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Germany

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

International Religious Freedom Report 2010

November 17, 2010

The Basic Law provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion with some exceptions.

The government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period. The government made positive efforts to improve the integration of Muslims and other minorities into society, investigated and prosecuted criminal behavior by extremists directed at religious groups, and promoted tolerance education. Nonetheless, there continued to be concerns about societal and governmental (federal and state) treatment of certain religious minorities, notably Scientologists, Jehovah's Witnesses, and Muslims.

There were reports of societal abuses and discrimination based on religious affiliation, belief, and practice. Right wing extremists and Muslim immigrant youth committed politically motivated crimes against minorities including religious groups. Jewish cemeteries were desecrated. Muslim communities sometimes suffered societal discrimination when building new mosques; however, many members of government and civil society initiated discussions about Muslim integration and expressed their commitment to addressing the issue. The Roman Catholic and Evangelical Churches continued to use "sect commissioners" to warn the public of dangers from some minority religious groups such as the Unification Church, Scientologists, Universelles Leben (Universal Life), and Transcendental Meditation practitioners. Scientologists continued to find "sect filters" used against them in education and employment, as well as discrimination in political party membership.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. The U.S. government placed particular emphasis on support for direct dialogue between representatives of minority religious groups and relevant government officials. The U.S. embassy in Berlin engaged actively with the Muslim communities, including through public outreach, exchange, and other programs that promote religious tolerance, diversity, and greater understanding between religious groups.

Section I. Religious Demography

The country has an area of 137,847 square miles and a population of 82 million. There are no official statistics on religious groups; however, unofficial estimates and figures provided by religious organizations give an approximate breakdown of the membership of the country's denominations. The data below are compiled from a variety of sources.

The Roman Catholic Church has a membership of 25.2 million. The Evangelical Church, a confederation of the Lutheran, Uniate, and Reformed Protestant Churches, has 24.5 million members. Together, these two churches account for nearly three-fifths of the population.

Protestant Christian denominations include the New Apostolic Church, 363,300; Baptist communities (Evangelical Christian Baptists, International Baptist Convention, Reformed Baptists, Bible Baptists, and others), 75,000-100,000; and evangelical non-denominational Baptists, 84,000. Muslims number approximately 4 million, including 2.6 million Sunnis, 400,000 Alevis, and 226,000 Shi'a. There are no official figures on the number of religious conversions. There are approximately 2,600 Islamic places of worship, including an estimated 150 traditional architecture mosques, with 100 more planned. Approximately 45 percent of Muslim immigrants, who are predominantly from Turkey and Bosnia-Herzegovina, have adopted the country's citizenship. Orthodox Christians number 1.4 million, including 450,000 Greek Orthodox/Constantinople Patriarchate; 250,000 Serbian Orthodox; 300,000 Romanian Orthodox; and 180,000 Russian Orthodox/Moscow Patriarchate. Buddhists number 245,000 and Hindus 97,500. Jehovah's Witnesses recorded 166,000 active missionary members and approximately 40,000 nonactive members. The Church of Scientology operates 18 churches and missions, and according to press reports, has 30,000 members. However, according to the Offices for the Protection of the Constitution (OPC) in Brandenburg and Hamburg, the Church of Scientology has 5,000-7,000 members.

According to estimates, Jews number more than 200,000, of which 106,000 were registered members of the Jewish community in 2009. Of these registered community members, approximately 101,000 are immigrants and approximately 5,000 are originally from the country. From 1990 to 2008, approximately 102,000 Jews and non-Jewish dependents from the countries of the Former Soviet Union (FSU) arrived, predominantly from Russia, joining the 25,000 to 30,000 Jews already in the country. As a result of a more restrictive immigration policy regarding Jews from the FSU, the number of Jewish immigrants decreased to 704 in 2009, from 862 in 2008. The new policy was designed in cooperation with Jewish organizations in order to better manage the integration of individuals into the Jewish community.

Approximately 28 million persons (one-third of the population) either have no religious affiliation or are members of unrecorded religious organizations.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The Basic Law provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion with some exceptions. Discrimination against and unequal treatment of some minority religious groups remained a problem at the local level, in part because of the legal/constitutional structure of church-state relations. The structure for managing church-state relations, established in 1949, has been gradually adapting to the country's increasingly diverse religious composition.

Religious organizations are not required to register with the state, and groups may organize themselves for private religious purposes without constraint. Religious organizations must register in order to qualify as nonprofit associations with tax exempt status. State-level authorities review registration submissions and routinely grant tax exempt status. Their decisions are subject to judicial review. Organizations that apply for tax exempt status must provide evidence, through their own statutes, history, and activities, that they are a religious group. Local tax offices occasionally conduct reviews of tax exempt status.

Religion and state are separate, although a special partnership exists between the state and those religious communities that have the status of a "corporation under public law." Any religious organization may request that it be granted "public law corporation" (PLC) status, which, among other things, entitles it to name prison, hospital, and military chaplains and to levy a tithe (averaging 9 percent of income tax) on its members that the state collects. PLCs pay a fee to the government for this tax service; however, not all avail themselves of it. The decision to grant PLC status is made at the state level based on certain requirements, including an assurance of permanence, the size of the organization, and an indication that the organization is not hostile to the constitutional order or fundamental rights. An estimated 180 religious groups have been granted PLC status, including the Evangelical and Catholic Churches, the Jewish community, the Church of Jesus Christ of Latter-day Saints (Mormons), Seventh-day Adventists, Mennonites, Baptists, Methodists, Christian Scientists, and the Salvation Army.

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The Jehovah's Witnesses have been granted PLC status in 12 federal states: Berlin, Bavaria, Brandenburg, Hamburg, Hesse, Lower-Saxony, Saarland, Saxony, Saxony-Anhalt, Schleswig-Holstein, and Thuringia. Baden-Wuerttemberg, Rhineland-Palatine, Bremen, and North Rhine-Westphalia have not granted PLC status and attempts by the Jehovah's Witnesses to alleviate these states' concerns about the organization have been unsuccessful.

Muslim communities remained an exception, lacking PLC status. In principle, the federal government is in favor of the states' granting public law corporation status to Muslim communities but has indicated a desire that Muslims agree upon a single organization with which the states and the federal government can negotiate. In 2007 the four largest Muslim religious organizations formed the "Muslim Coordination Council" (KRM), which claims to represent Muslims in the country. Whether and when this group would meet legal requirements for registration as a PLC remained unclear and was to be decided at the state level.

Achieving PLC status has potential implications for Muslims in the country who wish a traditional Islamic burial, which consists of burial in a shroud facing Mecca, in a cemetery permanently dedicated only to Islamic burials. These conditions conflict with some states' laws or customs, which require a coffin be buried in a cemetery in a rented plot, which will be turned over every 30 or 60 years. Eleven of the 16 federal states allowed burial without a coffin during the reporting period. Few Islamic cemeteries existed nationally. There were some cemeteries, however, including in Frankfurt and Berlin which had sections reserved for Muslim burials.

By the end of the reporting period, eight states had enacted laws banning female Muslim teachers from wearing headscarves at work, after the Federal Constitutional Court cleared the way in 2003 for state legislation. New legislation generally used language that could be applied to wearing any symbol that could be interpreted as rejecting constitutional values or supporting oppression. Courts upheld headscarf bans in several cases. The Federal Supreme Court ruled in 2003 that banning headscarves is within state legislative jurisdiction, and subsequently Baden-Wuerttemberg, Bavaria, Bremen, Lower Saxony, North-Rhine Westphalia, and Saarland passed headscarf bans for teachers in public schools, while Berlin and Hesse passed laws to ban headscarves for all civil servants. Politicians also debated a ban of the burqa, which covers the face, although the estimated number of women in Germany who wear the burqa is very low.

The criminal code addresses the insulting of faiths, religious societies, and ideological groups. An incitement intended to disturb the public order is punishable by up to three years imprisonment and a fine. Prosecution had not resulted in significant numbers of convictions.

The government subsidized some religious organizations for historical and cultural reasons. In view of the country's culpability for the Holocaust, the states have accepted as a permanent duty the obligation to provide financial support to the Jewish community, including support for reconstruction of old synagogues and construction of new ones. The government financed the repair and restoration of some Christian churches and monasteries that the state expropriated in

1803. Newer churches and mosques do not generally receive subsidies for maintenance or construction. State governments also subsidize various institutions affiliated with public law corporations, such as religious schools and hospitals, which provide public services.

The 2003 State Agreement on Cooperation between the federal government and the Central Council of Jews supplements the funding received by the Jewish community from the states. The Central Council receives approximately \$6.97 million (5 million euro) annual funding to maintain the Jewish cultural heritage, restore the Jewish community, and support integration and social work for the Jewish Community. The Central Council reports annually to the government on the use of the funds. The agreement emphasizes that the Central Council of Jews supports all branches of Judaism with the funds provided.

Authorities strongly condemned all anti-Semitic acts and devoted significant resources to investigating incidents and prosecuting perpetrators, although arrests and prosecutions were infrequent. The state also provided 24-hour police protection at synagogues and many other Jewish institutions.

The government maintains a stated position of neutrality in religious matters since there is no official faith or state church. It does not declare religious holidays as national holidays. Individual states determine which religious holidays are observed, and these vary from state to state.

Most public schools offer Protestant and Catholic religious instruction in cooperation with those churches, as well as instruction in Judaism if enough students express interest. The number of Islamic religion classes in public schools continued to grow. In principle, participants of the federal government-sponsored Islam Conference agreed that Islamic education should be made widely available. Education is a state responsibility, and in part because no nationally recognized Islamic organization exists that could assist in developing a curriculum or providing services, the form and content of Islamic instruction vary from state to state. Organizations providing Islamic instruction do not have PLC status.

All states offer religious instruction and ethics courses. In most states, students who do not wish to participate in religious instruction can substitute ethics courses. In Berlin and Brandenburg, the ethics course is compulsory, while the course on religion is voluntary. Religion and ethics courses are treated equally in Saxony, Saxony-Anhalt, and Thuringia, meaning a student can choose either one.

Although 3.5 million Muslims live in Germany, Islamic religious instruction for the estimated 750,000 to 900,000 Muslim students in the public school system remains a controversial topic. Although no Muslim group had PLC status that would entitle them to offer Islamic courses, state governments recognized the need and demand and worked with local Muslim organizations to establish such courses. Hesse's state government launched an Islamic education pilot project based on the Alevite belief on August 24, 2009 in five elementary schools. Additionally, the government formed a working group to investigate how a full Islamic education program in all schools could be implemented. The working group met for the first time in June 2010 in cooperation with Turkish communities. Since summer 2008, North Rhine-Westphalia (NRW) has introduced regular religion classes for Alevites at 15 public elementary schools for 213 students. NRW began a pilot program in 1999 in which Muslim teachers teach courses on Islam. In the 2009-10 academic year, 10,541 students (more than in any German state) participated in these classes at 133 different public schools. The Bavarian state government's 5-year pilot project on Islam courses, which began in March 2009, is ongoing.

The government of Lower Saxony's plans to institute training for imams in the state were ongoing. The training would include courses in civic education, German language, and a dialogue with Christian churches. In September 2009, independent academic certification of the Islamic Religious Education program at Osnabrueck University resulted in a confirmation that a two-year program designed to train Islamic religious instructors would be continued. Twenty-five

students are enrolled at Osnabrueck University and are expected to become Islamic religious instructors in public schools upon completion of their education.

The University of Muenster in NRW, the holder of the country's first chair for training secondary school teachers in Islamic religious instruction, announced in spring 2010 the creation of a second chair of Islamic studies to be filled by an applicant of Lebanese descent. The appointment requires approval by several Muslim organizations and the formal approval of the appointment was pending. The University of Muenster's first chair remained unfilled after a controversy surrounding its first incumbent.

A plan by Benjamin Idris, the imam of the Muslim community in Penzberg, to develop a Muslim Center in Munich ("ZIEM") comprising a community center, mosque, library, and an academy for the education of imams, was being prevented by Bavaria's Interior Ministry. The Interior Ministry suspected the Penzberg community of being affiliated with Milli Goerues and the Muslim Brotherhood, organizations that are highlighted in the annual report of Bavaria's OPC. Bavaria's OPC continued to assert that the Muslim community in Penzberg was closely affiliated with fundamentalist Islam. Penzberg's Muslim community was appealing this ruling to the Bavarian state court.

Areas remained where the law and Islamic practices conflicted with one another, such as the call to prayer, Islamic ritual slaughtering, and the segregation of older boys and girls during sports classes.

The legal requirement that children attend school, confirmed by the Constitutional Court and the European Court of Justice in 2006, continued to be a problem for some homeschooling advocates for religious reasons, due to concerns about sex education and the teaching of evolution.

In July 2009, Baden Wuerttemberg's state authorities closed a Baptist school in Neuenstadt claiming the school did not hire trained teachers. Families from Kazakhstan and Kyrgyzstan continued to send their 22 children to the school and as a consequence, in November 2009 the state authorities imposed a monetary fine of Baden-Wuerttemberg \$1,252 (1,000 euro) per child.

There were no new developments in the Ministry of Defense efforts to develop a Muslim chaplaincy within the military. The efforts had failed because of an inability to reach agreement on a plan with multiple Muslim groups. Independently, the ministry developed a code of conduct to facilitate the practice of Islam by an estimated 3,000 Muslim soldiers, which remained in effect.

The General Act on Equal Treatment prohibits discrimination on the basis of sex, ethnic origin, race, religion, disability, age, and sexual identity. In 2002 the Federal Constitutional Court defined the government's warning function with respect to nontraditional religions, ruling that the government could characterize nontraditional religions as "sects," "youth religions," and "youth sects," and is allowed to provide accurate information about them to the public; however, the government may not defame these religious groups by using terms such as "destructive," "pseudo-religious," or "manipulative."

Since 2005, applicants for citizenship in Bavaria have been required to fill out a questionnaire regarding their affiliation with organizations under observation by the state OPC, including Scientology.

On September 1, 2008, the Federal Interior Ministry introduced a nationwide naturalization test. The Central Council of Muslims welcomed it, since it ended earlier state attempts to include questions on morals and social values, which had been seen as discriminating against Muslims. According to the census bureau and latest statistics available, the number of immigrants naturalized in 2008 dropped to 94,500, approximately 18,600 (16%) fewer than in 2007, when 113,000 persons became citizens. This was the lowest outcome since the country's reunification.

Restrictions on Religious Freedom

The federal government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period. Some state governments and federal agencies did not recognize certain belief systems, including Scientology, as religions; however, the absence of recognition did not prevent their adherents from engaging in public and private religious activities.

The federal and state OPCs in Baden-Wuerttemberg, Bavaria, Berlin, Bremen, Hamburg, and Lower Saxony continued to monitor the Church of Scientology's activities. Federal and some state authorities continued to classify Scientology as a potential threat to democratic order, resulting in discrimination against Scientologists in both the public and private sectors. Several states published pamphlets about Scientology (and other religious groups) that detail the church's ideology and practices. States defended the practice by noting their responsibility to respond to citizens' requests for information about Scientology as well as other subjects. The pamphlets warn of the dangers the church poses to democracy, the legal system, and human rights.

In response to concerns about Scientology's ideology and practices, government agencies at the federal and state level and private sector entities established rules or procedures that discriminate against Scientology as an organization and/or against individual members of the church.

Scientologists continued to report instances of societal and governmental discrimination. Over the last decade, the Church of Scientology has filed legal challenges against many practices used to discriminate against Scientologists in public and private life. These have included suits against the monitoring of the church by state OPC offices, against the use in hiring practices of the so-called "sect filter," and against workplace discrimination. The courts rendered final, binding decisions on two key issues: the religious bona fides of Scientology and the improper use of so-called "sect filters" to blacklist and boycott Scientologists in the public and private sector.

On May 19, 2010, the Bavarian Administrative Court ruled in favor of a daycare instructor whose contract had been cancelled by the city of Munich due to her affiliation with Scientology. In addition, the court ruled that the instructor should not use Scientology methods to educate the children and to inform the parents of her membership in the church.

On October 8, 2009, the Berlin Foreigner Office rejected the residence applications for two Church of Scientology ministers who applied to reside temporarily in Berlin to help train local church staff to assume executive positions in the organization. The order issued by the Berlin Foreigner Office clearly laid out what appeared to be the city's policy to reject residency applications from Scientologists based on the conviction that "it lies in the public interest to impede the further expansion of an organization whose purposes are directed against the free democratic constitutional order."

On July 14, 2009, Berlin's Higher Administrative Court confirmed an earlier ruling of the Berlin Administrative Court, which had ordered the immediate removal of two anti-Scientology posters that had been placed by the Charlottenburg District Office of the Berlin City Administration in front of the Church of Scientology of Berlin on January 22, 2009. The posters detailed a large "STOP" sign followed by a warning from the Charlottenburg District Assembly about the activities of Scientology in the area. The Higher Court confirmed that the Church of Scientology in Berlin enjoys protection of freedom of religion and belief under Article 4 of the Constitution and that the STOP poster violated the Church of Scientology's right to freedom of religion and belief.

A large number of Muslim organizations, including some that profess to be engaged in specifically and solely peaceful religious, social, and/or cultural activities were under observation by state and federal OPCs.

Muslim teachers wearing headscarves continued to be a concern, as several states ban public school teachers from wearing headscarves.

In January 2009 state school administrators in Rhineland-Palatinate, where headscarves for civil servants are not banned, rescinded a job offer to a Muslim schoolteacher in Worms after learning she would wear her headscarf while teaching. The authorities then reassigned the teacher to work in Speyer, but the students there filed a petition against her presence, and many students subsequently failed to attend the teacher's classes. Subsequently, the Rhineland-Palatinate Christian Democratic Union party drafted a bill to ban headscarves by teachers in the Rhineland-Palatinate, but on October 21, 2009, the legislature rejected the bill.

In January 2009 the Federal Court in Leipzig rejected the appeal of a March 2008 ruling by the Baden-Wuerttemberg Higher Administrative Court in Mannheim that a Muslim elementary school teacher in Stuttgart-Bad Cannstatt must remove her headscarf during class. This case was appealed to the Federal Constitutional Court and is still pending.

On May 27, 2010, Berlin's Higher Administrative Court reversed a previous court ruling issued on September 29, 2009 which had allowed a 16-year-old Muslim high school student to practice ritual midday prayers at school. The higher court ruled that one pupil's rights could not be put before the good of the group as a whole. It also argued that in a school with students of various religious beliefs, neutrality was required to ensure a proper learning environment. The ruling has been appealed to the Federal Administrative Court.

Some religious groups expressed opposition to the government's prohibition of home schooling. During the year local authorities brought criminal charges against some parents who refused to enroll their children in government-licensed schools for religious reasons. State authorities generally permitted groups to establish private schools so long as they met basic curriculum requirements.

Abuses of Religious Freedom

Two Baptist women from a Paderborn community were arrested April 7, 2010 for keeping their children from participating in sex education lessons. One of the women and her husband were also fined \$167 (120 euro) each in 2008 for refusing participation in a theater project of the school. They lost the appeal, but refused to pay the fine and were thus sentenced to eight days in prison each.

In December 2008 the Higher Regional Court in Frankfurt granted an appeal by the Dudek family of Herleshausen, northern Hesse, and remanded the case to the original court. The case stemmed from the June 2008 Kassel regional court sentencing of the Dudek parents to three months' imprisonment for refusing to send their six school-age children to school. The parents insisted on instructing their children at home, arguing that state schools would contradict their Christian teachings. The state court eventually withdrew the prison sentence on November 11, 2009 and changed it to a monetary fine of \$75 (60 euro) for each parent. Despite the minimal fine, the parents now have a criminal record.

There were no reports of religious prisoners or detainees in the country.

Forced Religious Conversion

There were no reports of forced religious conversion.

Improvements and Positive Developments in Respect for Religious Freedom

The government promoted tolerance by establishing dialogues with representatives of immigrant and Muslim groups on the integration of minorities and immigrants and on Islamic matters at the interior minister level. On July 12, 2007, the

government adopted the National Integration Plan, in which state and local authorities, representatives of minority groups, and the government adopted measures and voluntary commitments relating to integration. The government released a progress report on November 6, 2008, which was met with praise and criticism. The chancellery held its last integration summit on November 6, 2008, but has not held another integration summit since. The government's efforts to promote integration of the Muslim community continued within the Interior Ministry's Islam Conference. The Islam Conference, which was established by current Finance Minister and former Interior Minister Wolfgang Schäuble in 2006, continued its work under Interior Minister Thomas de Maizière on May 17, 2010, with 30 newly selected participants. This year's conference focused on promoting institutional cooperation and integration projects; promotion of gender equality; and preventing extremism, radicalization, and societal polarization. Working groups are expected to handle the issues, and the plenary would meet once or twice a year. One of the working groups is tasked with developing concepts for promoting further education of imams in German regional and social studies, the expansion and evaluation of model projects for Islam lessons (in German) at public schools, as well as the establishment of Islamic theological training at German universities. Forced marriages and the wearing of headscarves are to be addressed by another working group. A third working group is designated to concentrate on preventing extremism and dealing with xenophobia against Muslims and promotion of tolerance.

The Islam Conference has increased public attention to Muslims. However, two of the four major Muslim associations in Germany did not participate. The Islamic Council's participation was prohibited since a key functionary of one its member organizations (Milli Goerues) faces criminal investigations. The Central Council of Muslims did not participate because of their criticism of the conference's agenda and its composition for not representing the full spectrum of the Muslim community in Germany.

The construction of a new mosque in Cologne began in November 2009 and is expected to be completed in 2011. The mosque, in addition to being the country's largest and most modern, would also house the national headquarters of the Turkish-Islamic Union for Religious Affairs (DITIB), the country's biggest Muslim umbrella organization with close ties to the Turkish government agency for Religious Affairs in Ankara, Diyanet. The groundbreaking ceremony for the mosque was attended by over 2,000 guests. German Chancellor Merkel praised the mosque's construction as another example of integration.

The government monitored right-wing extremists and conducted investigations into anti-Semitic crimes. Authorities sought to address right-wing extremism by conducting a variety of education programs to promote tolerance, many focusing on anti-Semitism and xenophobia. The Federal Ministry of Family, Senior Citizens, Women, and Youth implemented three complementary federal programs to combat right-wing extremism: "Diversity is Good," a \$27.2 million (19 million euro) per year program designed to train youth, educators, and immigrants about right-wing extremism, anti-Semitism, and xenophobia; "Competent for Democracy," a \$7.2 million (5 million euro) per year network to provide counseling in conflict situations; and "Places of Diversity," a network of organizations, including political parties, media outlets, churches, and businesses, to promote tolerance and democracy.

The Lower Saxony OPC has a touring exhibition on integration entitled "Muslims in Lower Saxony: Problems and Perspectives of Integration." It can be requested by municipalities and institutions in Lower Saxony and is scheduled to be displayed at multiple destinations throughout the state through 2010.

On November 4, 2008, the Bundestag passed a resolution addressing anti-Semitism in which it called upon the government to create an experts group to coordinate government activities to combat anti-Semitism and provide routine reports and an action plan to address the issue. On August 5, 2009, then Interior Minister Schaeuble appointed an expert team on anti-Semitism to provide a regular report about anti-Semitism in the country, to coordinate government activities

to combat anti-Semitism, and to submit an action plan on the issue. The experts group first convened on September 9, 2009, and is charged with producing a report on anti-Semitism in the country for the parliament in 2011.

In an article published on May 8, 2010, marking the 65th anniversary of the defeat of the Nazi Germany in World War II, Chancellor Merkel wrote that "fighting anti-Semitism at the root is a challenge for the whole of society, even if the vast majority of people do not think in an anti-Semitic way." The chancellor pledged to always fight against anti-Semitism, even if it meant she would receive "insulting letters about being a 'puppet of the Jewish conspiracy' and worse."

On July 7, 2009, at a ceremony in honor of the 60th anniversary of the Coordinating Committee for Christian-Jewish Cooperation, Chancellor Merkel stated that it was not acceptable that Israel was viewed as the greatest source of threat to world peace and stated that it was important to expose "anti-Jewish mindsets."

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses and discrimination based on religious affiliation, belief, and practice.

In 2009 the federal OPC recorded 18,750 right-wing "politically motivated crimes" (PMCs) with extremist background (a decrease of 5.8 percent compared to 19,894 in 2008). This included 891 violent crimes (a decrease of 14.5 percent compared to 1,042 in 2008). The Federal Criminal Investigation Office (BKA) defines PMCs as offenses related to the victims' ideology, nationality, ethnicity, race, skin color, religion, worldview, ancestry, sexual orientation, disability status, parents, or social status. The 2009 OPC report included 4,734 left-wing PMCs, 707 PMCs by foreigners, and 761 other types of PMCs. The report listed 195 right-wing extremist organizations and groups (156 in 2008). Authorities estimated membership in these groups, plus right-wing extremists who remained unorganized, to be approximately 26,600 (30,000 in 2008).

A degree of anti-Semitism based on religious doctrines and historic anti-Jewish prejudice continued to exist. Far-right political organizations claimed that Jews were the cause of modern social and economic trends, such as globalization, which some of the country's citizens find disorienting or dangerous. While most anti-Semitic acts were attributed to neo-Nazi or other right-wing extremist groups or persons, recent high-profile anti-Semitic incidents indicated that Muslim youths were increasingly involved in attacks on and harassment of Jews.

The 2009 OPC report recorded a total of 1,502 right-wing PMCs with extremist and anti-Semitic backgrounds in 2009 compared to 1,477 in 2008 (an increase of 1.7 percent). Among these, the number of violent crimes dropped from 44 to 31. Federal authorities generally responded to combat anti-Semitic offenses.

The most widespread anti-Semitic acts were the desecration of Jewish cemeteries or other monuments with graffiti that included the use of swastikas. According to the Federal Interior Ministry, there were 38 desecrations of Jewish cemeteries in 2009, compared to 53 in 2008 and 30 in 2007.

On June 28, 2010, two Israeli tourists were overheard conversing in Hebrew at a Berlin nightclub. Another guest, apparently of Palestinian descent, asked them where they were from. When one of the tourists, a 22-year-old man, replied, "from Israel," the man attacked him and his companion. The situation escalated when a Turkish-born bouncer intervened and attacked the Israelis with pepper spray. The tourists were able to flee and required medical treatment. Law enforcement officials assume that the attack was the result of anti-Semitic sentiment. The bouncer and the man who attacked the Israelis, whose identity is still unknown, are being investigated for aggravated assault and battery.

On June 19, 2010, members of a Jewish dance troupe were forced off stage during a neighborhood street festival in Hanover, Lower Saxony, after a group of children and teenagers pelted the dancers with stones and used a bullhorn to scream anti-Semitic remarks. One of the dancers was injured and the dance group subsequently ended their performance.

The assailants were reportedly of Lebanese, Palestinian, Iraqi, Iranian, and Turkish origin. Politicians and local associations responded in outrage and disbelief to the incident. The police identified 9 suspects shortly after the incident. The police arrested a 19- and 14-year-old on June 22 for interrogation, and four more suspects on June 24 – one 9- and two 11-year-old boys, as well as a 16-year-old.

On June 17, 2010, right-wing extremist NPD parliamentarian Holger Apfel was temporarily banned from the Saxony state parliament for making anti-Semitic remarks. Apfel made references to the "Jewish rogue state," the "blooming Holocaust industry" and the "Jewish terror state" until his microphone was turned off. Apfel was barred from attending the next ten plenary sessions of the parliament.

On June 15, 2010, five gravestones and a wall at a Jewish cemetery in Babenhausen, Hesse, were spray-painted with swastikas.

On June 2, 2010, a Jewish memorial in Beckum, North Rhine-Westphalia was smeared with swastikas and anti-Semitic slogans. This was the third time in a period of five weeks that the memorial was defaced.

In June 2010, extremists defaced a memorial plaque in the western city of Bochum.

On May 26, 2010, all gravestones at a Jewish cemetery in Stassfurt, Saxony Anhalt, were found covered with swastikas and other right-wing symbols.

On May 16, 2010, a synagogue in Worms was doused with flammable liquid and set on fire during the night, resulting in a blackened exterior but no major damage. Forensics experts later identified eight sources of fire at the crime scene. In addition, a Molotov cocktail was thrown through the window of the synagogue's library. Police found eight copies of a note that stated, "So long as you do not give the Palestinians peace, we are not going to give you peace." Rhineland-Palatinate's Minister-President Kurt Beck condemned the attack.

On May 8, 2010, the Anne Frank School in Guestrow, Mecklenburg-West Pomerania, was vandalized with anti-Semitic and right-wing extremist slogans.

On May 2, 2010, a majority of the gravestones were damaged at a Jewish cemetery in Gangelt, North Rhine-Westphalia.

On April 24, 2010, during a soccer match, supporters of SV Muegeln-Abläss 09, a district-league soccer club in the eastern state of Saxony, chanted "a tree, a nose, a Jew's neck" and "we're building a subway, from Jerusalem to Auschwitz," until the match was stopped.

On April 21, 2010, a Jewish memorial in Beckum, North Rhine-Westphalia was sprayed with anti-Semitic slogans. It was vandalized a second time on April 29, 2010.

On April 16, 2010, a German court convicted British Roman Catholic Bishop Richard Williamson living in Britain of incitement and Holocaust denial in a 2008 interview he gave with a Swedish television station in which he stated that he did not believe that Jews were killed in gas chambers during World War II. He was ordered to pay \$13,544 (10,000 euro) as a fine. The bishop was originally fined \$16,723 (12,000 euro), but appealed his case and the fine was reduced.

On March 27, 2010, a man and two women were beaten on a subway station platform in Berlin. The three were approached by a man who asked if they were Jewish. He reportedly returned some time later with a group of youths who attacked the three, physically beating and kicking them and hitting them over the head with beer bottles.

On March 26, 2010, a man verbally attacked two 10-year-old girls with anti-Semitic remarks at a local train station in Berlin -Wannsee. When a man intervened to assist the girls, the attacker grabbed a beer bottle, and threatened the girls and the

innocent bystander. The police were called and the perpetrator was charged with incitement of racial hatred. The case is pending.

On January 27, 2010, a 16-year-old right-wing extremist committed an arson attack against the House of Democracy in Zossen, Brandenburg, which was also hosting an exhibition on Jewish life in the city.

On November 12 and November 14, 2009, unknown vandals painted a swastika onto the facade of a synagogue in Trier, Rhineland-Palatinate. City authorities immediately mounted an investigation and offered a reward for any information leading to an arrest.

On November 7, 2009, a synagogue in Dresden, Saxony, was vandalized with swastikas and other anti-Semitic hate symbols. The vandalism took place days prior to events commemorating the 71st anniversary of Kristallnacht.

On July 28, 2009, the Higher Administrative Court in Mannheim, BadenWuerttemberg, confirmed the expulsion of two 17-year-old students from a high school in Pforzheim, Baden-Wuerttemberg, following an anti-Semitic incident in December 2008 in which five high school students shouted anti-Semitic phrases at a Jewish student and vandalized a door to his home.

On 24 July, 2009, two gravestones at a Jewish cemetery in Weimar, Thuringia, were damaged.

The rise of a substantial Muslim minority at times continued to lead to social conflict with religious, ethnic, and cultural overtones. Commonly, this included local resistance to mosque construction, leasing land for Muslim cemeteries, or disagreements over whether Muslims may use loudspeakers in residential neighborhoods to call believers to prayer. Authorities argued that many disputes also appeared to be related to compliance with construction and zoning laws; private groups (with some Interior Ministry financing) sought to better educate Muslim groups about these laws. Muslim groups, however, argued that such rules were often abused or that local opposition was motivated by anti-Muslim bias. Noise and traffic levels as well as security concerns were also factors in neighborhood disputes.

On April 24, 2010, Lower Saxony's Minister for Social Affairs and Germany's first Muslim Minister of Turkish origin Ayguel Oezkan called for a ban on crucifixes in state schools shortly before she took office, prompting an intense debate. The Federal Constitutional Court ruled in 1995 that crucifixes in public places breach the principle of state neutrality. In response to Oezkan's appointment as minister in Lower Saxony, a Christian Democratic Union member in Hesse's state parliament, Hans-Juergen Irmer, stated that Oezkan is not able to "represent German interests because Islam is determined to "conquer and rule the world." He added "We don't need more Muslims but less."

On July 1, 2009, Alex Wiens, who sympathized with right-wing extremist organizations, stabbed and killed an Egyptian Muslim woman, Marwa el Sherbini, in a courtroom in Dresden, Saxony. She had appeared in the court to testify against Wiens for insulting her for wearing a headscarf and allegedly calling her a terrorist. The Dresden Prosecutor's Office stated the killer was driven by deep hatred of Muslims. On November 11, 2009, the Dresden regional court condemned Wiens to a life sentence. The judge determined that the attacker killed Sherbini out of revenge and xenophobic hatred. The killing was publically criticized by the federal government as well as by representatives of the German Central Council of Muslims and the Central Council of Jews. The incident generated protests against "Islamophobia" both within the country and abroad; the Muslim community in the country and the Egyptian ambassador expressed satisfaction with the verdict and sentence in November.

On February 13, 2009, the Hamburg District Court found German-Afghan Ahmad-Sobair Obeidi guilty of murdering his sister Morsal and sentenced him to life imprisonment (15 years). Obeidi stabbed his sister 23 times on May 15, 2008, out of anger over her "western" lifestyle. During the trial, the defendant stated that in his view, his sister turned away from her

family, dressed inappropriately in public, and worked as a prostitute. On November 24, 2009, the Federal High Court (BGH) affirmed the life long prison sentence imposed by Hamburg's District Court. The sentence is now legally binding.

On April 22, 2009, the city of Munich approved the construction of a mosque in Sendling. The plans were abandoned on February 20, 2010, as the Munich construction group Ditim declared it would no longer pursue this project due to budget constraints.

On November 9, 2009, four men were arrested in the attack on a mosque being constructed in Elsenfeld, Bavaria. The mosque was defaced with pigs' blood and eyes. Media observers reacted with surprise when Wuerzburg's police commented that the attack had no background involving hostility towards foreigners, citing that the attackers were "simply annoyed about the building permit for the mosque."

On March 31, 2010, Germany's public broadcaster ARD broadcasted the film "Until Nothing Remains," a dramatized but allegedly true story of the effects that the Church of Scientology has had on a German family. The broadcast received widespread media attention in Germany. On March 26-27, 2010, Ursula Caberta, commissioner for the Scientology Task Force of Hamburg's Interior Ministry and one of the film's advisors, convened a conference in Hamburg to discuss the Church of Scientology's activities in Germany and worldwide with former members of the church. The church's headquarters in Berlin allegedly received bomb and death threats by phone and email after the public announcement of the screening of the film on February 2, 2010. The church's information office in Berlin-Spandau was also vandalized on numerous occasions.

The Catholic Church and the Evangelical Church continued publicly to oppose Scientology. Evangelical commissioners for religious and ideological issues, also known as "sect commissioners," were particularly active in this regard. Additionally, several public and private organizations continued to issue public warnings about Scientology afterschool study programs. The sect commissioners investigate "sects, cults, and psycho groups" and publicize what they consider to be the dangers of these groups to the public. Evangelical sect commissioners were especially active in their efforts to warn the public about alleged dangers posed by the Unification Church, Scientology, Bhagwan-Osho, Transcendental Meditation, and Universal Life. Print and Internet literature of the sect commissioners portrayed these groups unfavorably.

The Universal Life group reported that sect commissioner portrayals of the group promoted intolerance and that these portrayals were frequently taken up by the media and municipal authorities, who then denied members of the group access to market stands and sales booths in municipal facilities, lecture halls, and information stands in public places.

Scientologists in Hamburg continued to report discrimination due to the use of "sect filters," stating that the Bundesagentur für Arbeit (Federal Employment Office) continued to use "filters," as did many small and medium-sized businesses. A sect filter is defined as an assurance a new employee has to sign stating that he has no contact with Scientology, has not participated in its training courses, and rejects their doctrines. The Hamburg Chamber of Commerce continued to use the "filter" in its mediation department.

Since the 1990s, four of the major political parties (the Christian Democratic Union, the Christian Social Union, the Social Democratic Party, and the Free Democratic Party) have banned Scientologists from party membership. Scientologists have unsuccessfully challenged these bans in courts.

In April 2009 several nongovernmental organizations (NGOs) started a campaign to encourage young voters to counter right-wing extremism, with the goal of keeping the National Democratic Party of Germany out of the parliament. Jewish NGOs, such as the Central Council of Jews, provided input and assistance on a variety of government-sponsored tolerance education programs focusing on anti-Semitism and xenophobia. The country is an active member of the 25-country Task Force for International Cooperation on Holocaust Education, Remembrance, and Research.

Hesse sponsors and is home to several interreligious federations, including the Interkultureller Rat (Intercultural Council), which promotes dialogue between native and nonnative residents, and the multifaith Religious Council, which seeks to improve sensitivity to religious needs, such as in hospitals.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. The U.S. mission engages in activities that promote a more positive attitude toward the Muslim community. It has extensive contact with religious groups and meets frequently at multiple levels with representatives of religious groups to discuss their situation and concerns. The mission has an active Muslim engagement program that includes student and other exchanges, outreach efforts, and speakers. The U.S. embassy and consulates hosted iftars, evening meals during Ramadan, and interfaith events to which government officials were invited, thereby encouraging greater dialogue. There were also mission-wide meetings with prominent leaders from the Muslim communities throughout Germany, including from the Interior Ministry's Islam Conference, which provided opportunities to discuss relevant issues.

In response to anti-Semitic crimes, members of the U.S. embassy closely followed the government's responses and expressed the U.S. government's opposition to anti-Semitism. Mission officers maintained contact with Jewish groups and continued to monitor closely the incidence of anti-Semitic activity. The U.S. mission promoted religious tolerance by hosting an interfaith Seder to which government representatives as well as prominent members of the Muslim, Christian, and Jewish communities were invited.

The U.S. government expressed concern regarding infringement of individual rights because of affiliation with Scientology and other minority religious groups, and requested that the government implement or encourage states to apply immediately all prior court rulings in favor of minority religious groups. For example, on January 10, 2010, an embassy representative met with Berlin state government officials to address the Berlin Foreigner Office's rejection of residence applications for two Church of Scientology ministers who applied to reside temporarily in Berlin to help train local church staff to assume executive positions in the organization. The embassy representative told the officials that the language used in the denial order was discriminatory.

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