DE – Country information

Indicators on political participation

of persons with disabilities

2014

DISCLAIMER: The background country information reports contain background material for the comparative report on *The right to political participation for persons with disabilities: human rights indicators* by the European Union Agency for Fundamental Rights (FRA). The bulk of the information in the background country information reports comes from ad hoc information reports prepared under contract by the FRA’s research network FRANET. The views expressed in the background country information reports do not necessarily reflect the views or the official position of the FRA. These reports are made publicly available for information purposes only and do not constitute legal advice or legal opinion.

FRANET contractor: German Institute for Human Rights

1. **STRUCTURE INDICATORS**

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| **Structure indicators** | **Source and supporting information** |
| Has [country] ratified the CRPD without a reservation to Article 29? Please give details of any reservation. | 24 Feb 2009[[1]](#footnote-1) |
| Has [country] ratified the CRPD without a reservation to Article 12? Please give details of any reservation. | 24 Feb 2009[[2]](#footnote-2) |
| Has [country] ratified the CRPD without a reservation to Article 9? Please give details of any reservation. | 24 Feb 2009[[3]](#footnote-3) |
| Please indicate the legislation which applies to European Parliament and municipal elections in your country. Please highlight possible amendments in view of the 2014 European Parliament elections.  Does the same law apply for national, federal, local and regional elections, and referendums?[[4]](#footnote-4) | **European Parliament elections**  -Primary laws and regulations are: European Elections Act (*Europawahlgesetz*, EuWG)[[5]](#footnote-5); European Electoral Ordinance (*Europawahlordnung*, EuWO)[[6]](#footnote-6); Members of the European Parliament Act (*Europaabgeordnetengesetz*, EuAbgG)[[7]](#footnote-7).  -In view of the 2014 European Parliament elections, an amendment to the EuWG was passed in July 2013.[[8]](#footnote-8) It reduces the number of representatives from 99 to 96 and the threshold of 5 % to 3%.[[9]](#footnote-9) In December 2013 the European Electoral Ordinance was amended as well, extending the improvements for people with disabilities recently adopted for the federal elections to the law governing European elections.  **Federal elections**  - Main laws and regulations regarding federal elections: Federal Electoral Act (*Bundeswahlgesetz*, BWG)[[10]](#footnote-10); Federal Electoral Ordinance (*Bundeswahlordnung,* BWO)[[11]](#footnote-11); Political Parties Act (*Parteiengesetz*, PartG)[[12]](#footnote-12); Scrutiny of Elections Act (*Wahlprüfungsgesetz* WahlPrG)[[13]](#footnote-13) and the Constitution (*Grundgesetz*, GG).[[14]](#footnote-14)  -The provisions regarding the right to vote differ from the provisions applicable to the European Parliament elections in the way that in national elections only German citizens have the right to vote.  - There is no federal regulation regarding referendums as referendums do not have any significant role to play on the federal level.  **State elections**  - The different states have their own laws and regulations regarding the regional elections. Only Germans of legal age have the right to vote in the elections of German state parliaments.  For an overview of state laws and regulations: <http://www.wahlrecht.de/gesetze.htm#bw-kw>  Rules for referendums on state level are codified in the constitutions and in separate laws of the different states. Since only persons who are entitled to vote have the right to participate in referendums, the rules regarding the disenfranchisement also apply. [in other words, same rules apply to elections and referendums]  **Municipal elections**  - The municipal elections acts of the 16 individual states apply.[[15]](#footnote-15) Citizens of the European Union also have the right to vote. In two states the age on which citizens have the right to vote is 16. |
| Is there a requirement under law to register to vote? If so, please specify the relevant legislation. | According to Section 6 EuWG in conjunction with section 14 BWG, only people enrolled in the electoral register may vote. The registration is not left to the individual. Instead, all persons eligible to vote who are registered with the registration authorities are entered in the voters’ register by the competent local authority (Section 15 EuWO and Section 16 BWO). |
| Is there any limitation foreseen by law which could affect the right of persons with disabilities to vote in European Parliament and municipal elections? Please give details of any restrictions on the right to vote of persons with disabilities, including any link between a particular type of impairment (e.g. psychosocial/intellectual disability) or substituted decision making (e.g. loss of legal capacity, placement under guardianship)and the right to vote in elections.  Does the same law regarding voting rights apply for national, local/regional elections and referendums? | People with disabilities enjoy the same right as every other citizen in Germany to vote and to stand for election pursuant to our constitution and statutory provisions (Art. 38 of the Basic Law, section 12 para. 1, second sentence of the BWG, section 6 of the EuWG), i.e. if he or she reached the age of eighteen years and has been residing in Germany or another EU member state for at least three months or usually lives there.  There are no restrictions contained in the German Constitution which would restrict right of persons with disabilities to vote and be elected. However, the Bundeswahlgesetz (BWahlG) [Federal Election Act] contains restrictions which mainly affect persons with disabilities.  Following Section 13, only those persons are disqualified from voting who are deprived of their right to vote by a court verdict, persons for whom a custodian is appointed by a final court order to permanently manage all their affairs, and persons who by court order are in a psychiatric hospital because they committed a crime but have been found to lack criminal responsibility due to mental illness (Section 6a (1) EuWG).  Citizens of the European Union are also disqualified from voting if they are deprived of their right to vote by a court verdict in their home state, Section 6a (2) Nr. 2 EuWG.  Similar provisions are contained in the municipal elections acts of the 16 states, as well as the Federal States have passed similar legislation concerning elections at state level.  The exclusion of voting rights of persons who by court order are in a psychiatric hospital because they committed a crime but have been found to lack criminal responsibility due to mental illness does not exist in every state, e.g. the states of Baden-Württemberg, Bremen, Mecklenburg-West Pomerania, Hesse, North Rhine-Westphalia, Saxony- Anhalt and Schleswig-Holstein do not have these provisions.  A Draft Bill aiming to implement the UN CRPD in election law, which was tabled in the German Bundestag by the Green Party early in 2013, was rejected by majority vote on 27 June 2013. The proposed bill aimed at removing the exclusion of mentally impaired from elections.[[16]](#footnote-16)Both the Social Democrats[[17]](#footnote-17) and the Green Party[[18]](#footnote-18) in the German Bundestag tabled proposals to revise the Federal Election Act (*Bundeswahlgesetz*) and the Europe Election Act (*Europawahlgesetz*) in early 2013. In an attempt to fully implement Article 29 of the UN CPRD, the proposed revisions aimed at granting voting rights to persons who are currently excluded from voting as they either have been assigned to a caretaker for all matters (*Betreuer*) or are hospitalised as criminally insane. Both proposals were discussed in depth at an expert hearing in the Committee for Home Affairs of the German Bundestag on the 3d of June 2013. Whereas four of the six experts supported the goal of the proposals and recommended to drop the provisions at stake, two of them recommended waiting for the findings of the study on exercising voting rights by persons with disabilities jointly commissioned by the Federal Ministry for the Interior and the Federal Ministry of Labour and Social Affairs.[[19]](#footnote-19) However, both proposals were rejected by majority vote in the plenary session of the German Bundestag on 27 June 2013.[[20]](#footnote-20)  In 2013, the Federal Ministry of Labour and Social Affairs in collaboration with the Federal Ministry of the Interior and the Federal Ministry of Justice mandated a study of the actual situation of disabled people concerning their active and passive right to vote. The aim of the study is to define the groups of people which are affected by the legal exclusion to elect in section 13(2) and (3) Federal Electoral Act and to what extent. Furthermore, the question is to determine whether the attachment of the legal exclusion of the voting right is justified and necessary in a practical and legal aspect to the judge's decision on a permanent arrangement of support in all matters or to the judge's order of placement in a psychiatric hospital. As a result of the study recommendations for possible regulatory changes shall be developed. |
| Is there legislation in place regulating how people living in long-term institutions may vote? | - According to Section 8 EuWO and Section 8 BWO so-called mobile election boards should be established to enable voters in smaller long term institutions to cast their vote [no definition of “small” provided by the law]. Details on the election process are outlined in Section 55 EuWO and Section 62 BWO.  - Section 13 EuWO and Section 13 BWO provide for the establishment of special constituencies in different kinds of institutions with a higher number of voters [again, number not specified in law] such as hospitals, retirement homes or nursing homes. Where such constituencies are not established Section 8 EuWO or Section 8 BWO applies. Section 54 EuWO and Section 61 BWO regulate the details on how the elections in special constituencies are to be carried out.  -Irrespective of the listed options, the possibility of casting a postal vote remains (Section 6 EuWG and Section 36 BWG). Section 59 EuWO and Section 66 BWO outline the details on how to carry out the postal vote for persons in institutions.  -All provisions on the voting process of people living in institutions refer to the general rules of electoral procedure, especially Section 52 and 49 (4)-(8) EuWO as well as Section 56 (4) and 59 BWO which ensure the secrecy of the vote and that a third party does not learn about the voter’s personal information.  - At the municipal level similar provisions apply. They are codified in the different electoral laws of the states. |
| Is there a duty under law to provide reasonable accommodation for persons with disabilities in voting procedures? For example, is there a duty to provide assistance at the polling station (e.g. braille or large print ballot papers, independent support person to assist with voting chosen by the person with a disability) or to allow for alternative means of voting (e.g. postal ballots, voting in advance, home-based voting, voting at institutions, mobile voting)? | Besides going to a place of voting, people can also vote from home, from a residential care institution, or by postal ballot (sections 17, para. 2, 36 of the BWG, sections 25 et seq., 66 of the BWO; section4 of the EuWO).  According to Section 57 of the Federal Election Regulation (*Bundeswahlordnung*) voters who cannot read or who are unable to mark, fold or insert the ballot paper due to physical impairments may request support of an assisting person. This person can assist the supported person also in the polling booth and is bound to secrecy.  Persons who are blind or visually impaired can use a stencil to mark their ballot paper. Persons with physical or sensory impairments may also request – in accordance with Sections 27 respectively 66 of the Federal Election Regulation – support of assisting persons if they apply for ballot papers or if they wish to vote by mail.  Several sections of the Federal Election Regulation provide for the indication of polling sites that are accessible for people with impairments, and Section 46 recommends that polling sites should be accessible. In addition, Sections 13 respectively 8 provide for the establishment of special voting districts or mobile polling officials (*Wahlvorstände*) aimed at reaching immobile persons in hospitals and care institutions. Equal provisions can be found in the regulations governing elections of *Länder* parliaments and of the European Parliament.  However, persons with a mental health problem but not excluded from the right to vote by Section 13 of the Federal Election Act (*Bundeswahlgesetz*) and equal provisions in the acts on regional and European elections, may face difficulties when they aim to vote as the above mentioned sections on polling assistance do not cover mental impairment. |
| Is there a duty under law for public and private providers of internet and web-based information to ensure that public information is subject to accessibility requirements (e.g. equivalent to [Web Content Accessibility Guidelines (WCAG) 2.0](http://www.w3.org/TR/WCAG20/) AA standard[[21]](#footnote-21)) | **Public providers**  -According to Section 11 of the Federal Disabled Persons Equality Act (*Behindertengleichstellungs-gesetz*, BGG)[[22]](#footnote-22) federal authorities are obliged to design their websites in accordance with the Federal Accessible Information Technology Ordinance (*Barrierefreie-Informationstechnik-Verordnung*, BITV 2.0)[[23]](#footnote-23). The ordinance is supposed to be oriented towards the Web Content Accessibility Guidelines (WCAG) 2.0 AA standards, according to the statements of associations of persons with disabilities. This is only binding for public authorities.  -Similarly this applies on the statelevel but the application areas vary between the states.  Every state has its own Disabled Persons Equality Act. Modelled after the federal law, all acts mention “web accessibility”, though the specifications vary from state to state. Most state regulations refer to the outdated federal regulation of 2002 (BITV). Six states do not provide a regulation on details of accessible internet.  An overview of the laws and regulations in the different states can be found at [www.di-ji.de/index.php?option=com\_content&view=category&layout=blog&id=76&Itemid=57&lang=de](http://www.di-ji.de/index.php?option=com_content&view=category&layout=blog&id=76&Itemid=57&lang=de)  **Private providers**  -Mechanisms of voluntary agreements (outlined in Section 5 BGG) on objectives as are in place in order to get private professional providers of information technology to commit to accessible websites. The federal government is obliged to work towards a realization of said agreements by Section 11 (2) of the BGG. No timeframe is envisaged for this obligation. |
| Is there a duty under law for public and private providers of media (including newspapers, TV, radio and internet) to ensure that their information and communications are subject to accessibility requirements? | -According to Section 3 (2) of the State Broadcasting Treaty (*Rundfunkstaatsvertrag*, RStV)[[24]](#footnote-24) all private and public broadcasting services are supposed to increase their offer of accessible programs (there is no definition of accessibility nor any timeline envisaged) and broadcastings within their frame of technical and financial possibilities.  -Additionally, there is a minutes statement to the latest 15th amendment of the State Broadcasting Treaty making it clear that the legislative bodies (the Länder) expect the public broadcasters to intensify their dialogue with the disabled people’s associations, strengthen the accessibility of their programs and report on this subject frequently. Likewise, the private broadcasters are also expected to expand their program’s accessibility.  - Pursuant to a recent amendment to the Film Funding Law (*Filmförderungsgesetz*, FFG)[[25]](#footnote-25), the production of an accessible version of every film is now part of the eligibility criteria for public funding. The sponsored films include documentaries. |
| Is there legislation requiring that polling stations and voting processes be accessible to persons with disabilities (e.g. a certain percentage of polling stations must be accessible; one polling station per electoral district must be accessible etc)?  Please indicate whether the legislation requires that polling stations and voting processes are accessible for all persons with disabilities or for particular impairment groups (e.g. persons with visual, hearing, physical impairments etc). | Depending on the local situation, polling stations should be selected in such a manner that all persons entitled to vote, in particular people with disabilities and other people with mobility impairments can cast their vote without problems (section 46, para. 1, third sentence of the BWO and section 39, para. 1, third sentence of the EuWO, respectively).  The Constituency Returning Officer informs the citizens well in advance on accessible polling stations, e.g. by an indication on the polling card. If necessary, each person entitled to vote may apply for a polling card which enables him or her to vote in another polling station of their constituency (in the event of national parliamentary elections) or of their Land (in the event of European elections) (section 17 para. 2 of the BWG, section 25 et seq., 59 of the BWO, section 4 of the EuWG in conjunction with section 17 para. 2 of the BWG, sections 24 et seq., 52 of the EuWO).  The Election Acts of the Federation and the federal states (*Länder),* moreover, contain a  number of provisions regulating participation by persons with disabilities in elections.  For instance:   * Polling stations are to be selected and equipped in such a way that the entire electorate, in particular persons with disabilities, is enabled to take part in the elections. * The electorate is informed which polling stations are barrier-free. * Voters who are unable to mark the voting slip or to fold or place it in the ballot box may avail themselves of the assistance of another person. * Blind voters or those with a visual handicap may use ballot templates to mark the ballot slip. * Special polling districts are formed for voting for hospitals, old people’s homes and long-term care homes, as well as for similar facilities with a larger number of voters. * Election organisations should provide a variety of information on the Internet in a barrier-free form.[[26]](#footnote-26) |
| Does the law foresee training for election authorities and election officials on non-discrimination on the grounds of disability, accessibility and reasonable accommodation? | There are no legal provisions dealing with the training of election authorities in the context of disability. A general provision does exist, however. According to Section 6 (5) EuWO and Section 6 (5) BWO the local authority of the municipality must inform the members of the Electoral Board of their duties prior to the election in such a manner as to ensure that the poll and the establishment of the election result are conducted properly. This includes the handling of assistance for persons with disabilities if they need it, including help with casting the vote (Section 50 EuWO and Section 57 BWO).  Additionally, prior to the Bundestag election 2013, the Federal Competence Centre for Accessibility (*Bundeskompetenzzentrum Barrierefreiheit e.V*., BKB) has produced a flyer with information on how to assist voters with disabilities. The project has been supported by the Federal Government and the flyer has been distributed to all municipalities to be included in the training of the members of the Electoral Boards.[[27]](#footnote-27) |
| Does the national strategy/action plan on disability cover the right to political participation of persons with disabilities? | The *German National Action Plan*,[[28]](#footnote-28) of June 2011, has the goal of implementing the CRPD in Germany. Chapter 3.10 of the Plan concerns the social and political participation of persons with disabilities. The chapter is rather general and addresses seven areas, namely disability status, disability statistics, access to ICT, as well as anti-discrimination, empowerment and self-help, participation in elections, and e-Government. The last four points are of particular relevance to political participation.[[29]](#footnote-29) With regard to non-discrimination, the Plan states that theFederal Anti-Discrimination Agency (*Antidiskriminierungsstelle des Bundes*) has the task of supporting the equalisation of persons with disabilities and their participation in public life. In terms of empowerment, the Plan refers to the importance of self-help groups and organisations; it emphasises that disabled peoples’ organisations participated in the CRPD implementation processes and have also been involved in the preparation of the National Action Plan. In the Plan the German Government commits itself to strengthening the empowerment and political participation of people with disabilities and their organisations.[[30]](#footnote-30) In the context of participation in elections, the Plan states that, as a matter of course, people with disabilities have equal rights to vote and to be elected as any other German citizens; however, voting rights are not granted to persons under ‘full’ guardianship, i.e. for whom legal guardianship applies in all daily matters.[[31]](#footnote-31) This also applies to people who are compulsorily confined in a psychiatric hospital.[[32]](#footnote-32) However, the Plan also announced that the Federal Ministry of Labour and Social Affairs (*Bundesministerium für Arbeit und Soziales*) was to conduct a study on the implementation of the right to vote and be elected for persons with disabilities in Germany.[[33]](#footnote-33) At present (October 2013) this study has not yet been published. Lastly, with regard to e-Government, the Plan acknowledges that access to information through mass-media and modern technologies is a fundamental pre-condition for political participation and opinion-forming processes. Organisations and authorities that provide information for the public are already legally obliged to provide information in formats which are accessible to people with disabilities, and German Sign Language is legally recognised as an official language and deaf people have the right to use sign language interpreters in communication with public authorities. The German Government has also committed itself to using easy to understand language in public information and communication systems.[[34]](#footnote-34) |
| Are all persons with disabilities, including those who have been deprived of their legal capacity, able to access redress and complaint mechanisms in cases where they have not been able to exercise the right to vote?[[35]](#footnote-35) | In Germany, the legal concept of depriving someone of their legal capacity does not exist anymore. Instead of custodianship, assistance is ordered by the court. A limitation arises in cases where a requirement for consent (Einwilligungsvorbehalt) has been ordered by the court[[36]](#footnote-36): within the scope of such order, legal actions of person under guardianship only become legally valid subject to the consent of the guardian. Such order may however not comprise a voting decision of the person under guardianship, as the right to vote is considered an immediate right (höchstpersönliches Recht) which may not be subject to any third-party representation. Thus, whether or not a person is entitled to vote does neither depend on such requirement-for-consent-order by the court nor on any consent of the guardian, but merely on the fact whether a guardian has been permanently appointed to manage ALL affairs, or only specific affairs (even if in total merely all affairs are concerned). In the former case, the right to vote is suspended according to § 13 Nr. 2 BWG, in the latter case not.  The appointment of the guardian by the court can be appealed within one month after formal service of the court decision.  Persons with disabilities have the same rights to access redress mechanisms as every other person.  Before an election, a decision may be appealed to the higher electoral body. For example, anyone who has wrongly been left off the electoral register may object at the municipal authority to the inaccuracy or incompleteness of the electoral register; if their objection is rejected they may lodge a complaint with the constituency electoral officer regarding the decision on their objection (sections 16(8) and 22 BWO / section 21 EuWO).  After an election, all decisions and measures related to voting can be appealed within two months of Election Day in election scrutiny proceedings. The Bundestag is responsible for scrutiny of elections; its Committee for the Scrutiny of Elections rules on appeals. Bundestag decisions may be appealed by petition to the Federal Constitutional Court. Election scrutiny proceedings examine both the validity of the election and the violation of individual rights (Section 26 EuWG, Article 41 (2)GG, Sections 13no. 3 and 48 of the Law on the Federal Constitutional Court (*Bundesverfassungsgerichtsgesetz*, BVerfGG))[[37]](#footnote-37) |

1. **PROCESS INDICATORS**

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| **Process indicators** | **Source and supporting information** |
| Do national, regional, local and municipal election authorities have non-discrimination and accessibility action plans and guidelines in place? | -The Federal Ministry of Labour and Social Affairs funded the project ‘Barrier-free Elections’ (*Barrierefreie Wahlen*) of the Federal Competence Centre on Accessibility. The project collected information about experiences with accessibility during the regional election in Lower Saxony in January 2013 and conducted expert interviews. Both surveys aimed at drafting recommendations on standards for barrier-free polling sites, guidelines for election staff and proposals on how to increase accessibility of polling papers ahead of the national election in September 2013. Seven weeks before the national elections the project published its deliverables.[[38]](#footnote-38)  -Political participation takes place at many levels in different forms, and involves various procedures, including procedures by which public authorities or political parties consult citizens, requesting their views or proposals, as well as procedures allowing citizens to put forward complaints and suggestions. Increasingly, the Internet is used for these purposes (e-participation). The Accessible Information Technology Ordinance (BITV) provides that online processes offered by federal authorities must be barrier-free.  Therefore, the Federal Ministry of Labour and Social Affairs has commissioned a  comprehensive study on the usability and suitability of selected online participation platforms for people with disabilities at federal, Land and local level. Based on the results of the study a guide on the implementation of suitable, barrier-free online participation platforms for people with disabilities will be developed.[[39]](#footnote-39) |
| Are there mechanisms in place to ensure that disabled people’s organisations (DPOs) are consulted and involved in the development of laws and policies in electoral matters? Please give details of the mechanisms through which DPOs are involved. | -On the federal level, Section 47 of the Common Rules of Procedure for Federal Ministries (*Gemeinsamen Geschäftsordnung der Bundesministerien*, GGO)[[40]](#footnote-40) provides that concerned associations have to be consulted in law-making procedures or processes to develop political strategies. This includes associations of persons with disabilities and is usually carried out through consultations, expert hearings and the submission of written statements.[[41]](#footnote-41) Section 21 GGO stipulates that the federal government has to consult the Federal Government Commissioner for Matters relating to Disabled Persons in matters concerning people with disabilities, who himself consults DPOs.[[42]](#footnote-42) The consultation however is up to the Commissioner’s discretion.  -Similar processes apply on the *Länder* level. Most states described the possibility of DPOs being consulted within the procedure of the consultation of associations if proposed legislation directly concerns persons with disabilities. Almost all states also stated to consult the State commissioner for matters relating to disabled persons if the interests of this group are concerned. Additionally, the advisory board of persons with disabilities can be consulted depending on the state. |
| Is training provided to election authorities and election officials on non-discrimination on the grounds of disability, accessibility and reasonable accommodation? | It is up to the municipal administrations to inform the members of the electoral board before the election about their tasks, so that an orderly voting process can take place and the establishment and determination of the election results are ensured (section 6, para. 5 of the BWO and EuWO, respectively). The municipalities decide in their own responsibility whether they invite electoral assistants to attend information meetings or provide information leaflets or documents to prepare them for their task.  The Federation shall reimburse the Lander for their own and their municipalities’ necessary expenditure. Training costs of the municipalities shall be reimbursed by a fixed amount for each person entitled to vote (section 50, para. 3, first sentence of the BWG). Pursuant to section 25 para. 1 of the EuWG, section 50 of the BWG applies mutatis mutandis to the European Elections. |
| Is information about how and where to complain in the case of problems with exercising the right to political participation accessible to all persons with disabilities?[[43]](#footnote-43) | -The Federal returning officer (*Bundeswahlleiter*) [public authority responsible for overseeing the elections on the federal level] provides information on how to vote in easy-to-read language on his website- however, no information in easy-to-read language about complaint mechanisms could be found during research.  -The state returning officers largely referred to the general web site of the returning officer or that of the State commissioner for matters relating to disabled persons.[[44]](#footnote-44)  However, the answers of many state returning officers lead to the conclusion that little awareness/understanding for the special needs of persons with disabilities exists. For example, one answer was that the website is available for everyone, which means that it is also available for persons with disabilities. |
| Please provide references and brief description of key judicial decisions dealing with the right to political participation of persons with disabilities. | No recent case law of the Bundesverfassungsgericht could be identified.[[45]](#footnote-45)  In election scrutiny proceedings, the Bundestag has considered several complaints regarding different aspects of voting rights of persons with disabilities, concerning e.g. voting assistance (case EuWP 21/09, Drucksache 17/2200 sup. 8), access to polling stations (case WP 50/09, Drucksache 17/3100 sup. 9), custodianship (case EuWP 26/09, Drucksache 17/1000 sup. 14), mental disabilities (case WP 79/05, Drucksache 16/3600 sup. 20). |
| Please provide references and brief description of key non-judicial decisions (e.g. National Human Rights Institutions, Equality Bodies, Ombuds institutions) dealing with the right to political participation of persons with disabilities. | In Germany, no mechanisms such as Ombudsman exist. The NHRI does not deal with individual complaints.  Additionally, petition committees (Federal and *Länder*) could not provide key decisions. |

1. **OUTCOME INDICATORS**

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| **Outcome indicators[[46]](#footnote-46)** | **Source and supporting information** |
| How many members of the current national parliament identify as having a disability? | No information obtained/recorded.[[47]](#footnote-47) |
| What was the voter turnout rate for persons with disabilities in the most recent municipal elections and in the 2009 European Parliament elections? How does this compare with the voter turnout rate among the general population?  What was the voter turnout rate for persons with disabilities in the most recent national elections? How does this compare with the voter turnout rate among the general population? | No legal basis to collect this kind of information.[[48]](#footnote-48) |
| How many members of current municipal governments identify as having a disability? | No information obtained/recorded.[[49]](#footnote-49) |
| What proportion of polling stations is accessible for persons with disabilities? Please indicate whether polling stations are accessible for all persons with disabilities or for particular impairment groups e.g. persons with visual, hearing, physical impairments etc.) | As the responsibility for the accessibility of the polling stations lies with the municipalities, most state returning officers were unable to answer this question. Few states provided figures on results of the state elections: Berlin (2011) 67,3%; Hamburg (2009) 29,7%; Saxony- Anhalt (2011) 41,2%.  According to the Federal returning officer (*Bundeswahlleiter*), great differences exist between states and also regarding the understanding of accessibility.[[50]](#footnote-50) The local authorities have to take care that suitable and accessible polling stations are chosen where possible and have to determine the kind and degree of accessibility. Traditionally, accessibility has mostly been understood as being accessible for wheelchairs.  To enhance a common understanding, the Federal Competence Centre for Accessibility (*Bundeskompetenzzentrum Barrierefreiheit e.V*., BKB) has prior to the Bundestag election 2013 produced a brochure for local authorities with recommendations on how to determine accessibility of polling stations for different kind of disabilities (e.g. walking disability, visual impairment, cognitive impairment).[[51]](#footnote-51) The project has been supported by the Federal Government and has been distributed to all local municipalities nationwide. Furthermore, each voter prior to an election receives an official notification about the location and the accessibility of his polling station. The notification contains a telephone number were further information about the kind and degree of accessibility of the polling station (or where the voter could alternatively cast his vote) can be obtained. |
| Does the website to provide instructions for voting and information on candidates run by the ministry responsible for organising elections meet accessibility standards (e.g. equivalent to [Web Content Accessibility Guidelines (WCAG) 2.0](http://www.w3.org/TR/WCAG20/) AA standard[[52]](#footnote-52))? | -The official website of the Federal returning officer (*Bundeswahlleiter*) contains easy accessible detailed information on the elections and how to vote, see  <http://www.bundeswahlleiter.de/de/barrierefrei/index.html>  -Additionally, three out of 15 states answered this question with yes; 12 stated that accessibility standards are partially met.  -According to research presented at a recent event in Berlin on 17. September: “Political Information for everyone! How accessible are Germany’s online- news portals (websites)?” none of the leading online portals (e.g. Bild.de; Spiegel Online or Tagesschau.de) are accessible in the meaning of the UN CRPD).[[53]](#footnote-53) |
| What proportion of main public and/or television broadcasts providing instructions for voting and information on candidates has national language subtitles? | The information obtained does not differentiate between the content of the broadcast.    According to the Federal Government Commissioner for Culture and the Media (*Beauftragter der Bundesregierung für Kultur und Medien*, BKM)[[54]](#footnote-54) depending on the station, up to 62% of the freely receivable broadcastings are subtitled.  The public broadcasting station ARD offers 90 % of its broadcasts on their main channel with subtitles. This includes every new broadcast and most replays. The regional channels of the ARD offer 50-60 % of their content with subtitles. [[55]](#footnote-55)  The other main public broadcasting station in Germany, the ZDF, offers subtitles for selected morning and noon news broadcasts as well as for all broadcasts (not limited to information on elections but all broadcasts) aired between 16:00 pm and 22:15 pm. [[56]](#footnote-56) The station aimed to raise this offer to 65% of its total broadcasting by the end of 2013 and up to 100 % in the medium term.[[57]](#footnote-57) |
| What proportion of main public and/or television broadcasts providing instructions for voting and information on candidates has audio description? | The public broadcasting station ARD offers 36 % of its main evening broadcast with audio description. Additional content is offered online.  According to the ZDF, some selected early evening programmes and movies offer audio description.[[58]](#footnote-58) |
| What proportion of main public and/or television broadcasts providing instructions for voting and information on candidates has sign language interpretation? | Starting in 2014 the ARD aims to offer all of its political report magazines in sign language on their website.  ZDF offers its main evening news “Heute Journal” in sign language on its news channel Phoenix as well as online.  The Association of private broadcasting stations (*Verband Privater Rundfunk und Telemedien e.V*, VPRT)[[59]](#footnote-59) stated that selected programmes offer sign language. |
| How many political parties, out of the total who participated in the most recent European Parliament and municipal elections, made their manifesto/campaign material accessible to persons with disabilities (e.g. large print, braille, easy-to-read, audio versions etc)? | No information available.[[60]](#footnote-60)  This data refers to the current Federal election only, but might be used as an indication  - SPD: election programme versions in: a) easy to read, and b) acoustic: <http://www.spd.de/95466/regierungsprogramm_2013_2017.html>  - CDU: election programme versions in: a) easy to read, b) for blind and visually impaired, and c) German Sign Language: <http://www.cdu.de/regierungsprogramm>  - Bündnis90/die Grünen election programme versions in: a) easy to read, b) acoustic version, c) for blind and visually impaired and d) German Sign Language: <http://www.gruene.de/partei/gruenes-wahlprogramm-2013.html>  - DIE LINKE: election programme versions in a) easy to read, b) acoustic version, c) for blind and visually impaired and d) German Sign Language: <http://www.die-linke.de/wahlen/startseite/wahlprogramm-2013/download-als-pdf-und-doc-kurzfassung-in-fremdsprachen-leichter-und-gebaerdensprache-audio/>  -FDP: election programme version in easy to read: http://www.bundestagswahl-bw.de/wahlprogramm\_fdp.html |
| What proportion of public authority national and municipal buildings is accessible to persons with disabilities? | No information available.[[61]](#footnote-61)  Data according to what proportion of public authority national and municipal buildings is accessible to persons with disabilities is not collected.  Regarding the criteria used to determine whether public authority buildings are accessible for persons with disabilities: According to the Federal Disabled Persons Equality Act (*Behindertengleichstellungsgesetz*, BGG) the federal authorities are obliged to ensure that new civilian buildings and conversions and extensions are accessible (Section 8 BGG). Section 4 BGG contains a legal definition of accessibility. “*Accessible are structural and other facilities, transportation, technical consumer goods, information processing systems, acoustic and visual information sources and communication facilities as well as other designed areas of life, if they are available for disabled people in the generally customary manner, without any particular difficulty and accessible and usable without assistance* .” According to Section 7 BGG public authority must not discriminate against disabled people.  Corresponding regulations are contained in the Disabled Persons Equality Acts of the Federal States (Länder). |
| How many complaints related to infringements of the right to political participation of persons with disabilities were recorded in 2012? What proportion of these complaints was successful? | -The Federal Committee for the Scrutiny of Elections, Immunity and the Rules of Procedure (*Wahlprüfungsausschuss des Bundestags*)[[62]](#footnote-62) recorded two cases during the European election 2009. One concerned the exclusion from elections[[63]](#footnote-63), the second included several issues, not all relating to disability.[[64]](#footnote-64) The complaints were not successful.  -The Federal petitions committee of the German Federal parliament (*Petionsausschuss des deutschen Bundestags*) recorded at least one petition. In 2002 one petition was submitted regarding support for a blind person during elections. The outcome of the complaints could not be determined.[[65]](#footnote-65)  -Two state petitions committees recorded cases:   * North Rhine-Westphalia local major elections 2012: complaint against missing ballot template for blind person – unsuccessful as no legal obligation to provide those.[[66]](#footnote-66) * Baden-Wuerttemberg 2012: complaint against lack of accessible polling stations – outcome unknown.[[67]](#footnote-67) (Case ref: Petition 15/807 betr. Rollstuhlsymbol) See: <http://www.landtag-bw.de/files/live/sites/LTBW/files/dokumente/WP15/Drucksachen/2000/15_2027_D.pdf>, p.2.   -According to the state Committees for the Scrutiny of Elections, Immunity and the Rules of Procedure: no cases were recorded.  -The law also mandates the *Folketing* to affirm the validity of general elections. There are no established rules or forms for submitting complaints. The OSCE/ODIHR NAM was informed that the committee receives a very limited number of complaints and manages to adjudicate all of them within a short period of time. Most complaints submitted during previous elections pertained to issues of the short timeframe for out-of-country voting, a regulation that makes it possible for out-of-country voters to cast a ballot in advance only for a political party and not an individual candidate, and limited access for disabled voters to some polling stations. Rulings of the *Folketing* committee for elections on particular complaints, or of the *Folketing* regarding the validity of elections, are not subject to appeal.[[68]](#footnote-68) |

1. UN (2013), Treaty Collection, available at: <http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&lang=en>. [↑](#footnote-ref-1)
2. UN (2013), Treaty Collection, available at: <http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&lang=en>. [↑](#footnote-ref-2)
3. UN (2013), Treaty Collection, available at: <http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&lang=en>. [↑](#footnote-ref-3)
4. The term state and *Länder* is used interchangeably in the text. [↑](#footnote-ref-4)
5. Germany, European Elections Law (*Europawahlgesetz*, EuWG), available at: [www.bundeswahlleiter.de/de/europawahlen/downloads/rechtsgrundlagen/europawahlgesetz.pdf](http://www.bundeswahlleiter.de/de/europawahlen/downloads/rechtsgrundlagen/europawahlgesetz.pdf); in English at http://www.bundeswahlleiter.de/en/europawahlen/downloads/rechtsgrundlagen/europawahlgesetz\_engl.pdf. [↑](#footnote-ref-5)
6. Germany, European Elections Ordinance (*Europawahlordung*, EuWO), available at: [www.bundeswahlleiter.de/de/europawahlen/downloads/rechtsgrundlagen/europawahlordnung.pdf](http://www.bundeswahlleiter.de/de/europawahlen/downloads/rechtsgrundlagen/europawahlordnung.pdf); in English at http://www.bundeswahlleiter.de/en/europawahlen/downloads/rechtsgrundlagen/europawahlordnung\_engl.pdf. [↑](#footnote-ref-6)
7. Germany, Members of the European Parliament Act (*Europaabgeordnetengesetz*, EuAbgG), available at: www.gesetze-im-internet.de/euabgg/BJNR004130979.html. [↑](#footnote-ref-7)
8. Germany, Gesetz vom 7. Oktober 2013 (BGBl. I S. 3749). [↑](#footnote-ref-8)
9. The threshold refers to the minimum % that party must receive nationally to be able to participate in the seat allocation. [↑](#footnote-ref-9)
10. Germany, Federal Electoral Law (*Bundeswahlgesetz*, BWG), available at: <http://www.gesetze-im-internet.de/bundesrecht/bwahlg/gesamt.pdf>; in English at: http://www.bundeswahlleiter.de/en/bundestagswahlen/downloads/rechtsgrundlagen/bundeswahlgesetz\_engl.pdf. [↑](#footnote-ref-10)
11. Germany, Federal Electoral Ordinance (*Bundeswahlordnung*, BWO), available at: <http://www.gesetze-im-internet.de/bundesrecht/bwo_1985/gesamt.pdf>; in English at: http://www.bundeswahlleiter.de/en/bundestagswahlen/downloads/rechtsgrundlagen/bundeswahlordnung\_engl.pdf [↑](#footnote-ref-11)
12. Germany, Political Parties Act (*Parteiengesetz*, PartG), available at: www.bundestag.de/bundestag/aufgaben/rechtsgrundlagen/pg\_pdf. [↑](#footnote-ref-12)
13. Germany, Scrutiny of Elections Act (*Wahlprüfungsgesetz*, WahlPrG), available at: www.gesetze-im-internet.de/wahlprg/. [↑](#footnote-ref-13)
14. Germany, Constitution (*Grundgesetz*, GG), available at: www.gesetze-im-internet.de/bundesrecht/gg/gesamt.pdf. [↑](#footnote-ref-14)
15. See: <http://www.wahlrecht.de/gesetze.htm>, and also a comparison <http://www.bundestag.de/dokumente/analysen/2010/Landeswahlgesetze.pdf> [↑](#footnote-ref-15)
16. Germany, German Bundestag (*Deutscher Bundestag*) (2013), ‘Entwurf für ein Gesetz zur Umsetzung der UN-Behindertenrechtskonvention im Wahlrecht’, BT-Drs. 17/12068, 16 January 2013, available at: <http://dipbt.bundestag.de/extrakt/ba/WP17/503/50338.html>. [↑](#footnote-ref-16)
17. Germany, German Bundestag (*Deutscher Bundestag*) (2013), ‘Antrag der Fraktion SPD. Verbesserung des Wahlrechts von Menschen mit Behinderung und Analphabeten’, BT-Drs. 17/12380, 19 February 2013, available at: <http://dip21.bundestag.de/dip21/btd/17/123/1712380.pdf>. [↑](#footnote-ref-17)
18. Germany, German Bundestag (*Deutscher Bundestag*) (2013), ‘Gesetzentwurf Fraktion BÜNDNIS 90/DIE GRÜNEN. Entwurf eines Gesetzes zur Umsetzung der UN-Behindertenrechtskonvention im Wahlrecht’, BT-Drs. 17/12068, 16 January 2013, available at: <http://dip21.bundestag.de/dip21/btd/17/120/1712068.pdf>. [↑](#footnote-ref-18)
19. Heute im Bundestag (2013), ‘Vorstöße zu Wahlrechts-Änderungen bei Experten umstritten’, 3. June 2013, available at: [www.bundestag.de/presse/hib/2013\_06/2013\_291/01.html](http://www.bundestag.de/presse/hib/2013_06/2013_291/01.html). [↑](#footnote-ref-19)
20. Germany, German Bundestag (*Deutscher Bundestag*) (2013), Stenographischer Bericht 250. Sitzung, Plenarprotokoll 17/250, 27 June 2013. [↑](#footnote-ref-20)
21. For Level AA conformance, the Web page satisfies all the Level A and Level AA Success Criteria, or a Level AA conforming alternate version is provided. For more information, please see: [www.w3.org/TR/UNDERSTANDING-WCAG20/conformance.html#uc-conformance-requirements-head](http://www.w3.org/TR/UNDERSTANDING-WCAG20/conformance.html#uc-conformance-requirements-head). [↑](#footnote-ref-21)
22. Germany, Federal Disabled Persons Equality Act (*Behindertengleichstellungsgesetz*, BGG), available at: www.gesetze-im-internet.de/bgg/. [↑](#footnote-ref-22)
23. Germany, Federal Accessible Information Technology Ordinance (*Barrierefreie-Informationstechnik-Verordnung*, BITV 2.0), available at: www.gesetze-im-internet.de/bitv\_2\_0/BJNR184300011.html. [↑](#footnote-ref-23)
24. Germany, State Broadcasting Treaty (*Rundfunkstaatsvertrag*, RStV), available at: www.die-medienanstalten.de/fileadmin/Download/Rechtsgrundlagen/Gesetze\_aktuell/15\_RStV\_01-01-2013.pdf. [↑](#footnote-ref-24)
25. Germany, Seventh Amendment Act to the Film Funding Law (*Filmförderungsgesetz*, FFG) of 7 July 2013, available at: [www.bgbl.de/Xaver/text.xav?start=%2F%2F\*[%40attr\_id%3D%27bgbl113s3082.pdf%27]&skin=pdf&bk=Bundesanzeiger\_BGBl&tf=xaver.component.Text\_0&hlf=xaver.component.Hitlist\_0](file:///C:/Dokumente%20und%20Einstellungen/kueblbeck/Lokale%20Einstellungen/Temporary%20Internet%20Files/Content.Outlook/SUVP0TQ8/www.bgbl.de/Xaver/text.xav?start=//*%5b@attr_id='bgbl113s3082.pdf'%5d&skin=pdf&bk=Bundesanzeiger_BGBl&tf=xaver.component.Text_0&hlf=xaver.component.Hitlist_0) . [↑](#footnote-ref-25)
26. <http://www.ohchr.org/Documents/Issues/Disability/PoliticalParticipation/States/QuestionaireGermany.pdf> [↑](#footnote-ref-26)
27. The flyer is available at: http://www.bundeswahlleiter.de/de/barrierefrei/barrierefrei\_org.html [↑](#footnote-ref-27)
28. *Unser Weg in eine inklusive Gesellschaft. Der Nationale Aktionsplan der Bundesregierung zur Umsetzung der UN-Behindertenrechtskonvention*. Available at: http://www.bmas.de/SharedDocs/Downloads/DE/PDF-Publikationen/a740-nationaler-aktionsplan-barrierefrei.pdf?\_\_blob=publicationFile. [↑](#footnote-ref-28)
29. See pages 81-86 of the Action Plan. [↑](#footnote-ref-29)
30. Pages 82-83. [↑](#footnote-ref-30)
31. *Gesetzliche Betreuung in allen Angelegenheiten*. [↑](#footnote-ref-31)
32. Specifically this concerns persons who are sentenced to confinement in a psychiatric hospital instead of or in addition to a custodial sentence and are staying in this hospital on the day of the election. Their opinion is based on the criminal liability of the convict (at the time of the crime) as well as the opinion that he or she will pose a serious risk to the general public for a rather long time or permanently. See Wolfgang Schreiber et al., *BWahlG Bundeswahlgesetz Kommentar*, 9. Auflg. (Carl Heymanns Verlag, 2013), 369. [↑](#footnote-ref-32)
33. Page 84. [↑](#footnote-ref-33)
34. Pages 84-86. [↑](#footnote-ref-34)
35. Please see [FRA Annual Report 2011](http://fra.europa.eu/en/publication/2012/fundamental-rights-challenges-and-achievements-2011), and FRA (2010) [*The right to political participation of persons with mental health problems and persons with intellectual disabilities*](http://fra.europa.eu/en/publication/2012/right-political-participation-persons-mental-health-problems-and-persons)*.* [↑](#footnote-ref-35)
36. Germany, German Civil Code (*Bürgerliches Gesetzbuch*, BGB) Art.1896 ff, available at: www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG017103377. [↑](#footnote-ref-36)
37. Germany, Law on the Federal Constitutional Court (*Bundesverfassungsgerichtsgesetz*, BVerfGG), available at: www.gesetze-im-internet.de/bverfgg/ [↑](#footnote-ref-37)
38. Bundeskompetenzzentrum Barrierefreiheit (2013), *Barrierefreie Wahlen*, available at: [www.barrierefreiheit.de/barrierefreie\_wahlen.html](http://www.barrierefreiheit.de/barrierefreie_wahlen.html). [↑](#footnote-ref-38)
39. <http://www.ohchr.org/Documents/Issues/Disability/PoliticalParticipation/NHRIs/ResponseGermanInstitute.pdf> [↑](#footnote-ref-39)
40. Germany, common rules of procedure for federal ministries (*Gemeinsamen Geschäftsordnung der Bundeministerien*, GGO) available at: www.bmi.bund.de/SharedDocs/Downloads/DE/Veroeffentlichungen/ggo.pdf?\_\_blob=publicationFile. [↑](#footnote-ref-40)
41. Information obtained from the Federal Ministry of Labour and Social Affairs, (*Bundesministerium für Arbeit und Soziales*, BMAS). [↑](#footnote-ref-41)
42. Information obtained from the Federal Ministry of the Interior, (*Bundesministerium des Inneren*, BMI). [↑](#footnote-ref-42)
43. Information obtained from the Federal Returning Officer (*Bundeswahlleiter*); 15 State returning officers (Landeswahlleiter) and the Federal competence centre for accessibility (*Bundeskompetenzzentrum Barrierefreiheit e.V*., BKB). [↑](#footnote-ref-43)
44. Information obtained from the Federal Returning Officer (*Bundeswahlleiter*). See: www.bundeswahlleiter.de/de/downloads\_sonstige/wahlhilfe.pdf. See also press release, 14 August 2013, *Bundestag election: information for blind and visually impaired voters and on barrier-free voting,* available at: www.bundeswahlleiter.de/en/bundestagswahlen/BTW\_BUND\_13/presse/015w13\_Barrierefreies\_Waehlen.html. [↑](#footnote-ref-44)
45. Germany, National Monitoring Body for the UN Convention on the Rights of Persons with Disabilities (*Monitoringstelle*), statement 22 August 2013; online search of database of the Federal Anti-discrimination Agency (*Antidiskiminierungsstelle des Bundes*), 22 August 2013. [↑](#footnote-ref-45)
46. To answer these questions, information request have been sent to thestate returning officers. [↑](#footnote-ref-46)
47. The central administration office of the Federal parliament was consulted, following which this kind of information is not recorded. For the intention of the UN CRPD impairment of parliamentarians should not matter and therefore can’t be separately recorded. [↑](#footnote-ref-47)
48. Germany, infratest dimap electoral and political research institute (*infratest dimap Meinungs- und Wahlforschung Institut*), answer to a written inquiry 29 July 2013; Germany, Federal Returning Officer (*Bundeswahlleiter*), answer to an information request, 17 July 2013 as well as state returning officers’ answers. [↑](#footnote-ref-48)
49. The State parliaments and Federal associations of municipalities were consulted. Following the State Parliaments, this kind of information is not recorded. For the intention of the UN CRPD impairment of parliamentarians should not matter and therefore can’t be separately recorded [↑](#footnote-ref-49)
50. Information obtained from the Federal Returning Officer (*Bundeswahlleiter*). [↑](#footnote-ref-50)
51. The brochure is available at: http://www.bundeswahlleiter.de/de/barrierefrei/barrierefrei\_org.html [↑](#footnote-ref-51)
52. For Level AA conformance, the Web page satisfies all the Level A and Level AA Success Criteria, or a Level AA conforming alternate version is provided. For more information, please see: <http://www.w3.org/TR/UNDERSTANDING-WCAG20/conformance.html#uc-conformance-requirements-head>. [↑](#footnote-ref-52)
53. Germany, “Political Information for everyone! How accessible are Germany’s online- news portals (websites)? ("*Politische Information für alle! Wie barrierefrei sind Deutschlands Online-Nachrichtenportale?"* http://www.institut-fuer-menschenrechte.de/fileadmin/user\_upload/PDF-Dateien/Ergebnispapiere\_Zusammenfassungen\_Hintergrundpapiere/Bild\_Spiegel\_Tagesschau\_und\_C\_Wie\_barrierefrei\_sind\_Deutschlands\_wichtigste\_Online\_Nachrichtenportale.pdf [↑](#footnote-ref-53)
54. Information obtained from the Federal Government Commissioner for Culture and the Media (*Beauftragter der Bundesregierung für Kultur und Medien*, BKM). [↑](#footnote-ref-54)
55. Epd medien Nr. 49, 6 December 2013, p. 18. [↑](#footnote-ref-55)
56. http://www.zdf.de/Barrierefreiheit-26740882.html [↑](#footnote-ref-56)
57. Information obtained from ZDF. [↑](#footnote-ref-57)
58. Information obtained from ZDF. [↑](#footnote-ref-58)
59. Information obtained from the Association of private broadcasting stations (*Verband Privater Rundfunk und Telemedien e.V*, VPRT). [↑](#footnote-ref-59)
60. The Federal returning officer (*Bundeswahlleiter*), the State parliament and the Federal competence centre for accessibility (*Bundeskompetenzzentrum Barrierefreiheit e.V*., BKB) were consulted. [↑](#footnote-ref-60)
61. The federal ministry of labour and social affairs and the CRPD - focal points of all states were consulted. [↑](#footnote-ref-61)
62. Germany, Committee for the Scrutiny of Elections, Immunity and the Rules of Procedure (*Wahlprüfungsausschuss des Bundestags)*answer to a written inquiry 24 June 2013. [↑](#footnote-ref-62)
63. Germany, Federal Parliament (*Bundestag*) (2010) BT-Drs. 17/1000, Annex 14, 8 March 2010, available at: http://dipbt.bundestag.de/dip21/btd/17/010/1701000.pdf; [↑](#footnote-ref-63)
64. Germany, Federal Parliament (*Bundestag*) (2010) BT-Drs. 17/2200, Annex 8, 17 June 2010, available at: http://dipbt.bundestag.de/dip21/btd/17/022/1702200.pdf. [↑](#footnote-ref-64)
65. Information obtained from Petitions Committee of the German Federal Parliament (*Petionsausschuss des deutschen Bundestags*). The Committee calls attention to the fact that the data base does not allow for a comprehensive search and provided information is likely to be incomplete. [↑](#footnote-ref-65)
66. Information obtained from North Rhine-Westphalia Petitions committee (*Petitionsausschuss Landtag Nordrhein- Westfalen*). [↑](#footnote-ref-66)
67. Information obtained from Baden-Wuerttemberg Petitions committee (*Petitionsausschuss Landtag Baden-Württemberg*). [↑](#footnote-ref-67)
68. OSCE/ODIHR election monitoring reports, General elections, 15 Sep 2011, p.11. [↑](#footnote-ref-68)