

# GERMANY 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT

## Executive Summary

The constitution prohibits religious discrimination and provides for freedom of faith and conscience and the practice of one's religion. The country's 16 states exercise considerable autonomy on registration of religious groups and other matters. Unrecognized religious groups are ineligible for tax benefits. The federal and some state offices of the domestic intelligence service continued to monitor the activities of certain Muslim groups, and authorities shut down a Berlin mosque for what they said were its links to terrorism. Authorities also monitored the Church of Scientology (COS), which reported continued government discrimination against its members. Certain states continued to ban or restrict the use of religious clothing or symbols, including headscarves, particularly for teachers and courtroom officials. North Rhine-Westphalia (NRW) became the last state to grant the Jehovah's Witnesses public law corporation (PLC) status, which makes religious groups eligible for public subsidies and other benefits. While some senior government leaders continued to condemn anti-Semitism and anti-Muslim sentiment, some politicians from the Alternative for Germany (AfD) Party again made anti-Muslim and anti-Semitic statements. A report commissioned by parliament found Jews felt increasingly threatened and recommended establishing a federal commissioner on anti-Semitism. Rhineland-Palatinate announced it would establish an anti-Semitism commissioner to take office in early 2018, the first such state-level position in the country, and federal government officials indicated support for appointing one at the federal level. The interior minister said the burqa contradicted European custom. The government accepted the definition of anti-Semitism by the International Holocaust Remembrance Alliance (IHRA).

There were reports of multiple anti-Semitic, anti-Muslim, and anti-Christian incidents. These included assaults, verbal attacks, threats, discrimination, and vandalism. Most anti-Christian incidents involved actions by Muslim migrants against migrant converts. In September migrants stabbed a Christian convert, and in January a court sentenced a man to life in prison for killing his Christian roommate in 2016 after expressing regret he could not kill more Christians. Jews expressed security concerns after widespread protests in December, some of which were anti-Semitic. In response to the protests, senior government officials condemned anti-Semitism, and some politicians warned Muslims not to engage in it. A survey by the Universities of Bielefeld and Frankfurt found three quarters of Jews felt anti-Semitism had increased. According to nongovernmental organizations (NGOs), most anti-Semitic incidents were carried out by right-wing

groups, but a study by Indiana University and the University of Potsdam for the American Jewish Committee (AJC) pointed to the potential for anti-Semitism among Muslim migrants. Another cited anti-Semitism among Muslim students in Berlin schools. In March two men attacked and kicked a Muslim girl, and a speaker at a protest against a mosque called the Prophet Muhammad a pedophile. A European Union (EU) survey reported 16 percent of Muslims said they had experienced religious discrimination during the previous five years. There were demonstrations expressing anti-Muslim and anti-Islamic sentiment and to protest radical Islam. The Roman Catholic Church and the Protestant Church in Germany (EKD) continued to oppose the COS and some other religious groups publicly.

The U.S. embassy and five consulates general monitored the government's responses to incidents of religious intolerance and expressed concerns about anti-Semitic, anti-Christian, and anti-Muslim acts. Embassy representatives met regularly with the Commissioner for Relations with Jewish Organizations and anti-Semitism Issues at the Ministry of Foreign Affairs (MFA). In February the Charge d'Affaires hosted a gathering of 100 religious, community, and government leaders to discuss ways to promote religious tolerance and condemn anti-Semitism. The embassy also hosted a meeting with members of the diplomatic community to review best practices in efforts to promote religious freedom. The embassy and consulates general maintained a dialogue with a broad spectrum of religious communities and human rights NGOs on their concerns about religious freedom and on ways to promote tolerance and communication among religious groups.

### **Section I. Religious Demography**

The U.S. government estimates the total population at 80.6 million (July 2017 estimate). Unofficial estimates and figures provided by religious groups indicate approximately 30 percent of the population is Roman Catholic, and 27 percent belongs to the EKD – a confederation of Lutheran, Reformed (Calvinist), and United (Prussian Union) Protestant regional churches. Other Protestant denominations (including the New Apostolic Church, Baptist communities, and nondenominational Christians) combined account for less than 1 percent of the population. Orthodox Christians represent almost 3 percent of the population.

According to government estimates, 5.5 percent of the population is Muslim, of which 65 percent is Sunni, 12.5 percent Alevi, and 5.6 percent Shia; the remainder identifies simply as “Muslim.” According to intelligence officials, there are approximately 11,000 Salafist Muslims in the country. According to the Ministry of the Interior, approximately 25 percent of Muslims are recent immigrants;

between 2011 and 2015, an estimated 1.2 million refugees immigrated from predominately Muslim countries. Estimates of the Jewish population vary widely; the Central Council of Jews estimates it at 250,000, and the religious NGO REMID at 100,000. According to REMID, groups that together constitute less than 1 percent of the population include Buddhists (270,000); Jehovah's Witnesses (222,000); The Church of Jesus Christ of Latter-day Saints (Mormons) (40,000); Hindus (100,000); Yezidis (100,000); Sikhs (15,000); and COS (5,000-10,000). Approximately 36 percent of the population either have no religious affiliation or are members of unrecorded religious groups.

## **Section II. Status of Government Respect for Religious Freedom**

### **Legal Framework**

The constitution (also known as the basic law) prohibits discrimination on the basis of religious opinion and provides for freedom of faith and conscience and the freedom to profess a religious or philosophical creed and to practice one's religion. The constitution also prohibits an official state church. It stipulates people shall not be required to disclose their religious convictions or be compelled to participate in religious acts. The constitution states religious instruction shall be part of the curriculum in public schools and that parents have the right to decide whether children shall receive religious instruction. It recognizes the right to establish private denominational schools. The constitution guarantees the freedom to form religious societies and states that groups may organize themselves for private religious purposes without constraint. It allows registered religious groups with PLC status to receive public subsidies from the states and to provide religious services in the military, at hospitals, and in prisons.

Religious groups wishing to qualify as nonprofit associations with tax-exempt status must register. State-level authorities review registration submissions and routinely grant tax-exempt status; if challenged, their decisions are subject to judicial review. Religious groups applying for tax-exempt status must provide evidence through their statutes, history, and activities that they are a religious group.

A special partnership exists between the states and religious groups with PLC status, as outlined in the constitution. Any religious group may request PLC status, which, if granted, entitles the group to levy tithes (averaging 9 percent of income tax) that each state collects on its behalf, separately from income taxes, but through the state's tax collection process. PLCs pay fees to the government for the tithing

service, but not all groups utilize the service. PLC status also allows for tax exemptions (larger than those given to groups with nonprofit status), representation on supervisory boards of public television and radio stations, and the right to special labor regulations, for example, requiring employees in hospitals, kindergartens, or NGOs run by a religious group be members of that group. State governments subsidize institutions with PLC status providing public services, such as religious schools and hospitals.

According to the constitution, the decision to grant PLC status is made at the state level. Individual states base PLC status decisions on a number of varying qualifications, including an assurance of the group's permanence, size, and respect for the constitutional order and fundamental rights of individuals. An estimated 180 religious groups have PLC status, including Catholics, EKD, Bahais, Baptists, Christian Scientists, Jehovah's Witnesses, Jews, Mennonites, Methodists, Mormons, Salvation Army, and Seventh-day Adventists. Ahmadi groups have PLC status in the states of Hesse and Hamburg; no other Muslim communities have PLC status. The COS does not have PLC or nonprofit status in any state.

According to a ruling by the Federal Constitutional Court, general headscarf bans for teachers at public schools are a violation of religious freedom, but implementation is left to the states to determine if special circumstances apply. For example, Bavaria and Saarland render decisions on a case-by-case basis. NRW changed its laws to enable headscarf-wearing women to work as teachers. Schleswig-Holstein, Hamburg, and Bremen do not prohibit headscarves for teachers. A law in Berlin bans visible signs of religious affiliation for police, lawyers, judges, law enforcement staff, and primary and secondary public school teachers. The Berlin law permits teachers at some categories of institutions, such as vocational schools, to wear headscarves. Other states use other laws to restrict religious attire in certain circumstances.

In May the state of Baden-Wuerttemberg passed a law that prohibits judges, state prosecutors, and judicial trainees from wearing religious symbols such as kippahs and headscarves in court. Jurors are exempt from the law.

In April the federal parliament approved a law which prohibits civil servants and soldiers from wearing a full-face veil; the law took effect in June. The law further specifies that faces of all individuals must be visible during identity checks.

In August the Lower Saxony state parliament unanimously approved banning full face veils for teachers and students at schools in the state.

The federal criminal code prohibits calling for violence or arbitrary measures against religious groups or their members or inciting hatred against them. It also prohibits assaulting the human dignity of religious groups or their members by insulting, maliciously maligning, or defaming them. The federal criminal code prohibits disturbing religious services or acts of worship. Infractions are punishable by up to five years in prison and a fine. The law bans Nazi propaganda, Holocaust denial, and fomenting racial hatred.

All states offer religious instruction and ethics courses in public schools. Religious communities with PLC status (or a special agreement with the state that grants them this right despite the lack thereof) appoint religion teachers and work with the states to set the basic curriculum in line with the constitution; the states pay the teachers' salaries. Most public schools offer the option of Protestant and Catholic religious instruction in cooperation with those churches, as well as instruction in Judaism if enough students (usually 12, although regulations vary state to state) express an interest. The states of Bavaria, Baden-Wuerttemberg, Hesse, Lower Saxony, NRW, Rhineland-Palatinate, and Saarland also offer some religious instruction in Islam. Students who do not wish to participate in religious instruction may opt out; in some states those who opt out may substitute ethics courses. State authorities generally permit religious groups to establish private schools as long as they meet basic curriculum requirements. Schooling is constitutionally mandated, and homeschooling, including for religious reasons, is prohibited.

The law permits the federal government to characterize "nontraditional" religious groups as "sects," "youth religions," and "youth sects," and allows the government to provide "accurate information" or warnings about them to the public. The law does not permit the government to use terms such as "destructive," "pseudo-religious," or "manipulative" when referring to these groups. Several court decisions have ruled the government must remain neutral towards a religion and can provide a warning to the public only if an "offer" by a religious group would endanger the basic rights of an individual or place the individual in a state of physical or financial dependence.

Some federal and state laws affect religious practices. Federal animal protection laws prohibit the killing of animals without anesthesia, including when part of halal and kosher slaughter practices, although some exceptions exist. For example, pursuant to a federal administrative court decision, trained personnel may kill animals without anesthesia in a registered slaughterhouse under observation of the

local veterinary inspection office, if the meat is for consumption only by members of religious communities requiring slaughter without anesthesia.

According to federal law, religious groups may appoint individuals with special training to carry out circumcision of males under the age of six months. After six months, the law states circumcisions must be performed in a “medically professional manner” and without unnecessary pain.

Legislation barring hate speech, including religiously motivated hate speech, in social media, became effective on October 1. The law requires operators of social networks, including Facebook, Twitter, and YouTube, to delete or block “obviously illegal content” within 24 hours after notification or, in more complex cases, within seven days. Operators must name a representative in the country who can react to complaints within 48 hours. Operators who fail to comply systematically are subject to fines of up to 50 million euros (\$60 million).

The country is a party to the International Covenant on Civil and Political Rights.

### **Government Practices**

*Summary paragraph:* A report commissioned by the federal parliament stated Jews in the country felt increasingly threatened. The report also recommended establishing a federal commissioner on anti-Semitism. In December senior government officials from the two largest political parties expressed support for creating such a position, and Rhineland-Palatinate announced it would establish an anti-Semitism commissioner at the state level in early 2018. Police established “anti-Muslim” and “anti-Christian” as separate categories of hate crime; anti-Semitic hate crime already had its own category. Authorities continued to monitor the COS and some Muslim groups and closed a Berlin mosque they linked to terrorism. In February NRW became the final state to grant the Jehovah’s Witnesses PLC status. The COS continued to report instances of government criticism and employment discrimination. In Bavaria, a preschool/kindergarten dismissed a COS member after the state government threatened to withhold public funding, and a Munich museum dismissed a long-time employee after his COS membership became public. A court upheld the dismissal of a Muslim caregiver in Mannheim for refusing to wash male patients due to her religion. Various courts upheld restrictions on wearing religious garb or symbols at schools and in courtrooms or for safety reasons, but a Berlin labor court awarded monetary damages to two teachers not hired because they wore headscarves. Some senior government officials condemned anti-Semitism and anti-Muslim sentiment. The

interior minister said burqas contradicted European custom. AfD politicians used anti-Muslim and anti-Semitic rhetoric, including during the national election campaign in August and September. One AfD leader called the Holocaust Memorial in Berlin “a monument of shame,” and the party’s election platform included a section titled “Islam Is Not Part of Germany.” The state of Berlin initiated cooperation on Holocaust education with Israel’s Yad Vashem. The federal government accepted the IHRA’s definition of anti-Semitism, and state governments continued to provide funds to support Jewish organizations and synagogues and other properties.

In April an “Independent Experts Group on Antisemitism,” composed of scientists and NGO representatives, constituted by the federal parliament in December 2014, presented its report on current developments in anti-Semitism in the country. The report stated Jews had felt increasingly threatened during the previous five years, and this could possibly be due to the growing centrality of social media as platforms for hate speech and anti-Semitic rhetoric. It also stated Jews were increasingly concerned for their safety due to everyday experiences of anti-Semitism, such as “provocations, vulgar comments, threats, and insults” which they seldom reported, and that law enforcement often did not recognize such incidents as anti-Semitic. The report cited concern about anti-Semitism by Muslims, especially among refugees and migrants. It did not provide statistics about anti-Semitic incidents. It called for improved documentation and punishment of anti-Semitic crimes, better advisory services for those affected by anti-Semitism, and a federal commissioner on anti-Semitism. The government had not implemented the report’s recommendations by year’s end.

In December Federal Interior Minister Thomas de Maiziere told the media he supported the establishment of an anti-Semitism commissioner, and the Deputy Chairman of Chancellor Angela Merkel’s Christian Democratic Union (CDU) caucus in the parliament, Gitta Connemann, said that she and CDU parliament caucus Chairman Volker Kauder supported the idea of establishing an anti-Semitism commissioner right after the formation of the next government. In December Integration and Migration Commissioner Aydan Ozoguz of the Social Democratic Party (SPD) also expressed support for the position’s creation.

In December Rhineland-Palatinate Minister President Malu Dreyer announced her state would establish an anti-Semitism commissioner in early 2018, the first such state-level position in the country. Dreyer said the decision was a clear signal the country would not tolerate an increase in anti-Semitic crimes.

Beginning in January police added “anti-Muslim” and “anti-Christian” as separate categories of hate crime to their criminal statistics. “Anti-Semitism” was already a category of hate crime.

In February NRW granted the Jehovah’s Witnesses PLC status, giving the group PLC status in all 16 German states.

In April NRW granted PLC status to a Hindu Temple based in Hamm.

According to reports from the federal Office for the Protection of the Constitution (OPC) – the domestic intelligence service – and state OPCs and COS members, the federal and state OPCs in Baden-Wuerttemberg, Bavaria, Berlin, Bremen, Hamburg, Lower Saxony, NRW, and Thuringia continued to monitor the activities of the COS, reportedly by evaluating Scientology publications and members’ public activities to determine whether they violated the constitution. According to the OPC’s 2016 report, “Scientology aspires to a society without general and fair elections and rejects the democratic legal system.” At least four major political parties (the CDU, the Christian Social Union (CSU), the SDP, and the Free Democratic Party (FDP)) continued to exclude Scientologists from party membership.

Federal and state OPCs continued to monitor a number of Muslim groups, including Salafist movements, ISIS, Hezbollah, Hamas, Hizb ut-Tahrir, Tablighi Jama'at, and Milli Gorus. The website of the NRW OPC stated the Muslim Brotherhood “rejects democracy.” According to the federal OPC, the Muslim Brotherhood had more than 1,040 members in the country. The federal OPC 2016 report also stated the Milli Gorus Islamic Community, an organization of the Turkish diaspora, undertook reforms and had become “less connected to extremism.” As a result, the report stated the group’s members “are no longer to be classified as belonging to the extremist scene.” The group’s membership dropped significantly from approximately 31,000 in 2013 to an estimated 10,000, possibly in response to these reforms, according to the report.

Groups under OPC observation said the monitoring could trigger police investigations, and their status as meriting OPC scrutiny implied they were extremist and constrained their ability to apply for publicly funded projects.

In February authorities shut down the “Fussilet 33” mosque in Berlin, which they called a center for radicalizing Muslims and collecting funds for terrorist activities. More than 400 police officers took part in 24 raids connected to activities at the

mosque. Anis Amri, who carried out a bombing attack on a Berlin Christmas market in December 2016, had reportedly frequented the mosque.

In January the Osnabruck Administrative Court in Lower Saxony rejected a teacher's claim for compensation after the Lower Saxony school department withdrew her job offer in 2013 upon learning she intended to teach wearing a headscarf. The administrative court found the department's 2013 decision could not have taken into account a later verdict by the Constitutional Court that a general headscarf ban for teachers contradicted the constitution.

In March a female Muslim caregiver from Mannheim in the state of Baden-Wuerttemberg was fired from her job because she refused to wash men due to her religious principles. She filed a lawsuit against her employer at the Mannheim labor court; the court found she had violated her work contract and her dismissal was justified.

In April a school in Berlin instructed a teacher not to wear a necklace with a cross when in the school, citing the state law prohibiting public school teachers from wearing religious symbols at work. The woman removed the cross from her necklace.

A May decision by the higher administrative court in the state of Hesse confirmed that judicial trainees were not permitted to wear headscarves while appearing in public courts. In July the Federal Constitutional Court confirmed the Hesse court decision, stating the prohibition was a "temporary infringement" on religious freedom.

In May federal Interior Minister de Maiziere told the media he believed it appropriate for churches to play a role in religious freedom discussions: "I would like to see churches become involved in controversial issues ... including what an enlightened European Islam should look like and where religious freedom ends." In the same interview, he said the burqa "contradicts our European customs of showing the face."

In July a judge of the Luckenwalde local court in Brandenburg ordered a Syrian refugee to remove her headscarf while attending a court hearing about her divorce. The woman's lawyer challenged the order, stating his client was not a civil servant and the law barring headscarves in court therefore did not apply to her. In August the judge was dismissed from the case for bias; the new judge, the director of the court, allowed the woman to wear a headscarf.

In September an administrative court in Mannheim in Baden-Wuerttemberg ruled that a Sikh from Konstanz must wear a helmet when riding a motorcycle and that the man's religious freedom to wear a turban was not of greater importance than ensuring the safety of all road users. The man had sued the city of Konstanz for denying him an exception on religious grounds.

In Berlin, three female teachers filed separate lawsuits accusing Berlin schools of not hiring them because they wore headscarves. In February one defendant received 8,680 euros (\$10,420) after the Berlin labor court concluded the school had violated equal opportunity laws. In July the Berlin labor court awarded the second defendant 7,000 euros (\$8,400). The third case was pending. The schools had invoked the Berlin law prohibiting teachers from wearing religious symbols at work. The labor court said it would consider the law and the merits of each lawsuit on a case-by-case basis.

The federal government provided 6.0 million euros (\$7.2 million) and 2.5 million euros (\$3.0 million), respectively, in support of the Augsburg and Luebeck synagogues and 2.0 million euros (\$2.4 million) for the enlargement of the Chabad Lubawitsch Jewish educational center in Berlin. The federal government and the state of Saxony provided 3.7 million euros (\$4.4 million) for the renovation of the Goerlitz synagogue. According to the Federal Agency for Civic Education, the construction of mosques was usually financed by Muslim organizations and associations themselves.

The government continued to subsidize some Jewish groups. Based on an agreement between the federal government and the Central Council of Jews in Germany, the federal government provided 10 million euros (\$12 million) annually to help maintain Jewish cultural heritage, restore the Jewish community, and support integration and social work. In addition, the federal government provided financial support to the Institute for Jewish Studies in Heidelberg, the Rabbi Seminar at the University of Potsdam, and the Leo Baeck Institute, an international research group on the history and culture of German Jewry.

State governments provided funds to Jewish communities and organizations in various amounts, for such purposes as the renovation and construction of synagogues. The federal government continued to cover 50 percent of maintenance costs for Jewish cemeteries. State and local police units continued to provide security for synagogues and other Jewish institutions.

In May Stuttgart Airport opened a prayer booth that featured 300 prayers from various religions in 65 languages.

In May the University of Essen-Duisburg, NRW, in response to a Muslim student group's appeal for a prayer room, established "a room of silence" open to students of any religion at both its campuses for a trial period of several years.

Unlike Catholic, Protestant, and Jewish groups, the Muslim community did not have a sole representative body to work with states to plan curricula for religious education classes. Some states, such as Baden-Wuerttemberg, formed advisory councils with representation from several Muslim groups to assist in planning the curriculum for Islamic classes. The Alevi Muslim community continued to offer separate religious lessons in schools in seven federal states for approximately 1,500 students.

In February an administrative court in Muenster, NRW, upheld a 2012 lower court ruling against the Jewish community in Essen for its refusal to allow a non-Jewish woman to be buried in a local cemetery. The woman and her Jewish husband had purchased a burial plot together at the cemetery, which later changed its statutes to restrict burials only to Orthodox Jews.

The COS continued to report governmental discrimination. "Sect filters," signed statements by potential employees to confirm they had no contact with the COS, remained in use in the public and private sectors.

According to a COS spokesperson, in the summer a preschool/kindergarten in Munich dismissed a nurse who was a member of the COS after the city government announced it would cut the kindergarten's public funding due to the employee. The COS reported the House of Art, a public art museum in downtown Munich, dismissed a long-time employee in March after his COS membership became publicly known. The COS reported the former employee filed a complaint at the Munich labor court. Information on the status of the case was unavailable at year's end. The media reported the House of Art began using sect filters for new employees in April.

The COS said firms owned or operated by its members also suffered discrimination. According to the COS, some of its members who suffered discrimination refrained from taking legal action because they felt a trial would be time-consuming and because they feared being stigmatized and losing business contracts.

Opposition parties, internet companies, and civil rights groups criticized the law restricting online hate speech. At a parliamentary hearing in March, eight out of 10 experts testifying about the law raised constitutional concerns, particularly the provision assigning responsibility for deciding on the legality of content to content operators. Although operators could refer difficult cases to an independent commission for adjudication, critics said details on the commission or the process remained unclear. They stated the uncertainty and the high fines for noncompliance would lead to “overblocking” out of an abundance of caution and thus would limit freedom of expression.

In January Bjorn Hoecke, the AfD’s state leader in Thuringia, denounced the Holocaust Memorial in Berlin as a “monument of shame.” The comment sparked national debate about anti-Semitism and free speech. Then-SPD party leader and Foreign Minister Sigmar Gabriel said, “Hoecke despises the Germany I am so proud of. Never, never, ever must we leave the demagogic comments by Hoecke without objection.” A member of parliament from the Left Party filed legal charges against Hoecke that the Dresden public prosecutor’s office dropped in March. Hoecke received some criticism from within his party but remained an active member. Leaders of the CDU/CSU, SPD, Greens, and Left Party denounced the remarks.

In April deputy AfD chairman Albrecht Glaser said during a speech at an AfD party convention in Oestrich-Winkel, Hesse that “Islam is a construct that neither knows nor respects religious freedom itself...Who treats a basic right in this manner needs to be excluded from this basic right.” Glaser was elected to parliament in September, and the AfD caucus nominated him as its candidate for vice president of parliament. According to parliamentary procedure, normally each party in parliament is allotted at least one vice presidential position. In this case, however, all other parties expressed concerns about Glaser’s nomination due to his remarks on Islam, and he failed to get the necessary majority of parliamentary votes in three ballots in October. At year’s end, the AfD’s vice presidential position in parliament remained unfilled.

In its election platform for the September federal parliamentary elections, the AfD called for abolishing Islamic theology at universities and Islamic classes at schools. One section of the party platform was titled, “Islam is not part of Germany.” Justice Minister Heiko Maas commented that parts of the AfD election platform violated the constitution.

In September just after the federal parliamentary elections, the Central Council of Jews expressed fears about the success of the AfD and its entry into the federal parliament for the first time. The council's president said, "A party that tolerates right-wing extremist thinking in its ranks and incites hatred against minorities ... will now be represented in parliament and nearly all state legislatures ... I expect our democratic forces to expose the true nature of the AfD and its empty, populist promises."

During the final federal cabinet meeting before the September elections, the government officially acknowledged the IHRA definition of anti-Semitism: "Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities." The Central Council of Jews welcomed this decision as an important step towards combating anti-Semitism. The Ministry of Interior stated on its website that it hoped the definition would be used to educate teachers, police, and legal experts. Interior Minister de Maiziere stated, "We Germans are particularly vigilant when our country is threatened by an increase in anti-Semitism. History made clear to us, in the most terrible way, the horrors to which anti-Semitism can lead."

During festivities that celebrated the 100th anniversary of a synagogue in Augsburg, Bavaria in June, Federal President Frank-Walter Steinmeier called upon Germans to fight anti-Semitism. He stated anti-Semitism was present not only as demagogic slogans but also in side conversations between intellectuals, adding that one should not accept "immigrants from Muslim countries importing their concepts of the enemy."

In June Berlin announced it would become the 11th state to cooperate on Holocaust education with the Yad Vashem World Holocaust Remembrance Center in Israel. Berlin Senator for Education Sandra Scheeres said anti-Semitism and right-wing extremism were issues in Berlin schools and vowed to send 20 teachers to Israel annually for training on Holocaust education. State officials were to develop new teaching materials jointly with Yad Vashem's International School for Holocaust Studies.

In April the Cologne Labor Court in NRW dismissed a lawsuit brought by two imams against the Turkish Islamic Union for Religious Affairs (DITIB). A Turkish ministerial decree in 2016 had ordered the imams to leave their positions

and return to Turkey. The court found the government of Turkey employed the imams and the DITIB was therefore not liable.

In May Foreign Minister Gabriel hosted a meeting of 100 religious leaders from 53 countries to establish “long-term and trusting relations between religious representatives around the globe” and to “showcase positive examples of active peace work by religious communities,” according to the foreign ministry’s website.

The country is a member of the International Holocaust Remembrance Alliance.

### **Section III. Status of Societal Respect for Religious Freedom**

*Summary Paragraph:* There were numerous anti-Semitic, anti-Muslim, and anti-Christian incidents, including physical and verbal attacks, death and other threats, online hate speech, arson, burglary, and vandalism. In December Jewish representatives expressed security concerns following protests, some of which were anti-Semitic, about the U.S. decision to recognize Jerusalem as Israel’s capital. In response to the protests, senior government officials condemned anti-Semitism, and some politicians warned Muslims not to engage in anti-Semitism. According to a preliminary government report to parliament, police recorded 1,453 anti-Semitic crimes during the year. An NGO stated anti-Semitism was “latently present” in society, and an academic study found 75 percent of Jews felt anti-Semitism had increased over the previous five years. Civil society groups said most anti-Semitic incidents were carried out by right-wing groups, but they cited growing concern over potential anti-Semitism by Muslim groups. The federal OPC report categorized 31 violent incidents in 2016 as “anti-Semitic motivated by right-wing extremism.” One NGO study found widespread anti-Semitism among recent Middle Eastern immigrants, and another cited anti-Semitism among Muslim students in Berlin. In many anti-Christian incidents, Muslim migrants acted against migrant converts. In September migrants stabbed a Christian convert twice. In January a court sentenced a man to life in prison for killing his roommate after writing he was sorry he could not kill more Christians. In March two men kicked a Muslim girl. In July a speaker at a protest against a proposed mosque called the Prophet Muhammad a pedophile. An EU survey found 16 percent of Muslims reported experiencing religious discrimination over the previous five years. PEGIDA (Patriotic Europeans Against the Islamization of the West) continued to organize weekly demonstrations against immigration and expressing anti-Muslim sentiment. There were demonstrations against what participants called radical Islam. DITIB reported 115 attacks on mosques in 2016. The Catholic Church and the EKD continued to oppose the COS publicly.

In September two Muslim migrants in Berlin attacked a Christian convert from Afghanistan. After asking him why he had changed his religion, the attackers tore off the convert's cross necklace, repeatedly punched him in the face, and stabbed him twice in the upper body. The state prosecution office launched an investigation, which was ongoing at year's end.

In March two men attacked a 14-year-old Syrian girl standing at a bus stop in Hoerstel in NRW. They asked her if she was Muslim, tore off her headscarf, pushed her to the ground and kicked her. The suspects fled by car. At year's end, police had not reported any arrests in the case.

In January the district court in Freiburg, Baden-Wuerttemberg, convicted a man of the 2016 killing of his roommate, a Christian, and sentenced him to life in prison. Three days before the crime, the man had written a text saying he was sorry he could not kill more Christians.

In September the public prosecutor in Dresden filed charges in connection with the bombing of a mosque in 2016. The investigation identified the suspect as one of the speakers at a 2015 PEGIDA demonstration. There were no injuries in the bombing. The suspect remained in police custody at year's end.

In April the local court in Dusseldorf, NRW fined a refugee 400 euros (\$480) for threatening to kill another refugee living in the same shelter because he had converted from Islam to Catholicism, according to press reports. He appealed the judgment to the regional court.

In September the media reported an Afghan refugee fled his shelter in Berlin after Muslim refugees threatened him when he said he was not fasting during Ramadan because he was Christian. As the man fled, other refugees reportedly shouted they would kill him if he came back. The man reportedly found shelter in a church.

In June Berlin Muslims opened a mosque that organizers said they hoped would bring "modern and liberal Muslims" together. One of the main organizers received death threats for opening the mosque. Police officers were investigating and provided protection to the organizer.

In December Jewish representatives expressed security concerns following protests in various cities about the U.S. decision to recognize Jerusalem as Israel's capital and said they had increased security at synagogues and Jewish schools. In

Mulheim, NRW in December, the Jewish community cancelled a Hanukkah event, citing security concerns. In December the head of the Thuringia OPC, Stephan Kramer, told *Der Spiegel* magazine that many Jews no longer felt safe to show they were Jewish.

According to preliminary statistics the government provided to parliament in response to a specific request by a member, the police recorded 1,453 anti-Semitic crimes during the year, including 32 cases of violence, 160 cases of property damage, and 898 cases of hate speech.

The media widely reported one case of a Jewish woman who in March removed her son from a high school, which reportedly had a large proportion of Turkish and Arab students, after months of bullying and physical violence. The school told media it would report the attacks to the police. The London-based *Jewish Chronicle* stated the case highlighted concerns of parents and educators about anti-Semitic harassment of Jewish students, particularly by children of Arab and Turkish descent. The newspaper quoted Aaron Eckstaedt, principal of the privately run Moses Mendelssohn Jewish High School in Berlin, as saying the school received six to 10 applications every year from parents wanting to move their children out of schools where they experienced anti-Semitic harassment. According to Eckstaedt, in most cases families complained about the relative lack of response to the problem from state schools. The media also cited a report by Deutschlandfunk Radio, which featured Jewish teachers from throughout the country who said they were afraid to identify themselves as Jewish to students. According to the report, one teacher said a student told him that if he saw a Jew he would “immediately kill him.” The teacher added, “And he meant it.”

In December police arrested a man after he harassed a Jewish restaurateur outside his Israeli restaurant in Berlin. The man told the restaurateur, “everything is about money with you,” and “No one will protect you ... you can all go to the gas chamber.” Commenting on the incident, head of the Central Council of Jews Josef Schuster said the “disgusting attack brings home the point that anti-Semitism has become mainstream, where it is expressed openly and bluntly.” According to press reports, an online video of the incident was viewed more than 600,000 times. Police released the suspect and were conducting an investigation at year’s end.

The Catholic Church and the EKD continued to oppose COS publicly. “Sect commissioners” of the EKD and the Catholic Church investigated “sects and cults” and publicized what they considered to be the dangers of these groups. EKD “sect commissioners” warned the public about what they said were the dangers posed by

the COS, the Family Federation for World Peace and Unification (Unification Church), Bhagwan-Osho, Transcendental Meditation, and Universal Life. “Sect commissioners” continued to produce print and internet literature portraying these groups unfavorably.

In April head of the Central Council of Jews Schuster told the media he did not think a general headscarf ban was compatible with the constitution. Government employees should “be able to wear religious symbols as long as they come to neutral decisions and act neutrally,” he added.

In July two separate groups in Sulzbach, Saarland, Burgerinitiative “Sulzbach wehrt sich” (Citizen’s Initiative “Sulzbach Fights Back”) and Die Freien Wahler Sulzbach (The Free Voters Sulzbach) protested the construction of a planned mosque by the Muslim Community Saarland, a group with approximately 60 members that was monitored by the OPC. At one of the protests, a speaker called the Prophet Muhammad a pedophile and advocated the closing of borders and against construction of the mosque “so that Sulzbach remains a German village.”

An AJC nonrepresentative survey of 27 Berlin teachers at 21 schools – conducted in 2015-16 with the support of the Berlin State Senate and presented in July during a joint press conference of the AJC and Berlin Education Senator Sandra Scheeres – found some Muslim students acted as “moral guardians,” who rebuked other Muslim students for secular views and pressured them to adopt Islamic dress and a conservative religious image. These “guardians,” whom the survey stated were trained by Salafists, also monitored teachers’ statements. One third of the teachers surveyed reported conflict between the religious beliefs of some students and basic democratic values. Teachers reported cases of pupils crossing out Israel in maps and atlases.

A study by the Bertelsmann Foundation released in August stated that, although Muslims in the country had higher employment rates than in other western European countries and approximately the same employment rate as non-Muslim Germans, in part because of a strong economy, devout Muslims faced discrimination in the labor market. According to the study, it was more difficult for these Muslims to find jobs that matched their qualifications, and their salaries were lower than those of nonpracticing Muslims.

According to a survey released by the EU Agency for Fundamental Rights in September, 16 percent of Muslims in Germany stated they had experienced discrimination because of their religion over the previous five years.

Discrimination appeared to have a racial as well as a religious component, as Muslims of Turkish origin reported experiencing much lower levels of discrimination for any reason (33 percent over the previous five years and 18 percent over the previous 12 months) than Muslims from sub-Saharan Africa (65 percent and 50 percent, respectively). In addition, 8 percent of Muslims from sub-Saharan Africa said they had experienced physical violence over the previous 12 months due to their ethnic or immigrant background, the highest rate of any Muslim group in the 15 EU countries surveyed. Muslims' feeling of attachment to the country was just below the average for the countries surveyed, 4.0 on a five-point scale.

In April a bus driver in Emden, Lower Saxony, refused to let a pregnant woman wearing a full-face veil onto his bus on three occasions, citing "security concerns." Local authorities were examining the case, according to the city spokesperson.

In April Patrick Siegele, head of the Anne Frank Center in Berlin and a member of the Independent Experts Group on anti-Semitism, told parliament right-wing individuals were the biggest source of anti-Semitism in the country, although Muslims were often portrayed as the main source of anti-Semitism. Participants at a December conference of Jewish researchers, journalists, activists, and artists in Berlin expressed similar views and cited annual interior ministry statistics that attributed the "vast majority" of anti-Semitic crimes to right-wing offenders.

According to a study issued in April titled "Jewish perspectives on Anti-Semitism," by Professors Andreas Zick of the University of Bielefeld and Julia Bernstein of the Frankfurt University of Applied Sciences, approximately 75 percent of Jews felt anti-Semitism had somewhat or strongly increased over the previous five years. The same percentage of respondents, however, said they felt at ease in the country. A 2016 study by Leipzig University found more than 10 percent of respondents agreed that Jews had too much influence, and 9.5 percent agreed with the statement that "Jews use bad tricks more than other people to reach their aims."

A joint study by Indiana University and the University of Potsdam for the AJC, which consisted of interviews with 68 refugees from Syria and Iraq in December 2016, stated that "anti-Semitic ways of thinking and stereotypes were very widespread" among new arrivals from Syria and Iraq, participants had inaccurate views of the Holocaust, and almost all of the interviewed immigrants had "a fundamentally negative image of Israel and questioned its right to exist." The study concluded that imported anti-Semitic ideologies created "a potential for anti-

Semitic acts that could be mobilized by radicalization or political activity.” The study cited the need for further research through representative polling.

In a report on anti-Semitism during the period 2016-17, the NGO the Amadeu Antonio Foundation wrote, based on its own work and its review of studies of other organizations such as the Friedrich-Ebert-Foundation and Hamburg University, that anti-Semitism was latently present in society as a whole and that AfD voters were four times more likely to agree with anti-Semitic statements than were voters of parties then represented in the federal parliament. The most common anti-Semitic acts, according to the foundation, were threats and hate speech, much of it online.

The U.S. decision to recognize Jerusalem as Israel’s capital in early December prompted at least a dozen demonstrations in front of U.S. diplomatic facilities and smaller demonstrations elsewhere across the country. Protesters numbered from several hundred to well over a thousand. According to press reports, some participants burned Israeli flags, displayed Hamas symbols, and chanted anti-Semitic slogans. For example, some protesters chanted in Arabic, “Jews, remember Khaybar, the army of Muhammad is returning,” a reference to a battle in which Muslims defeated Jews in the year 628. Police detained a number of protesters. The government reacted swiftly to condemn anti-Semitic actions and language at several of these events. Chancellor Merkel told the press on December 11 she condemned “this violation of fundamental principles of the rule of law” and expressed opposition to “any form of anti-Semitism.” Speaking at the Israeli embassy, President Frank-Walter Steinmeier expressed dismay that anti-Semitism had not yet been overcome in the country, and said he was “shocked and shamed” by the acts and sentiments. Foreign Minister Gabriel, Justice Minister Maas, and Interior Minister de Maiziere also publicly condemned anti-Semitism. Government spokesman Steffen Seibert said, “One has to be ashamed when hatred of Jews is put on display so openly on the streets of German cities.”

In response to the demonstrations, other political leaders directed warnings at Muslim protesters. Parliamentarian and head of the CDU youth organization Paul Ziemak told the media that Muslim organizations should accept Israel's right to exist and pledge to combat anti-Semitism or they would lose the possibility to apply for public funding. Green party cochair Cem Ozdemir warned migrants not to participate in anti-Israel protests. CDU parliamentarian Armin Schuster told the media that foreigners living in the country should be extradited if they burned Israeli flags.

According to the Central Council of Muslims (ZMD), political parties increasingly distanced themselves from Islamic associations because they were concerned that foreign nations and organizations could influence Muslims with money and by sending radical imams to mosques in the country. In September the council published 30 questions of interest to Muslims and answers by the political parties, as a decision-making tool for Muslim voters in the federal elections.

PEGIDA continued to organize weekly demonstrations in Dresden. Amid calls to curb immigration, PEGIDA supporters regularly expressed anti-Muslim sentiments during the rallies. Journalists reported being pushed and threatened when reporting on the demonstrations. The number of participants at PEGIDA marches remained constant at approximately 1,500-2,000 protesters per rally, according to several media reports.

In May a women's march in Hamburg to protest radical Islam and right-wing extremism had 300 participants instead of the 3,000 organizers said they expected. According to press reports, some organizations planning to participate in the event cancelled their participation after organizers published on their website, "We do not think that emancipation and feminism are compatible with a headscarf."

In June approximately 1,000 persons gathered in Cologne under the theme "Not With Us – Muslims and Friends Against Violence and Terror" to condemn terrorism, hate, and violence in the name of Islam. The ZMD in Germany, the Turkish Community in Germany, and various organizations from political parties, labor unions, charities, and churches supported the demonstration.

In April DITIB reported 115 attacks on mosques in 2016, the most recent year for which data were available, compared with 99 from the previous year. In 2016, there were six cases of arson (seven in 2015), 16 threatening letters (nine in 2015), 24 cases of burglary and vandalism (21 in 2015), six of incitement to hatred (13 in 2015), eight of damage to property (0 in 2015), and 10 of depositing pig heads or pork meat (three in 2015).

In February residents of the neighborhood of a Bosniak mosque in Bielefeld, NRW, called the fire brigade after they heard windows being smashed and saw fire coming from inside the building. There were no injuries. An arson investigations by police was in progress at year's end.

In May pig carcasses were discovered at the site of Erfurt's Ahmadiyya Muslim community's future mosque. Thuringia Minister of State Bodo Ramelow called the

attack “disgusting” and tweeted the attackers had “no respect for issues of belief and freedom of religion.” State security was investigating at year’s end.

In June unidentified vandals spray painted several gravestones in a Jewish cemetery in Gotha, Thuringia, with swastikas and Nazi slogans. The mayor and members of the city council publicly condemned the crimes and ordered the cleaning of the gravestones. Police officers were investigating at year’s end.

In June the NGO RIAS reported that unidentified individuals vandalized multiple gravesites at a cemetery in Stahnsdorf, Brandenburg. The vandals placed insults on an information slab at the gravesite of actor Joachim Gottschalk, who had refused to separate from his Jewish wife and child under the Nazi regime, and demolished the flower decoration at a Jewish gravesite. Police officers were investigating at year’s end.

The media reported some refugees had chosen to convert to Christianity but stated reliable numbers on this issue were not available. Deutschlandfunk Radio cited Thomas Schirrmacher, a sociologist of religion, as stating in February that the EKD, Protestant churches that were not part of EKD, and the Catholic Church had each seen approximately 1,000 conversions – more than during all of the previous 50 years, he said. Deutschlandfunk linked this to the rising number of refugees. It also stated “sects” used refugees’ fear of deportation to promote conversions and incentivized them by offering accelerated baptism, free lunch, and transportation costs.

A pastor at the Dreieinigkeits Church in Berlin said he baptized 500 refugees in 2016, and he believed his congregants were being baptized for legitimate reasons; not simply to gain protected status. He stated at his church the baptism class was a serious months-long commitment. According to the pastor, more than 90 percent of the church’s converts were former Shia Muslims, some of whom converted to Christianity prior to arriving in the country.

In March social workers from the Central Council of Jews, the Central Welfare Office for Jews in Germany, and the ZMD met to discuss the integration of refugees through education. At the conference, Central Council of Jews head Schuster said despite differences, Jewish and Muslim communities often faced similar challenges as minorities needing the support of society, particularly “in times of growing anti-Semitism and Islamophobia.”

#### **Section IV. U.S. Government Policy and Engagement**

The U.S. embassy and the five consulates general continued to closely monitor the government's responses to incidents of religious intolerance. The embassy officers regularly met with the MFA Commissioner for Relations with Jewish Organizations and anti-Semitism Issues, expressed concern about anti-Semitism in the country and discussed issues such as accepting the IHRA definition of anti-Semitism.

Embassy and consulate general representatives met with members and leaders of numerous local and national religious and civil society groups about their concerns related to freedom of worship. Topics of discussion with Jewish groups included concerns of anti-Semitism being imported by refugees into the country. Embassy and consulate general representatives also discussed issues pertaining to religious freedom and tolerance with the Roman Catholic, Protestant, and Evangelical Churches; COS; ZMD; Association of Islamic Cultural Centers; Coordination Council of Muslims in Germany; Alevi Muslims; Council of Religions Frankfurt; Konrad Adenauer Foundation; and human rights NGOs.

The U.S. embassy and consulates general sponsored eight state-level education policymakers on a visit to the United States to learn how NGOs counter radicalization and violent extremism, including anti-Semitism. Another U.S.-sponsored program involved the participation of two individuals to study programs to advance minority rights. The program included a meeting with the Coalition Against Hate Crimes – an organization started by the AJC. A former participant of U.S. government-funded leadership exchange programs, Sawsan Chebli, a senior official in Berlin's city government and daughter of Palestinian refugees, founded a working group against anti-Semitism at the Berlin Senate in November and publicly called for Muslims to speak up against anti-Semitism.

The Charge d'Affaires gave remarks on tolerance, nondiscrimination, and respect for ethnic and religious diversity at an embassy reception to mark Hanukkah, in advance of an annual menorah lighting ceremony in central Berlin. The embassy and consulates general supported programs in support of religious tolerance, such as Jewish Cultural Days in Halle, Jewish Week in Leipzig, and Yiddish Summer in Weimar. These events featured music, dancing, film screenings, exhibitions, and speakers that raised awareness about the Jewish community and culture.

In February the Charge d'Affaires hosted a gathering of religious and ethnic community leaders to discuss interreligious understanding. The Charge d'Affaires encouraged the approximately 100 guests to promote religious tolerance and

condemn anti-Semitism. In addition to government leaders, guests included representatives from various levels of the Muslim, Christian, Bahai, Jehovah's Witnesses, Mormon, and Jewish communities, as well as selected government, law enforcement, and NGO representatives engaged in integration, countering rightwing extremism, and combating anti-Semitism. Leaders of Turkish and Arab descent in business, politics, and civil society also participated, as did minority youth leaders. Participants stated it was the only event of its kind in the country. A particular focus was on religious organizations and civil society NGOs that were committed to managing the refugee situation in Berlin.

On October 27 – International Religious Freedom Day – the embassy hosted members of the Berlin diplomatic community to discuss religious freedom and share best practices in engaging the host government and religious groups to promote religious freedom in the country.

In connection with the 500th anniversary of the Protestant Reformation, the Charge d'Affaires visited national exhibits in May in Weimar and Eisenach, both in Thuringia. There he discussed with several religious leaders, including Heinrich Bedford-Strohm, chairman of the EKD, the importance of religious diversity and tolerance. He also attended the October 31 ceremony in Wittenberg to commemorate the 500th anniversary of Martin Luther posting his 95 Theses.

In May the Hamburg Consul General hosted the “Young Islam Conference,” a dialogue forum for young people of all faiths, to hear their concerns about anti-Muslim sentiment and discuss interfaith dialogue.