She wondered whether the State party acknowledged the impact of its past colonialism on current discrimination and structures of racial inequality.

8. Furthermore, it would be useful to know whether campaigns or education programmes existed to combat anti-Muslim sentiment; what steps had been taken to combat institutional racism against Muslims, including police violence and racial profiling; and how the Government prevented violence against Muslims more generally. Information on the legal provisions in force in Berlin that prevented female legal trainees who wore headscarves from sitting on the bench during court hearings, and on steps to amend those provisions, would be welcome. The Committee would be interested to know what had been the outcomes of the Independent Panel on Antisemitism established in 2015 and what measures could be adopted to promote and protect the human rights of the Jewish community more effectively. She also wished to know what measures were in place to address discrimination against persons of Asian and Slavic descent.

9. She would appreciate more information on measures to combat anti-Gypsyism, on the State party's reported failure to develop a specific strategy or action plan for Sinti and Roma communities and on measures to promote the inclusion of Roma and Sinti persons whose communities had been present in the State party for centuries, as opposed to persons who had arrived recently. Details of the steps taken to prevent homelessness among Roma in the Friedrichshain area of Berlin, and examples of good practices employed by civil society and Roma organizations to assist Sinti and Roma persons, would be welcome. She also wished to know how the Government could atone for the fact that the murder of hundreds of thousands of Sinti and Roma persons by the Nazis had gone largely unpunished and whether it planned to establish a remembrance committee.

10. The Committee would appreciate specific information on the situation of migrant workers, including whether statistics on them were gathered systematically and how their human rights were protected. She wished to know more about the planned policy to increase the number of work visas granted to persons from the Western Balkans, including plans to integrate them into German society. The Committee would be glad to receive statistics on the number of undocumented workers in the State party, disaggregated by nationality, gender and sector of employment. She particularly wished to know whether undocumented workers could register their children's births without fear of deportation. Information on the intersectional discrimination experienced by female migrant workers, and on the steps taken to eliminate intersectional discrimination more generally, would be welcome.

11. **Ms. Stavrinaki** (Country Task Force) said that she would be grateful for an update on the State party's efforts to implement the Committee's previous recommendations to repeal legislation that compelled asylum-seekers and persons whose deportation had been temporarily suspended to live in shared accommodation facilities, and to ensure that asylum-seekers could enjoy their rights to education and health care without restriction. She also wished to know how many asylum-seekers and "tolerated" migrants lived in shared accommodation facilities, how long they remained in those facilities and whether their living conditions there were assessed. She would welcome information on how the Government had responded to the 2022 ruling of the Federal Constitutional Court that the benefits granted to asylum-seekers were insufficient.

12. It would be useful to have data on the number of refugee children who attended school, disaggregated by national and ethnic origin, and an explanation for the disparity between the enrolment of Ukrainian refugee children and that of refugee children of other nationalities. Information on the enrolment of migrant children and children descended from migrants in different types of education and on the separation of refugee children from other children for the purposes of German language teaching, would be welcome.

13. In view of the recent decision to extend from 18 to 36 months the time period during which asylum-seekers enjoyed only limited access to health care, she would appreciate information on the health services that were provided to asylum-seekers and, in particular, whether they included antenatal check-ups. Noting that the World Health Organization considered migratory status to be a social determinant of health, she asked whether the State

party had considered increasing asylum-seekers' access to health care and tailoring health services to their specific needs.

14. It would be helpful to learn about the language mediation services provided to asylum-seekers and to know how many foreign nationals made use of such services. She wondered whether the bodies that reimbursed migrants for the cost of their medical treatment were still required to report undocumented migrants to the competent authorities. The delegation might explain why the comprehensive health-care coverage afforded to Ukrainian refugees under a 2022 law had not been extended to refugees from other countries. The Committee would welcome further information on the outcomes of social integration programmes and on the measures taken to enhance the protection of transgender refugees and migrants. She wished to know how many applications for family reunification were pending and what steps had been taken to comply with the 2022 judgment of the Court of Justice of the European Union in which the Court had decided that unaccompanied refugee minors retained the right to family reunification if they reached the age of majority during the family reunification procedure.

15. The Committee would appreciate an update on measures taken to allay the fears of minorities following the recent outbreak of the conflict between Hamas and Israel, which had given rise to antisemitic and violent incidents in Germany. She wondered whether the authorities had prosecuted any individuals or prohibited the holding of demonstrations.

16. She would welcome information on the steps taken to include topics such as human rights and the history of colonialism and slavery in school curricula, and to increase awareness of the heritage and history of minority groups and their contribution to German society and culture.

17. **Ms. Ali Al-Misnad** said that the authorities of the State party might wish to consider that restrictions on the wearing of headscarves were a form of intersectional discrimination, since they would mostly affect Muslim women. She wished to know how many teachers from migrant backgrounds were working in the State party's schools, particularly in areas where most students belonged to minority groups.

18. **Ms. McDougall** said that she had been concerned to hear about a recent case involving Reem Sahwil, a young woman who had been summoned to the police station due to comments that she had posted online. The Committee would be grateful for clarification of why that course of action had been deemed necessary, since those comments were not, in the Committee's view, obviously offensive in nature.

19. As other members of the Committee had observed, it was difficult to see how the State party could formulate effective policies to serve the needs of migrants and their descendants and protect them from discrimination without having disaggregated data on their presence and situation in the State party.

20. **Mr. Diaby** said that he would be grateful for a response to his questions, put to the delegation at the previous meeting, on racism in sport, police violence, legislation on the protection of human rights defenders and the representation of the State party's colonial past and involvement in the slave trade in school textbooks.

21. **Ms. Tebie**, noting that each *Land* had its own legal, institutional and political mechanisms for the protection of minorities, said that it would be useful to know whether the State party intended to harmonize such mechanisms at the federal level. She would welcome a description of the main obstacles that prevented the incorporation into the Basic Law of provisions on the protection of minority groups and the steps that could be taken to overcome those obstacles. Noting that neither the Federal Anti-Discrimination Agency nor associations were authorized to represent victims of racial discrimination in court proceedings, she asked what mechanisms were in place to support victims of racial discrimination who decided to take legal action.

22. **Mr. Guissé** said that the State party was to be commended on the historic decision made by its former Chancellor to open the door to migrants during the so-called migrant crisis. He would be grateful if the delegation could explain the State party's stance on the right of refugees to family reunification.

The meeting was suspended at 11 a.m. and resumed at 11.15 a.m.

23. **Ms. Jacoby** (Germany) said that her country was welcoming to refugees. Some 1.1 million refugees, mostly from Syria and Afghanistan, had arrived between 2015 and 2016, and the country continued to welcome many people from Ukraine and elsewhere. The Government was doing its utmost to address the worrying rise in far-right extremism, which threatened the foundations of society. However, German democracy was resilient, and the Government was taking steps to ensure that everyone could participate in public debate without feeling threatened.

24. **A representative of Germany** said that her Government recognized that migration and integration statistics were not an appropriate basis for examining racism and discrimination. In recent years, therefore, it had produced a growing body of research into those problems and had gathered information on the discrimination faced by Muslims and people of African and Asian descent. Surveys such as the “Afro census”, which focused on the experiences of people of African descent, had been conducted. Approximately €17 million had been allocated to projects studying racism in the justice system, the health sector and schools. Research groups had been set up within universities. The Federal Ministry of the Interior and Community had conducted a large-scale study into institutional racism, the results of which were expected in late 2024.

25. Counselling and advisory services also provided the Government with an important source of data on racism. The Government had taken steps to expand support services for victims of racism in accordance with the National Action Plan against Racism. The Independent Federal Anti-Discrimination Commissioner was supporting a large-scale project to establish community-based advisory services for victims in 32 locations throughout Germany where such services had previously been lacking. As such services were often the first point of contact for victims, work was being done to ensure that their staff were adequately trained. The Federal Anti-Discrimination Agency had launched a major funding programme to expand civil society advisory services throughout the country.

26. By centring its approach on representative studies, the Government aimed to obtain data on racial discrimination over the long term, thus facilitating the identification of relevant trends and the evaluation of anti-racism measures taken. Such data would also inform the further development of the National Action Plan against Racism. The Anti-Discrimination Commissioner had recently established an expert council to develop indicators to measure the effectiveness of anti-racism policies; the findings of that council would also contribute to the updating of the National Action Plan.

27. The Government had also taken an increasing number of measures that were geared towards addressing the racism and discrimination experienced by specific groups. Accordingly, it had appointed the Federal Government Commissioner for Jewish Life in Germany and the Fight against Antisemitism, who had developed a national strategy on that subject and was conducting further research into antisemitism. The Independent Expert Group on Anti-Muslim Sentiment had recently presented a report containing recommendations that would be carefully considered by the Government.

28. **A representative of Germany** said that the Government had appointed a commissioner to combat anti-Gypsyism and had devised a national strategy to that end. The strategy was based on the European Union Roma strategic framework for equality, inclusion and participation 2020–2030 and sought to ensure the full participation of Roma in society through equal access to education, housing and health services. A focal point tasked with coordinating government efforts to tackle discrimination against Roma had been set up within the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and had recently published a situation report containing testimonies from Roma who had suffered discrimination. The Government gathered data continuously to gain a better understanding of the issues faced by Sinti and Roma in Germany.

29. A new coordination office had been established to tackle anti-black racism. The office brought together government ministries, civil society organizations, academia and bodies such as the Federal Anti-Discrimination Agency and the German Institute for Human Rights with a view to developing and implementing relevant action plans. Regular community events were organized to give people of African descent the opportunity to outline their

specific needs. The Government planned to mark the end of the International Decade for People of African Descent by issuing a report that would examine the measures taken during the Decade and contain recommendations for future action.

30. The Government attached great importance to tackling intersectional discrimination. The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth had established an office to implement the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, which would be responsible for developing a national strategy that took account of all forms of discrimination against women. The National Action Plan against Racism also covered discrimination faced by members of the LGBTI community, and the “Queer Life” action plan provided for the creation of an authority offering independent legal advice to refugees belonging to that community. Intersectional discrimination was also addressed by the “Living Democracy!” programme, under which networks had been established to study anti-Muslim, antisemitic, anti-Asian and anti-Slavic sentiment.

31. **A representative of Germany** said that the National Socialist Underground murders had led to a complete overhaul of the approach to combating violent extremism and prosecuting racist crimes. Committees of inquiry had been set up in the *Länder* in which the NSU had committed its crimes, and steps had been taken to implement the recommendations issued by the Committee of Inquiry of the Bundestag, including the development of a new security architecture. The attacks in Halle and Hanau had led to an increase in the number of staff working on extremism, and a new work culture had emerged within the relevant institutions. The security services had adopted a more open-minded attitude when considering possible motives for racist crimes, and cooperation between them had improved. For example, the Joint Counter-Extremism and Counter-Terrorism Centre had been set up in 2012 to enhance cooperation between intelligence services, public prosecution services and criminal investigation police at the federal and *Land* levels. It had established a number of working groups that met on a regular basis, one of which was tasked with examining cases in which a racist motive was suspected, facilitating the exchange of information between institutions and identifying groups that could pose a threat to society. Public prosecution services and police forces had special units to deal with crimes that threatened the Constitution, and centres had been created to tackle online hatred.

32. The Government had adopted a new strategy to combat hate crime, involving all relevant authorities, that focused on monitoring potential offenders; banning associations involved in hate crimes; and improving training to deal with hate crimes. The investigations into the murders committed by the National Socialist Underground had revealed the need to improve communication between the institutions involved in combating hate crimes. In that regard, comprehensive efforts had been made, including the establishment of a network of focal points in the judiciary, police and intelligence services to facilitate the rapid exchange of information. Regular regional meetings were held involving stakeholders from the *Länder*, such as public prosecutors, police and intelligence services, to assess ongoing situations and the potential for issues to arise. The Federal Prosecutor General had a working group on extremism that had developed a list of indicators for the identification of discrimination-related offences. In order to continuously assess the efforts being made and to identify any shortcomings, the authorities engaged with and sought feedback from non-governmental organizations (NGOs). The Government recognized the enormous challenge that hate crimes posed, and continuously adapted its practices in order to prevent them wherever possible.

33. In the 2017 case involving the house fire in Plauen, two people had been convicted and had received prison sentences under section 86 (a) of the Criminal Code, although it had not been clear that they had committed arson. Eight people had been convicted in connection with attacks on asylum-seekers in 2015, with the main perpetrator receiving a prison sentence of 10 years. The case involving “Altermedia Deutschland” had been the first example of a conviction for online hate crimes; four persons had been convicted and sentenced. In the National Socialist Underground case, the principal defendant, Beate Zschäpe, had been sentenced to life imprisonment for her part in the murders. Under the Constitution, all those sentenced to life in prison must have the possibility of parole; however, they could not be considered for release until they had served 15 years of their sentence. Two attacks had been

made on the office of the Member of Parliament Karamba Diaby. The perpetrator of the first attack had been convicted and sentenced. In the second case, the perpetrator had been identified and found to be suffering from severe mental health issues. It had not yet been decided what form the legal proceedings would take.

34. **Ms. Jacoby** said that the policer officer involved in the shooting of a Senegalese youth in Dortmund had been indicted for murder and the proceedings were ongoing.

35. **A representative of Germany** said that, since the Network Enforcement Act had entered into force, multiple proceedings had been opened against social media companies. Facebook had received two fines, of €2 million and €3 million, respectively; Telegram had received fines of €4.2 million and €850,000. The companies had filed appeals, which were pending before the courts. In 2023, the deletion rates of reported illegal content ranged from 9 per cent to 24 per cent for the main social media companies. While more content could have been deleted, it was important to respect freedom of expression. For certain sites, the deletion rates had increased significantly.

36. The impact of the Network Enforcement Act had been evaluated in 2020. It had been concluded that the Act contributed to improved reporting procedures and mechanisms and increased accountability for social media platforms. Social media companies were obliged to report cases of illegal content and to have a contact person in Germany. The Federal Office of Justice had determined that cooperation between different authorities and NGOs under the Network Enforcement Act had resulted in a strong mechanism against online hate crime.

37. **A representative of Germany** said that an online hate speech competence network had been established within the framework the “Living Democracy!” programme. The organization “jugendschutz.net” had achieved significant success in protecting minors online by reporting and having illegal content removed from websites such as YouTube.

38. **A representative of Germany** said that the Government addressed the history of colonialism through an approach that was tailored to the country concerned and that sought to avoid any neocolonial practices. Many cultural objects and ancestral remains had been returned to their countries of origin since the adoption in 2019 of the framework principles on dealing with items from colonial contexts. Lessons had been learned regarding best practices for those returns, including in terms of the need to make a clear distinction between ancestral remains and cultural objects. The 2019 framework principles were already being examined with a view to updating them. Germany followed up on all requests for the return of cultural objects or ancestral remains, despite the absence of a legal obligation to do so. A survey of the ancestral remains held in German museums had been conducted but the results were not yet available. Significant efforts were being made to identify such remains in public collections. The establishment of a legal obligation to return cultural objects and ancestral remains would be challenging because it would require consensus between all parties involved. It had been possible to return some Benin Bronzes to Nigeria thanks to dialogue between museums in both countries. Other cultural objects had been returned to Australia in 2023 with the support of the authorities of that country. Discussions regarding the return of artefacts to Cameroon were ongoing. No conditions were attached to the return of cultural objects. The German authorities took steps to identify ancestral remains, including through dialogue with descendants, if possible.

39. Germany had clearly acknowledged that it was responsible for the genocide that had taken place in Namibia between 1904 and 1908. A joint declaration with Namibia in that regard envisaged a programme of reconciliation with a view to improving living conditions in the country. As the genocide had taken place long before the adoption of the relevant international legal framework, there was no legal obligation for Germany to provide reparations. However, Germany was engaging in bilateral negotiations with Namibia in a demonstration of its commitment to reconciliation.

40. The Government was still in the early stages of examining the role of German actors in the slave trade. The Federal Government Commissioner for Culture and the Media had taken steps to establish a learning centre on colonialism in order to ensure that the colonial past was not forgotten. Independent research into German colonialism was being undertaken and a scholarship programme had been instituted for that purpose. Several research institutions were collaborating on a research study into German colonialism that would be

published in 2024. The Humboldt University of Berlin was carrying out a study, funded by the Federal Foreign Office, on the impact of colonial laws. Many NGOs worked on related issues, and the federal Government and the *Länder* were pursuing decolonization initiatives, such as renaming streets.

41. **A representative of Germany** said that human rights were a cross-cutting topic of the German curriculum and therefore were covered in a range of subjects. Discrimination against members of different religious and ethnic groups was also studied. Colonialism, its consequences and related independence movements were studied at all levels of education. Teachers were trained in the subject and the perspective of the colonized countries was increasingly taken into account. Under educational standards adopted in 2009, imperialism and independence movements were a compulsory part of the history curriculum.

42. Various initiatives had been developed to combat racial discrimination and stereotypes in the education system. Awareness-raising in that regard was carried out among teachers and pupils. Integration, asylum and refugee issues were included in the curriculum. The 2015 joint declaration “Portrayals of Cultural Diversity, Integration and Migration in Educational Media” promoted a non-discriminatory approach to the topics of diversity and migration. Teacher-training standards had been revised in 2019 to include promoting diversity and combating discrimination and group-based hostility as key skills to be acquired by teachers. The 2013 recommendations of the Standing Conference of the Ministers of Education and Cultural Affairs of the *Länder* on intercultural education were being revised in order to reflect societal changes. All *Länder* had institutions that offered continuous training for teachers, including training on teaching German to pupils who did not speak it. A countrywide awareness-raising project on racism in education was being implemented.

43. **A representative of Germany** said that educational policy was devolved to the *Länder*. In North Rhine-Westphalia, educational legislation provided that pupils’ cultural identity and mother tongue must be taken into consideration. The authorities had appointed 20 primary school teachers specifically to support Roma and Sinti children, whose families were often affected by discrimination and poverty. The authorities had engaged with civil society representatives from the Roma community to identify ways in which education for Roma children could be improved. The “A School without Racism – A School with Courage” project actively involved children and young people in combating bullying, discrimination and violence. The Service Centre for Combating Discrimination and for Counselling on Racism and Antisemitism provided advice and support to schools on action to combat racism, antisemitism and other forms of extremism.

44. **A representative of Germany** said that the Standing Conference of the Ministers of Education and Cultural Affairs of the *Länder* sought to reduce disadvantages in schools and vocational education, to promote cultural diversity and to combat racial discrimination. Universities were required to set up complaint offices, and the laws governing university education in some *Länder* provided for protection against discrimination, including intersectional discrimination. Anti-discrimination officers were also appointed.

45. None of the *Länder* had laws prohibiting the wearing of headscarves by teachers. The rules on how teachers should dress were adopted in accordance with article 4 of the Basic Law, which enshrined freedom of religion. However, teachers were obliged to respect the principle of neutrality, and were not allowed to make religious or political statements at school that undermined that principle or that were likely to cause disturbances. In extreme cases, a ban on wearing a headscarf could be imposed as a last resort.

46. **A representative of Germany** said that his country protected the human rights of migrant workers. However, it had not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families because the rights that it guaranteed were incompatible with the principles of German immigration policy. Like several other European countries, Germany took the view that the definition of migrant workers in that Convention was too broad, as it included people who were working in a country illegally. However, Germany was strongly committed to the Global Compact for Safe, Orderly and Regular Migration. In 2023, the Bundestag had adopted the Skilled Workers Immigration Act in order to open the labour market to skilled foreign workers from outside the European Union. In addition, the Fair Mobility project, which had been developed

by the Federal Ministry of Labour and Social Affairs and the German Trade Union Confederation, had improved the labour conditions of foreign workers in Germany through local advisory centres that provided them with information in their native language regarding labour and social laws and the protection of their rights.

47. The principles of human dignity and the welfare state were enshrined in the Basic Law and given effect through social legislation. The benefits to which a person was entitled would depend on various factors, including the duration of his or her residence and employment in Germany. Social assistance was provided to persons whose health condition or age prevented them from working. The Asylum-Seekers' Benefits Act guaranteed access to basic medical care for a period of 18 months. The possibility of extending that period to 36 months was still under discussion.

48. **Mr. Yeung Sik Yuen** said that he would appreciate a response to his questions regarding the National Democratic Party and the Alternative for Germany party. He would welcome clarification of whether convictions for the offences defined under sections 86, 86 (a) and 130 of the Criminal Code appeared on the offender's criminal record.

49. **A representative of Germany** said that in July 2023, the Federal Constitutional Court had held an oral hearing on exclusion of the National Democratic Party from party financing. The Party had failed to appear. A date for the verdict had not yet been set.

50. The Alternative for Germany party, which was represented in the Bundestag, was under observation in order to assess its compliance with the law. The Federal Office for the Protection of the Constitution had classified it as a suspected right-wing extremist party; its regional chapters in the *Länder* of Thuringia and Saxony-Anhalt had in fact been designated as extremist. The Government refrained from commenting on possible proceedings for its prohibition or exclusion.

51. **A representative of Germany** said that convictions pursuant to sections 86 and 86 (a) of the Criminal Code were recorded in the Federal Central Criminal Register in the same way as all other criminal convictions.

52. **Mr. Kut** said that he had been pleased to receive information that police raids had been conducted against an extremist group that was suspected of disseminating conspiracy theories on social media. It therefore seemed that the right to freedom of speech was not invoked as a pretext for failing to prosecute certain offences.

53. While Germany had accepted the Committee's competence to receive individual communications, it had not provided any information in response to the Committee's recommendations concerning the individual communication No. 48/2020, *TBB-Turkish Union in Berlin/Brandenburg v. Germany* (CERD/C/82/D/48/2010). In that regard, he wished to draw the delegation's attention to general policy recommendation No. 15 on hate speech of the European Commission against Racism and Intolerance, which requested States members of the Council of Europe to withdraw any reservations to article 14 of the Convention and to fully implement article 4. He also drew attention to the Committee's general recommendation No. 35 on combating racist hate speech. The Committee would appreciate a satisfactory response to its questions about the communication in the State party's next periodic report.

54. **Mr. Yeung Sik Yuen** said that it had been reported that a member of the Christian Democratic Union party had announced in October 2023 that he was working on a motion for the Bundestag to apply for a banning order against the Alternative for Germany party. He would be interested in hearing about any further developments in that regard.

55. **Ms. Stavrinaki** said that she would be grateful for a response to her question regarding undocumented migrants who sought reimbursement for the cost of medical treatment and whether they would be reported. The Committee would be glad to receive information that would enable it to assess whether there was an objective and reasonable justification for the differential treatment of migrants, particularly in terms of their working conditions.

56. **Mr. Diaby** said that the Government had shown courage in acknowledging the historical responsibility of Germany for colonial crimes. The measures it had taken for the

return of stolen cultural objects set an example for other States. However, the State party could also take steps, including reparations, that recognized its involvement in the slave trade. The history books showed that Germans had established a colony in what was now Ghana, from which 30,000 slaves had been deported to the Americas.

57. **A representative of Germany** said that the Federal Ministry of the Interior and Community had hosted two conferences in recent years on the topic of sport and human rights. A human rights declaration for the 2024 European Football Championship, which would be hosted by Germany, had been signed at the second conference. The declaration had been produced in cooperation with the German Institute for Human Rights and other civil society organizations, and one of its four core topics was racism and discrimination. Training courses would be organized for the Federal Police and the police of the relevant *Länder*. A special complaint mechanism would also be established. In addition, a federal programme against right-wing extremism and misanthropy in sport had recently been established. It would focus on preventive work with professional and amateur sports clubs and had been allocated a budget of €1.5 million in 2023.

58. **Ms. Jacoby** (Germany) said that her delegation would deliver written replies to many of the Committee's questions within the allotted 48 hours. Although there were clearly many challenges to be tackled, the authorities had the necessary political will to combat all forms of discrimination, in cooperation with a strong civil society. It would be necessary to adjust existing strategies since racial discrimination was jeopardizing the foundations of the democratic system. Diversity in the State, civil society and daily life was essential in order to maintain a vibrant democracy.

59. **The Chair** said that she appreciated the State party's recognition of its obligations towards those who continued to suffer from the legacies of its colonial past. The State party's actions in that regard, although commendable, remained incomplete. It was therefore important for the State party to continue on its path towards decolonial justice.

The meeting rose at 1.05 p.m.