

Civic space in the EU: Mapping of national approaches to civic space monitoring, participation and protection

Germany

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1. MONITORING AND REPORTING ON CIVIC SPACE

1.1. Monitoring initiative from the side of the State

Has there been any initiative from the side of the State (government/parliament) to observe/monitor the restrictions/challenges/threats for civic space actors in your country in the last three years?

In the past three years, there has been no overall initiative by the Federal Republic of Germany to systematically monitor or observe restrictions and threats to civic space actors.

However, there have been some initiatives on specific challenges faced by minority communities: One example is the Independent Expert Council on Anti-Muslim Hatred.¹ The Council was established to monitor and analyse anti-Muslim incidents across Germany. Over a period of three years, the Council conducted extensive monitoring and collected data on anti-Muslim hatred. The Council's findings are publicly available and provide insight into the challenges faced by Muslim communities in Germany. The Council's data informs policy makers and contributes to legislative reforms aimed at combating discrimination and protecting civil society actors.

1.2. Other monitoring initiatives

Has there been any other actor/body/mechanism that has observed/monitored civic space restrictions/challenges/threats in your country in the last three years?

In Germany, there are a number of civil society organisations that deal with the situation of civil society and its limits, challenges and threats. Examples include the Maecenata Foundation and the Stifterverband Deutsche Wissenschaft.

Maecenata Foundation published a comprehensive report on the situation and framework conditions of civil society in Germany in 2022². It notes that civil society engagement has become more difficult in recent years. This is due to an ageing society, as well as financial and global political issues. However, the report says that civil society in general can be described as intact.

¹ Federal Ministry of the Interior and Home Affairs (2024), [Bestandsaufnahme zu Muslimfeindlichkeit in Deutschland](#), press release, June 29th, 2023, Berlin.

² Hummel, S., Pfirter, L., Strachwitz, R. G. (2022), [Zur Lage und den Rahmenbedingungen der Zivilgesellschaft in Deutschland: ein Bericht \(Opuscula, 159\)](#), Berlin: Maecenata Institut für Philanthropie und Zivilgesellschaft.

In 2023, the Stifterverband Deutsche Wissenschaft e.V. has issued a report³ covering the global civic society situation in Germany: “[...] the aim of this report is to contribute to the targeted promotion of civic engagement with a new empirical database on the diverse landscape of civil society organizations in Germany. The study also provides orientation knowledge for boards and management of nonprofit organizations and associations. Finally, the study serves as a basis for further research projects for academics in non-profit and civil society research.”⁴ Although there is no explicit mention of restrictions and/or threats directed towards civic space actors, the recommendations section addresses crucial issues such as the enhancement of political (i.e. democratic) integration, the reduction of bureaucracy, the promotion of diversity, and the establishment of a robust financial foundation for civic space.

³ Schubert, P., Kuhn, D., Tahmaz, B. (2023), [ZiviZ-Survey 2023: Civil Society Organizations in Transition – Recognizing Potential for Shaping Change. Strengthening Resilience and Diversity](#), Berlin: ZiviZ im Stifterverband.

⁴ Schubert, P., Kuhn, D., Tahmaz, B. (2023), [ZiviZ-Survey 2023: Civil Society Organizations in Transition – Recognizing Potential for Shaping Change. Strengthening Resilience and Diversity](#), Berlin: ZiviZ im Stifterverband, p. 6.

2. PARTICIPATION

2.1. Rules on participation

Are there any binding rules in place in your country for the participation/consultation of civil society organisations for developing/implementing/monitoring laws and policies?

In Germany, there is no central legal mechanism that requires the participation or consultation of civil society organisations in development and monitoring. At most, there are sectoral regulations. With regard to these sectoral regulations and practises, two examples shall be provided:

First, the Environmental Remedies Act (*Umwelt-Rechtsbehelfsgesetz, UmwRG*).⁵ The Act enables associations that primarily promote the goals of environmental protection to have compliance with environmental and other regulations in certain environmentally relevant decisions reviewed by a court by means of a legal remedy, i.e. objection or action. In order to file such an environmental appeal, environmental associations require special recognition.⁶

Second, it is common practice in the legislative process of the Bundestag to consult experts and stakeholders. This practise is called state and association participation (*Länder- und Verbändeeteiligung*⁷). It includes representatives of civil society and, depending on the policy area, relevant associations. In social and labour market policy, for example, welfare associations are regularly involved in the legislative process.

⁵ [Environmental Remedies Act](#) (*Umwelt-Rechtsbehelfsgesetz, UmwRG*).

⁶ The Environmental Protection Act implements the part of the European Public Participation Directive 2003/35/EC of 26 May 2003 concerning access to justice. The Directive aims to preserve, protect and improve the quality of the environment and to protect human health. This is to be achieved by enabling and increasing public participation, in particular that of environmental organisations, and legal protection in environmental decision-making. The Directive is based on the Aarhus Convention, an international agreement containing provisions on access to information, public participation in decision-making and access to justice in environmental matters.

⁷ [Joint rules of procedure of the federal ministries](#) (*Gemeinsame Geschäftsordnung der Bundesministerien, GGO*), §47.

2.2.Consultative/participatory bodies

Are there any consultative/participatory bodies in your country that ensure the participation of civil society in developing/implementing/monitoring laws and policies?

Consultative/participatory bodies do exist for various fields, ensuring the participation of civil society in developing, implementing and monitoring laws and policies. The following table is non-exhaustive:

Field	Name	Description
Elderly people	Federal working group of states senior citizens' councils (<i>Bundesarbeitsgemeinschaft der Landesseniorenvertretungen, BAG LSV</i>)	The primary goal of the BAG LSV is to represent the interests of older people as partners of state institutions, political parties and the public. It therefore offers opportunities and possibilities for the participation of older people in political events, also outside the parties.
Discrimination issues	Federal anti-discrimination agency (<i>Antidiskriminierungsstelle des Bundes</i>)	The Federal Anti-Discrimination Agency advises on rights in the event of discrimination and develops recommendations to prevent unequal treatment. It aims to raise awareness of the benefits of a diverse society and conducts research.
Asylum and migration issues	Advisory council for integration and migration (<i>Sachverständigenrat für Integration und Migration, SVR</i>)	The Advisory Council on Integration and Migration is an independent, interdisciplinary body of experts that provides policy-makers with action-oriented advice and the public with factual information. The nine experts produce an annual report and comment on current developments in the fields of integration and migration. It engages in research, too.
LGBTIQ+	The federation queer diversity Germany (<i>Lesben- und Schwulenverband Deutschland, LSVD*</i>)	"Specific goals of the LSVD* include lobbying for Germany's Basic Law to extend constitutional protection against discrimination on grounds of sexual orientation and gender identity; programmes at federal and state level to promote acceptance and diversity; legal and social

		recognition of rainbow families; enforcement of the right to sexual self-determination; LGBTIQ*-inclusive school curricula; refugee policies that provide both protection and opportunity to persecuted LGBTIQ* people; and foreign and development policies that promote respect for the human rights of LGBTIQ* people at EU and global level.” ⁸
Disabled persons	German Disability Council (<i>Deutscher Behindertenrat, DBR</i>)	The German Disability Council represents the interests of disabled and chronically ill people and their families. This includes, in particular, working to secure the financial framework for the lifestyle of disabled and chronically ill people and their families, as well as the work of the services and self-help structures they need. The German Disability Council is not an umbrella organisation and therefore does not have a general mandate. The member organisations generally represent themselves.

2.3.Awareness raising and capacity building on participation

Does your Member State fund or carry out meaningful awareness raising and/or capacity building to support participation in your country?

With regard to this topic, on the level of the federal state, the Federal Agency for Civic Education (*Bundeszentrale für Politische Bildung, bpb*) is of utmost importance. It has – since 1952 – been entrusted with the responsibility of promoting awareness of democracy and political participation. It achieves this objective through a variety of means, including the organisation of events, the production of print and audiovisual materials, and the creation of online products. The bpb’s event portfolio encompasses a diverse range of formats, such as conferences, congresses, festivals, trade fairs, exhibitions, study trips, competitions, film seminars, and cultural events. In addition to these events, the bpb also

⁸ The federation queer diversity Germany (2025), [Human rights, diversity and respect – The Federation Queer Diversity in Germany](#), press release, Cologne.

offers journalist training courses, furthering its mission to promote civic engagement and educate the public on political matters.⁹

⁹ The Federal Agency for Civic Education (2021), [The Federal Agency for Civic Education – Our mission and activities](#), press release, Bonn.

3. ENABLING ENVIRONMENT AND PROTECTION

3.1. Civil society strategy

Does your country have a general civil society strategy / civil society development strategy in place?

In the sense of a coherent, global strategy, no.

However, within the last three years, the German federal government as well as various state governments, have launched various projects and initiatives. They all have in common a limited reach, be it with regard to their context or their regional stretch.

For example, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (*Bundesministerium für Familie, Senioren, Frauen und Jugend, BMFSFJ*) has set the global goal of developing and enhancing a new “engagement strategy” at the federal level in cooperation with civil society, aiming to strengthen and promote civic engagement.¹⁰ The description of the goal contains the following paragraph: “Guided by the basic idea of a ‘culture of empowerment’, the Federal Government wants to enable, support and encourage the development of voluntary engagement in all its diversity in Germany and across borders for all people, regardless of age, place of residence, gender, sexual orientation, origin, disability, educational background or socioeconomic status.”¹¹ This paragraph suggests that general awareness is given with regard to the necessity of integration measures, allowing a broader variety of people to engage in the civic space. Coming from the federal level, this initiative might be considered as a leading initiative. It also contains ten guidelines that deal in a very general way with the working conditions for the implementation of the programme at federal level. These include voluntarism, sustainability, knowledge-based approaches and diversity, among others.¹²

In structural terms, the “Civic Engagement” departmental group, under the leadership of the BMFSFJ, will provide ongoing support to the implementation of the strategy by the federal ministries, operating as a central steering and exchange body. The BMFSFJ will present a report on the implementation of the federal government’s engagement strategy in the federal-state-municipal round table on “Civic Engagement”. The report will focus particularly on the interfaces with the states, and the BMFSFJ would like to encourage an in-depth exchange between the federal government, states and municipalities on this

¹⁰ Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (2024), [Engagementstrategie des Bundes](#), Berlin.

¹¹ Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (2024), [Engagementstrategie des Bundes](#), Berlin, p. 8.

¹² Cf. Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (2024), [Engagementstrategie des Bundes](#), Berlin, p. 23–25.

matter. However, as of today, the announced bi-annual format allowing this exchange has not yet been implemented.

3.2. Protecting an enabling environment

Is there a dedicated policy/framework (or support measures) in place in your country to enhance and protect an enabling environment for civil society to work on fundamental rights?

The programme “Living democracy!” (*Demokratie Leben, BMFSFJ*) can be considered as a global framework for enhancing, protecting and enabling civil society and fundamental rights practices.¹³ Since 2015, “Living Democracy!” has been conceived as a federal learning programme. It responds to current social challenges and is constantly being developed. For the third funding period (2025 to 2032), the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) has adapted the federal programme, readjusted the objectives and structures and sharpened their focus - particularly with a view to current social challenges and on the basis of the experience gained in the first funding period (2015 to 2019) and the second funding period (2020 to 2024). The aim of the federal programme is to contribute to strengthening democracy and peaceful, respectful coexistence, to promote participation and to enable work to be carried out against all forms of group-related misanthropy and hostility to democracy. To this end, civil society engagement will continue to be promoted at all levels of government in the three fields of action “Promoting democracy”, “Creating diversity” and “Preventing extremism”. As part of the further development process, a new “Funding Guideline for the Granting of Subsidies for Measures to Strengthen Diversity, Tolerance and Democracy” was drawn up.¹⁴ It entered into force on 1 January 2025.

Furthermore, on 22 May 2024, the Federal Ministry of the Interior and Home Affairs (*Bundesministerium des Innern und für Heimat, BMI*) has issued the strategy “Together for Democracy and against Extremism”, adopted by the German federal government.¹⁵ In its strategy, the federal government states: “The Federal Republic of Germany is a value-based and defensive democracy. The values of the country’s free democratic basic order, such as the respect and protection of human rights and the rule of law, are constitutive. The design, preservation and defense of these values of the open and pluralistic society

¹³ Federal Ministry of Family Affairs, Senior Citizens, Women and Youth (2025), [Demokratie leben!](#), press release, Berlin.

¹⁴ Federal Ministry of Family Affairs, Senior Citizens, Women and Youth (2024), [Förderrichtlinie zur Gewährung von Zuwendungen für Maßnahmen zur Stärkung von Vielfalt, Toleranz und Demokratie \(GMBI 2024, No. 53, 1166–1176\)](#), Berlin.

¹⁵ Federal Ministry of the Interior and Home Affairs (2024), [Gemeinsam für Demokratie und gegen Extremismus. Strategie der Bundesregierung für eine starke, wehrhafte Demokratie und eine offene und vielfältige Gesellschaft](#), Berlin.

against autocratic and totalitarian ideas of systems and order are a constitutional mandate and a central maxim for the Federal Government's policy."¹⁶ In this sense and with regard to the guiding question of this chapter, the federal government recognizes the fact that democracy needs an environment that constantly allows its own reproduction. Therefore – and although not mentioned here explicitly – one can assume that the strategy “Together for Democracy and against Extremism” is clearly intended to enhance and protect an enabling environment for civil society to work also on fundamental rights.

3.3. Law on recognition and protection of defenders

Is there a dedicated law (and/or guidelines) in your country dealing specifically with the recognition and/or protection of human rights defenders?

No.

3.4. Support and funding for protection of defenders

Is there any dedicated support/funding by the State for the protection of (individual) human rights defenders in your country?

No.

¹⁶ Federal Ministry of the Interior and Home Affairs (2024), [Gemeinsam für Demokratie und gegen Extremismus. Strategie der Bundesregierung für eine starke, wehrhafte Demokratie und eine offene und vielfältige Gesellschaft](#), Berlin, p. 4.