

Germany Report

Sustainable Governance Indicators 2024

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Executive Summary

Democratic government

Germany's political system is strengthened by robust and resilient democratic institutions. All public entities are effectively constrained by reliable checks and balances and adherence to the rule of law. A pluralistic media environment promotes open debates and disseminates high-quality information, including critical evaluations of governmental performance. Additionally, democratic principles, human rights, and the rule of law enjoy considerable support from political and economic elites, as well as from the general public. A vibrant civil society significantly contributes to public discourse and inspires the younger generation to value democracy and open exchange.

However, the resilience of democratic principles in Germany faces significant challenges amid increasing polarization, particularly evidenced by the rise of support for the far-right party AfD. While not all AfD supporters reject democratic principles, many prominent party representatives openly espouse nationalistic and homophobic views. Issues such as immigration and the management of refugee inflows – considered the most pressing problem by survey respondents at the end of the observation period (Forschungsgruppe Wahlen 2024) – have contributed to the radicalization of certain segments of the population.

A troubling trend in policy debates is the tendency to dismiss opposing views as malevolent rather than legitimate differences. This polarization first appeared during the 2015 refugee crisis and has persisted through subsequent controversies, including government policies during the pandemic, attitudes toward Russia, and support for Ukraine.

Moreover, democratic values have not firmly taken root in certain migrant communities. In Turkish communities, for instance, a majority aligns with Turkey's autocratic leadership. Similarly, within Arab communities, the Gaza conflict has incited open anti-Semitic outbursts. This indicates that despite residing in democratic societies, some migrant population segments do not resonate with fundamental democratic principles.

Despite these challenges, a significant majority of Germans continue to vote for democratic parties, and populist movements – unlike in some other European countries – have yet to attain political power. Nonetheless, the future remains uncertain, especially in the eastern states, where the AfD has gained substantial support in polls.

One drawback of Germany’s rules-based approach and its deep trust in an ever-expanding set of regulations is the escalating bureaucratic burden. Companies view red tape and increasingly detailed regulations as major impediments to entrepreneurial efforts. Researchers also criticize stringent constraints, citing issues such as data protection and bans on certain technologies, which they argue drive cutting-edge research out of Germany.

Governing with foresight

German governments typically make well-informed decisions, closely collaborating with scientific communities, particularly during crises with inherent knowledge limitations. Despite programmatic differences, coalitions like the current “Traffic Light” coalition (comprising the SPD, FDP, and Green parties) manage to agree on programs through comprehensive coalition agreements over the legislative term. The current government’s agenda, as outlined in its coalition agreement, is forward-looking, placing a strong emphasis on climate protection and digitalization.

However, weaknesses emerge in the realm of strategic foresight. Firstly, there is a notable lack of strategic planning for potential crisis scenarios, as evidenced by the lack of preparedness for the pandemic and the Russian war against Ukraine. Secondly, communication often devolves into cacophony, especially under crisis conditions. The government struggles to establish a unifying narrative shared by all coalition partners, hindering its ability to provide clear guidance and orientation to the country. This problem may, to some extent, reflect a lack of charisma among leading politicians, but the issue has persisted from the chancellorship of Angela Merkel to the current leadership under Chancellor Olaf Scholz.

Sustainable policymaking

Germany’s policy approach must grapple with two notable deficiencies. First, there is a reluctance to prepare the welfare state for demographic aging. Support for the bold Hartz reforms of the 2000s has waned, and some of these reforms have even been reversed. Rather than preparing for future challenges, the welfare state agenda focuses on further expanding and completing social protection. With the end of the peace dividend, rising energy prices,

deglobalization, and risks to the German industrial economic model, the financial sustainability of the welfare state is now at risk. High corporate and income tax rates have become obstacles to investment and employment, undermining the economic foundation of the German model. Second, the Federal Constitutional Court's Debt Brake ruling imposes a stringent budget constraint, further limiting available policy space. Debates on reforming the German Debt Brake often overlook the inherent fiscal constraints arising from lower growth and an aging population, which are not artificial constraints created by constitutional fiscal rules.

Key Challenges

Germany is confronted with the following key challenges.

Strengthening resilient democracy:

German political elites must create a unified strategy to address both external and internal threats to democracy. Externally, this involves enhancing European and German leadership in a world where the reliability of the United States as a defender of democracy and peace is uncertain. Internally, it requires engaging with AfD voters and those migrant communities that hold autocratic and illiberal views from their countries of origin instead of embracing the human rights and democratic values of their current home.

Building a consensus on the energy transition:

While there is broad consensus on Germany's responsibility for global climate policies and widespread support for ambitious measures, recent debates on increasing the CO2 price and technological constraints in home heating have exposed limits to this acceptance. An unfair and overly costly climate policy plays into the hands of populists, promoting unscientific narratives and climate change denial.

German energy policy must strive for more efficient and socially balanced climate prescriptions. The government's failure to offset the rising CO2 price for vulnerable households through a "Klimageld" (Climate Allowance) and its adoption of excessively costly regulations for homeowners signal a misdirection. Environmental economists advocate for a more stringent pricing approach and increased technology neutrality to achieve a cost-effective and impactful climate policy.

Migration and integration policy challenges:

Germany's commendable efforts to provide refuge to refugees face challenges as reception capacities approach their limits, according to local politicians in the municipalities where real integration issues materialize. Integration difficulties are particularly evident in Arab communities that openly reject Western values and hold anti-Israel stances. Additionally, the poor performance of students with migrant backgrounds in the education system underscores the constraints on integration capacity. These circumstances provide ammunition to right-wing groups like the AfD, which exploit them as signs of a loss of control.

Moreover, the labor market integration of Ukrainian refugees in Germany lags behind other European countries. Collaborative efforts with European partners to update asylum rules are underway, but further adjustments may be necessary to counter far-right populist sentiments and demonstrate political control.

Welfare state reforms:

Recent reforms in pension, old-age, unemployment insurance, and the health system have predominantly expanded welfare protection. Some Hartz measures were rolled back through the Bürgergeld, and certain pension reforms were countered by initiatives like "Rente mit 63" (entering retirement at 63) and guarantees for minimum pensions. While the social motivation behind these steps is commendable, financing constraints are increasingly evident. The pension and health systems are ill-prepared for the imminent demographic upheaval caused by the retirement wave of the baby boomer generation. Necessary reforms, such as raising the pension age or initiatives to increase working hours, face political resistance. Pension committees or reform templates provided by the German Council of Economic Experts have been blatantly rebuffed by leading politicians, creating a political taboo around the inevitable reforms.

Addressing the financial sustainability of the social security system is crucial for mobilizing resources for the impending transition needs. There is a legitimate debate about whether the constitutional Debt Brake needs to be reformed to allow for deficit-financed investment. However, if welfare spending continues to crowd out future-oriented spending in public budgets, new debt will not be the solution.

Comprehensive tax reform:

Germany needs comprehensive tax reform. The tax system still suffers from numerous unjustified exemptions, particularly in the VAT system. By OECD standards, high effective corporate tax rates and significantly elevated

marginal tax rates for average earners discourage economic activities, ranging from investment to employment. The growing preference for leisure among German workers correlates with these strong disincentives. A reform aimed at revenue neutrality, while designing a more efficient tax structure, is imperative. Although the process is anticipated to be conflict-ridden, it is clear that the current tax system places an unnecessary burden on Germany's economic activities.

Democratic Government

I. Vertical Accountability

Elections

Free and Fair
Political
Competition
Score: 9

Both independent candidates and candidates from registered parties may run for election to the Bundestag. To qualify for the ballot, political parties and candidates must meet specific registration requirements outlined in the Political Parties Act (Parteigesetz). These requirements differ based on whether the qualification concerns a party or an independent candidate.

At the subnational level, the State Election Act of a state (Landeswahlgesetz) specifies the criteria for candidates and parties. Non-established parties – those that have not held at least five seats in the Bundestag or a state parliament (Landtag) continuously since the last election – must be assessed for eligibility by the Federal Election Committee (Bundeswahlausschuss) or, in the case of state elections, by the respective state's Election Committee. These parties must submit various documents, such as a declaration of intent, their manifesto, and a demonstration of their status as a party (Parteieigenschaft, §2 Abs. 2 PartG).

Additionally, non-established parties and non-partisan candidates must provide a minimum number of signatures from eligible voters in the electoral district where they intend to run for election. Candidates are also required to submit personal information and details about their party affiliation (Bundeswahlleiterin, 2021). Rejected parties have the right to appeal the decision up to 75 days before the election (OSCE, 2022: 5).

The Basic Law (§ 21 Abs. 1 GG) mandates that parties disclose their assets and the origins of their financial resources. While parties must identify donors of contributions above €500, transparency is required only for donations exceeding €10,000 from a single donor within one year. In such cases, parties must disclose the donor's name, address, and the total amount given.

Furthermore, donations exceeding €50,000 must be reported to the president of the German parliament immediately, and these donations are also made available online (BMI, 2023).

Regarding media access for parties and candidates, the activities of broadcasting media are regulated by the laws of the Länder, with no general media-related regulations at the federal level. However, the Interstate Treaty on Broadcasting and Telemedia (Rundfunkstaatsvertrag) provides a general framework, ensuring the plurality of opinion and balanced coverage of all major political, ideological, and social forces.

All parties with a list in at least one federal state are to receive an “appropriate” amount of broadcasting time. The amount of airtime allocated to each party depends on its performance in the previous general election. While campaigning in public media is free of charge, private media charge for election airtime. The OSCE notes that this could make it difficult for smaller parties to afford airtime, especially for the 2023 Berlin elections, which included more than two elections in one cycle (OSCE, 2023: 9).

In addition to public and private media campaigns, an increasing number of parties and candidates are utilizing social media channels like Facebook and Instagram for electoral campaigns, with a substantial portion focusing on negative campaigning. During the federal elections in 2021, candidates often sought to discredit their opponents through disinformation and hate speech (Ruttloff et al., 2023). In Germany, as in other OECD countries, disinformation spread through social media has been shown to impact voter loyalty, leading to vote switching. For the 2017 federal election, the AfD in particular benefited from the fact that many CDU voters were receptive to disinformation distributed over social media (Zimmermann and Kohring, 2020).

Free and Fair
Elections
Score: 10

According to the Federal Election Act (Bundeswahlgesetz), all German citizens who are at least 18 years old are eligible to vote. German citizenship is defined in Article 116 of the Basic Law. At the state level, analogous State Election Acts are in place. In recent years, several states and their municipalities have reduced the voting age to 16 years. Only at the municipal level and in elections to the European Parliament do non-Germans with EU citizenship have a right to vote.

German citizens residing abroad are eligible to vote if they have lived in the Federal Republic of Germany for at least three uninterrupted months. This stay must occur after the age of 14 and cannot be more than 25 years ago. If no

such residency took place, citizens permanently residing outside of Germany can provide proof that they are personally affected by the political situation in Germany.

German citizens can only be disqualified from voting based on a judicial decision that declares them ineligible to vote (Bundeswahlleiterin, 2021a). This includes convicted criminals with a prison sentence of one year or more (§45 Abs.1 StGB). The exclusion of people incapable of contracting guilt and residing in psychiatric clinics and of disabled citizens needing caregivers for all matters was ruled unconstitutional by the Federal Constitutional Court (Bundesverfassungsgericht, 2019).

Regarding voter registration, it is generally not necessary for individuals to register to vote. Instead, all eligible voters are included in their municipality's electoral roll if they reported their residence within Germany to the registration office at least 42 days before the election. In that case, all entitled voters receive an election notification up to 21 days before the election. If someone erroneously does not receive the notification, they can appeal against the electoral roll within the time frame of 20 to 16 days before the election (BMI, 2023).

The specific procedure for elections is described in the Federal Election Act and by Federal Election Regulations, with similar acts at the state level. This procedure includes the preparation of elections, the elections themselves, and the determination of the results. For supervision, the Federal Election Act prescribes electoral bodies whose members are bound to discretion and to perform their duties impartially. Additionally, the execution of the election in the polling stations is organized by election workers (Wahlhelfer*innen), who are responsible for tasks such as verifying a voter's eligibility based on the electoral roll, counting the votes, and determining the result for the respective district. The role of election workers is honorary; if appointed, the position is obligatory for each eligible voter.

Elections in Germany are always held on a Sunday, with polling stations open from 8 a.m. to 6 p.m. This schedule ensures that a majority of voters are able to vote in person. German elections follow five electoral principles based on Article 38 of the Basic Law: they are universal, direct, free, equal, and secret.

In addition to voting on Election Day, early voting is available to all eligible voters, either in person or by mail. Voters receive a form to request a ballot paper along with their election notification. This ballot paper can then be used to vote before the election date, either by mail or in person at the responsible municipal authority office. Voters can request ballot papers until the Friday

before the election. For the vote to be counted, the ballot must be submitted to the relevant office no later than 6 p.m. on the Sunday of the election.

The Federal Ministry of Interior and Community estimates there are around 90,000 polling stations, given that an electoral district comprises municipalities or districts with up to 2,500 inhabitants. Polling stations should be barrier-free for voters with disabilities, considering the general accessibility of the location itself and the setup of the polling station. The election notification informs voters whether the polling station is barrier-free in practice. If needed, election workers provide voter assistance to people with disabilities.

The free and fair elections index assigned Germany a value of 0.95, suggesting that government intimidation and election fraud are not particularly present in Germany. Similarly, the clean elections index for 2022 categorizes Germany as having almost no voting irregularities, assuming that any observed irregularities are likely unintentional and not biased toward specific groups' participation (V-Dem, 2022).

Quality of Parties and Candidates

Socially Rooted
Party System
Score: 9

Legal aspects of the German political system only moderately hinder the representation of legal aspects of the German political system only moderately hinder the representation of relevant societal interests. For example, political parties can be prevented from representing undemocratic interests. According to Article 21 of the Basic Law, parties must adhere to democratic principles and are deemed unconstitutional if they impair these principles. If the Federal Constitutional Court determines a party is unconstitutional, it can be dissolved and prohibited from being re-established.

However, prohibiting a party is not easily achieved. The rejection of democratic principles in a party's manifesto is insufficient for a ban; the party must threaten democracy through its concrete actions. This requirement poses a significant obstacle because it is difficult to differentiate between the actions of individual party members and the actions of the party as an entity. Additionally, any ruling must consider the jurisdiction of the European Court of Human Rights, which allows prohibition only if a party has realistic chances of being elected and implementing goals that threaten democracy.

Due to these strong barriers, only two parties have ever been banned in Germany: the SRP and the KPD. The NPD, which was determined to be unconstitutional, was not banned because the Federal Constitutional Court

ruled it did not have the potential to enforce its anti-democratic goals (Bundesverfassungsgericht, 2017).

The German electoral system includes a five percent threshold for political parties to gain seats in parliament and thus represent specific societal interests. This threshold was implemented in 1949 to ensure the operability of the parliament and to form a stable government. In the 2021 federal elections, 8.7% of the votes were for parties that did not surpass the 5% threshold and, hence, did not receive seats in the German parliament (Statista, 2023). A similar trend can be found in various state elections in 2023. In Bavaria, 9.7% of the votes – including those for the FDP and The Left – did not exceed 5% (Süddeutsche Zeitung, 2023). In Hesse, 12.1% of the votes, including those for The Left, did not meet the threshold (Hessisches Statistisches Landesamt, 2023). In Berlin, the percentage was 13.7%, with the FDP included in this figure (Tagesschau, 2023a). Therefore, an increasing share of votes is not represented in the parliament.

In June 2023, German Federal President Steinmeier signed a new law for electoral reform (Wahlrechtsreform) to decrease the size of the Bundestag to 630 members. The Bundestag currently consists of 736 representatives (Tagesschau, 2023b). The reform abolishes the so-called “Grundmandatsklausel.” Previously, a party could be represented in the Bundestag if it won at least three constituencies (Direktmandat), even if the party itself did not exceed the five percent threshold. Under the new law, candidates with a Direktmandat will receive a seat in parliament only if their party exceeds the five percent threshold.

This change will likely lead to the elimination of The Left party from the Bundestag because it’s current presence in the chamber is a function of the three-constituency rule. Moreover, the parliamentary representation of the CSU is in jeopardy. This party runs only in one of the 16 states, Bavaria, where it wins almost all constituencies; nonetheless, its overall nationwide vote share was just 5.2% in 2021. A loss of 0.3 percentage points would eliminate this party from the Bundestag as well. Thus, the change in the electoral law clearly has the potential to hinder the representation of relevant societal interests.

In October 2023, the citizens’ association Mehr Demokratie filed a complaint against the reform with the Constitutional Court, worrying that millions of votes would be invalidated (Tagesschau, 2023c).

During the last federal election in 2021, almost all political parties published manifestos that are publicly accessible on their websites and are relatively

distinct from one another (V-Dem, 2023). A majority of parties also published additional manifestos formulated in simple language. Moreover, since 2002, the Federal Agency for Civic Education has provided the “Wahl-O-Mat,” which allows voters to determine how closely their preferences on relevant topics align with the manifestos of various parties running for election (BpB, 2021).

Additionally, a majority of Germany’s major political parties have permanent local branches to support local interests (V-Dem, 2023). This practice stems from German federalism, where the responsibility for some tasks lies with the states rather than the federal government (§73ff. Basic Law). Some state-level responsibilities are delegated to municipalities, making local party branches relevant as well.

The Varieties of Democracy data shows a value of 3.76 for the party linkages indicator, suggesting that constituents mainly respond to a party’s program and its ideas for society. The value also indicates that, to a lesser extent, voters are rewarded with local collective goods. Clientelism, however, does not appear to be very present in political parties (V-Dem, 2023).

Regarding the different societal interests represented through the major political parties, left, center, and right positions are present in the parliament. According to the Manifesto Project (2023), which uses a right-left position scale derived from party manifestos, The Left, the SPD, the South Schleswig Voter’s Union, and the Greens are classified as left-wing parties. The FDP and CDU are positioned in the middle of the scale, making them center parties. The AfD is classified as a right-wing party.

Effective Cross-Party Cooperation
Score: 8

The Liberal Democracy Index, based on the Varieties of Democracy Project, allocated Germany a score of 0.81 for 2022 on a scale from 0 to 1 (Our World in Data, 2023). Further, according to the Manifesto Project, which analyzes the manifestos of the major political parties in a country, all major parties in Germany make favorable statements about the necessity of democracy. The Greens (5.241) and the Left (5.084) receive the highest scores, suggesting the highest number of positive mentions of democracy in their manifestos. In contrast, the AfD (2.033) receives the lowest score, followed by the CDU with a score of 2.559. Additionally, while the AfD has a relatively low score of 0.064, it is the only major party for which statements against the idea of democracy can be observed, either in general or within its manifesto (Manifesto Project, 2023). Hence, liberal democratic values are widely accepted and supported within the major political parties apart from parts of the AfD. In Saxony, Thuringia, and Saxony-Anhalt, for instance, the AfD was classified as a secured right-wing extremist party by the states’ domestic

intelligence services based on the justification that the AfD pursues anti-constitutional goals in these states (Tagesschau, 2023).

The cooperation of two or three parties to form a majority and thereby govern is standard in Germany at all federal levels. This cooperation in developing and executing policies is a crucial aspect of German politics. Various coalition combinations exist, and there are no barriers to coalitions between democratic parties with one exception: The CDU currently excludes coalitions with the Left. However, this position is under discussion due to the need to form stable democratic governments amid the rising share of AfD votes, particularly in East Germany (Zeit Online, 2023b).

The major political parties regularly criticize and distance themselves from the AfD, and there are demands, for instance from the Greens in Berlin, to examine the possibility of prohibiting the AfD (Süddeutsche Zeitung, 2024). Additionally, the domestic intelligence service classified the AfD as a suspected right-wing extremist case in 2022, which allows it to observe the party as a whole (Tagesschau, 2022).

However, according to the “Politbarometer” by the news outlet ZDF, the AfD would receive 22% of the votes in a federal election as of January 12, 2024 (Politbarometer 2024). Therefore, it is not clear how effective efforts to neutralize the AfD are. While other parties distance themselves from cooperation at the state or federal level, the newspaper “Die Zeit” showed in July 2023 that cooperation on a communal level has already taken place in several instances. This includes collaborations in Saxony, Saxony-Anhalt, and Thuringia where the AfD is classified as a secured right-wing extremist organization (Zeit Online, 2023a).

Existing obstacles in the party system, both by law and in practice, pose no significant barriers to achieving effective cross-party cooperation among democratic parties. However, the strength of the AfD necessitates coalitions across the left and right camps, which find it very difficult to agree on and jointly defend reforms. This situation is likely to increase support for the AfD.

Access to Official Information

As of September 2006, Germany has a Freedom of Information Act (Informationsfreiheitsgesetz, IFG) that grants everyone the right to obtain information from federal authorities or other public bodies of the German government (Schaar, 2019). There are no prerequisites for accessing this information. Additionally, the requested information must be provided by the

respective agency within one month, although it may involve a fee (BMI, 2023).

According to Articles 3 to 6 of the Act, there are four key exceptions to access. First, intelligence services are not required to disclose information. Additionally, the right to information does not include data of third parties, business secrets and intellectual property, or information concerning ongoing administrative procedures. Federal agencies, however, must state and justify both the reasons for exemptions from the obligation to inform and any delays that exceed the time limit (BMI, 2023).

In 2022, 491 inquiries after § 12 Abs. 1 IFG were filed, a decrease from the previous year. Most of these inquiries were directed to either the Federal Ministry of Health or the Federal Ministry of the Interior (BfDI, 2023). Simultaneously, as the point of contact for people who believe their rights have been violated, the federal commissioner for data protection and freedom of information reported 310 cases in which individuals claimed a violation of their right to official information according to the IFG (BfDI, 2023).

II. Diagonal Accountability

Media Freedom and Pluralism

Free Media
Score: 8

Media freedom in Germany is a fundamental right guaranteed by the Basic Law (Article 5), which includes freedom of speech and prohibits media censorship. The media is considered the fourth pillar of democracy, and this freedom extends to publicly owned media (Rundfunk).

Additionally, publicly owned media in Germany operates under a legally secured mandate based on the Interstate Treaty on the Modernization of Media (Medienstaatsvertrag), which provides a framework for both public and private broadcast media. According to constitutional requirements set by the Federal Constitutional Court, the government is prohibited from interfering with or influencing the selection, content, or implementation of programs (Grundsatz der Staatsfreiheit). However, public media often faces criticism for being too close to the government, primarily because the supervisory board, the Rundfunkrat, includes multiple former and active politicians. This raises concerns about the neutrality of public media (Grimberg, 2020).

Generally, censorship of print and broadcast media is rare and usually concerns only highly sensitive issues. If attempts at censorship are discovered, the responsible officials are typically punished (V-Dem, 2023). However, an incident in June 2023, where the Bavarian Federal Police wiretapped the climate activist group “Letzte Generation” and their press contacts, raised concerns about interference with press freedom. While the Munich public prosecutor’s office deemed the interception reasonable, experts viewed it as an infringement on press freedom (Brack, 2023).

A new law regulating whistleblower protection took effect in July 2023. While it prohibits reprisals against whistleblowers and obliges enterprises and organizations to establish secure channels for informants, the Whistleblower Netzwerk (2023) criticizes that these regulations only cover reports addressed to internal or external governmental channels. Public whistleblowers are protected only in exceptional cases. Article 32 of the Whistleblower Protection Act (Hinweisgeberschutzgesetz, HinSchG) specifies that public whistleblowers are protected only when they did not receive an answer from external channels or if the relevant information relates to an immediate and obvious danger to the public. This complicates cooperation between investigative journalists and whistleblowers, particularly in cases of white-collar crime and illegal intelligence activities (RSF, 2023).

Media freedom in Germany has worsened in recent years, according to RSF’s annual ranking, which assigned Germany 81.91 points out of 100. There were 103 recorded attacks on reporters in 2022, an increase from previous years (65 in 2020 and 80 in 2021). Many attacks go unreported, suggesting the actual number is higher. Most attacks are physical, with many journalists being kicked or hit. Approximately 84% of these attacks are attributed to the extreme right, conspiracy ideologies, or antisemitism. One-third of journalists reported that police did not help when attacks occurred, and in some cases, police carried out the assaults. Additionally, police often did not investigate, or journalists refrained from filing complaints due to fear of further attacks. Besides physical violence, populist politicians attempt to create mistrust toward the media, and hate speech and threats on social media are increasing issues, especially for people of color, women, or journalists reporting on gender issues.

The government seldom blocks websites, but it has blocked Russian state-owned media outlets following Russia’s invasion of Ukraine due to an EU regulation. Additionally, Vodafone, following a regional court order in Munich, has blocked multiple streaming and file-sharing websites in response to complaints from rights holders (Freedom House, 2023).

To combat hate speech and the distribution of fake news and misinformation, Germany introduced the Network Enforcement Act (Netzwerkdurchsetzungsgesetz). This law requires social networks to delete such content. According to Google's Transparency Report, German government agencies made 293 requests to take down content in the second half of 2022 (Freedom House, 2023). The lack of judicial oversight is problematic, as there is no judicial remedy if a social media network restricts an individual's freedom of speech or right to information.

The Digital Services Act, an EU directive that came into force in November 2022, aims to enable the deletion of illegal content and protect users' fundamental rights. Member states are required to implement this directive by February 2024 (Reporter ohne Grenzen, 2023).

Lastly, while journalists in Germany adhere to a self-binding code of ethics, self-censorship is not a prevalent or documented issue, either online or in other media (Freedom House, 2023). If self-censorship occurs, it is only on isolated, highly political issues (V-Dem, 2023).

Pluralism of
Opinions
Score: 8

Pluralism of opinions within the media is an important aspect in Germany, especially in publicly owned media. Based on the requirements formulated by the Federal Constitutional Court, publicly owned media should portray the diverse existing opinions to support free and comprehensive opinion formation. In this regard, the government must ensure that the media content fulfills a minimum of objectivity, mutual respect, and balance in opinions (Deutscher Bundestag, 2007).

As explained earlier in our discussion on media freedom, there are supervisory boards for publicly owned media, namely a board of directors (Verwaltungsrat) and a Media Commission (Rundfunkrat). The board of directors oversees the operations of publicly owned media, excluding program design, while the Media Commission monitors the programs and their content, representing the interests of the general public (Deutscher Bundestag, 2006). The commission is intended to include representatives from various key institutions and social groups, including politicians. Based on a ruling by the Federal Constitutional Court, the number of governmental and government-related members cannot exceed one-third of the total number of commission members.

As previously mentioned, since politicians are present on the commission, public-owned media has been increasingly criticized for a lack of neutrality. Critics claim it is too close to the government and does not fulfill the

requirement for diversity. Further, it is criticized for reporting that is too one-sided. In fact, a study found that trust in the neutrality of public-owned media has decreased over recent years. In October 2023, 39%, compared to 25% in 2020, had no or very little trust in the credibility of the public-owned television stations ARD and ZDF (ZDF, 2023).

Still, derived from the V-Dem index for media, all major media outlets critique the government consistently. Additionally, based on a 2022 media bias score of 3.35, even though there is a focus on governing parties, the German media covers opposition parties more or less impartially (V-Dem, 2023).

According to the Centre for Media Pluralism and Media Freedom (CMPF), the transparency of ownership poses a low risk for print and broadcasting media. The Interstate Media Treaty mandates that privately owned media must disclose ownership information to maintain a broadcasting license and must report any changes. Additionally, the Political Parties Act requires political parties to disclose their holdings in media companies. Online-only media, which do not require a license, face lower requirements. For the digital media sphere, the CMPF indicates that pluralism is at a higher risk compared to print and broadcast media, criticizing the legislature for not adapting laws to media digitalization (Holznagel and Kalbhenn, 2022). A major problem is that the current instruments used to monitor media diversity primarily cover the supply side but largely ignore the actual usage behavior of citizens, especially in the digital sphere (Stark and Stegmann, 2021).

Issues concerning monopolies are primarily regulated by the Federal Cartel Office (Bundeskartellamt). Additionally, to prevent monopolies, a separate independent regulatory body, the Commission on Concentration in the Media (KEK), evaluates whether changes in ownership structures or new licensing procedures for privately owned media give a company a dominating influence on public opinion. The commission works to secure pluralism of opinion.

Media pluralism has, however, decreased in recent years, particularly affecting print media. The number of sold copies of newspapers decreased by around one million from 2022 to 2023. Moreover, a small number of media outlets hold a large share of the market. For instance, in the second quarter of 2023, the Bild, the Süddeutsche Zeitung, and the Frankfurter Allgemeine Zeitung were the highest circulated newspapers nationally and held a significant share of readers (Statista, 2023). Likewise, as of September 2023, the top five broadcasters – ZDF, ARD Dritte, ARD Das Erste, RTL, and VOX – held over 50% of the market share (AFG, 2023).

Free Civil
Society
Score: 9

Civil Society

The Basic Law grants every German citizen the right to assemble peacefully and unarmed (Article 8). The Federal Act concerning Assemblies and Processions (Versammlungsgesetz des Bundes) specifies relevant regulations regarding the right to freedom of assembly. As the states are responsible for assemblies, some states, such as Bavaria, have enacted their own state laws concerning assemblies. Generally, no prior notification or permission is necessary. However, the regulations differ for assemblies taking place outdoors. These assemblies need to be registered with a public authority at least 48 hours before being announced and may be restricted. This ensures that the authorities can provide protection for the assembly and manage consequences for third parties. Further, in the case of a direct threat to public safety, an assembly may be forbidden or dissolved. The prohibition, however, is considered a last resort to be used when restrictions to avert a threat are not sufficient (BMI, 2023).

In June 2023 the Federal Administrative Court ruled that the overall prohibition of assemblies during the Covid pandemic by the state of Saxony was disproportionate and that exceptions should have been clearly regulated. Simultaneously, it declared that restrictions during a pandemic are justified as a pandemic poses a threat to people's lives and health (Bundesverwaltungsgericht, 2023).

Overall, the allocated score of 3.88 for the year 2022 (V-Dem, 2023) suggests that state authorities almost always allow and actively protect peaceful assemblies, where a ban or restriction of an assembly concerns only lawful, necessary, and proportionate limitations. Likewise, the World Justice Project's score for Germany is 0.9, with 1.0 being the highest possible score (World Justice Project, 2022).

While government intimidation is not a systematic issue in Germany, the research project "Police use of excessive force" found that in 2021 there were 2,790 investigations against police officers due to the unlawful use of force, 55% of which were related to protests or other political assemblies. It is important to note that the study's sample is not representative (Grasnick, 2023).

Additionally, freedom of association is granted to every citizen based on Article 9 of the Basic Law. However, associations violating the constitution or criminal laws are prohibited. Once an association is banned, it becomes illegal and must be dissolved. In practice, the relatively high score of 0.88 implies that political and civic groups are able to form and operate with a significant amount of freedom (V-Dem, 2023).

Effective Civil
Society
Organizations
(Capital and
Labor)
Score: 8

The Basic Law, the German constitution, allows all German citizens to form associations and organizations (Article 9, Passage 1) and specifically to form trade unions and employers' organizations for all professions (Article 9, Passage 3) to preserve and improve labor and economic conditions (Bundesrepublik Deutschland, 1949).

As a result, Germany has many trade unions and business organizations. These organizations are economically and politically independent and are funded by membership fees, which are tax-deductible for both employees and employers (Rütters/Mielke, n.d.; Hans Böckler Stiftung, 2013; Vereinigte Lohnsteuerhilfe e.V., 2023).

Wage bargaining in Germany operates autonomously. Trade unions and employer organizations negotiate wages and working conditions independently without political intervention. The government does not typically intervene in collective bargaining rounds and is not entitled to settle disputes between unions and business organizations (Strünck, n.d.). Government pleas and other political institutions usually do not affect these negotiations and are quickly rejected by the negotiating parties. There are no serious debates about limiting the autonomy of wage bargaining (Lesch et al., 2023: 26).

Major civil society organizations (CSOs) have the organizational strength to independently formulate policy proposals. For example, the Initiative New Social Market Economy (Initiative Neue Soziale Marktwirtschaft, INSM), funded by the employers' organizations of the metal and electro industries, aims to rethink and improve the German social market economy. It was initially kickstarted with €100 million in funding (Hans Böckler Stiftung, 2013). On the trade union side, in 2022, a reform of the works constitution law (Betriebsverfassungsgesetz) was proposed by experts from the German Trade Union Federation (Deutscher Gewerkschaftsbund) and several law professors (Verdi, 2022).

Labor and capital CSOs generally play an advisory role in the policymaking process. They can make proposals, although the federal government is not obliged to react to them. It is unclear to what extent the government feels

compelled to respond to these proposals, but governments often actively seek CSO advice. For instance, in July 2022, Chancellor Scholz invited trade unions and employer organizations to participate in a “Concerted Action” to discuss dealing with inflation and the energy crisis.

Many trade unions and business organizations come together in umbrella organizations. The German Trade Union Federation (Deutscher Gewerkschaftsbund) is an umbrella organization for eight major German trade unions, representing approximately six million members. Membership has declined since German reunification (Bundeszentrale für politische Bildung, n.d.). The Confederation of German Employers (Bundesvereinigung der Deutschen Arbeitgeberverbände) is the main umbrella organization for employers’ organizations. It consists of 14 state associations and 46 federal professional associations from nearly every economic sector, representing about one million enterprises with more than 30 million employees (Die Arbeitgeber, n.d.).

Compared to many other European countries, the number and intensity of strikes in Germany are low. In the 2010s, an average of 18 working days per 1,000 employees were lost each year due to strikes. This is largely due to German strike law, which disallows strikes for political reasons (Deutschlandfunk, 2023).

Most Germans hold favorable views of unions. Specifically, 69% of Germans support strong unions, and 51% associate positive views with trade unions, while only 15% have a negative perception. (Nienhüser et al. 2022: 29).

Effective Civil
Society
Organizations
(Social Welfare)
Score: 9

Every German citizen has the right to form and join associations and organizations (Bundesrepublik Deutschland, 1949, Art. 9). Welfare associations like the Red Cross or Caritas receive approximately 90% of their funding through social insurance (Bundeszentrale für politische Bildung, n.d.). In contrast, clubs such as sports clubs or youth groups like the Scout movement are primarily financed by their own revenue, including membership fees, donations, and entrance fees. Additionally, they may be eligible for grants from state, federal, or EU funding (Deutsches Ehrenamt, n.d.). Membership fees for nonprofit, charitable, or cultural organizations are tax-deductible, while those for leisure organizations, such as sports clubs, are not (American Express, 2023).

Important welfare associations participate in various advisory councils within federal ministries, particularly the Federal Ministry of Labour and Social Affairs and the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (Bundesregierung, 2019). Organizations such as churches, trade

chambers, and welfare associations may be invited to comment on draft laws before they are discussed in the Bundestag, the German parliament (Bundesministerium der Finanzen, n.d.). Beyond this, they have no official role in the policymaking process. However, due to their prominence and influence, they can initiate and shape public discussions and draw attention to specific issues. Social welfare CSOs sometimes make suggestions for new laws or amendments to existing laws, but the Bundestag or the federal government is not obliged to consider them.

Free welfare work is primarily organized through six main organizations, such as the Red Cross, Caritas, and Diakonie. Together, they form the Federal Association of Free Welfare Care, collaborating to increase their political and public influence and achieve their mutual goals (Bundesverband der Freien Wohlfahrtspflege, n.d.). The Federal Association of Free Welfare Care has approximately 1.7 million full-time employees, mostly engaged in care work, and between 2.5 and 3 million volunteers (Bundeszentrale für politische Bildung, n.d.). Overall, there are more than 600,000 associations in Germany with more than 50 million members. About 27 million people are part of a sports club.

For most major CSOs, there are no studies assessing the quality of their reputations. However, the Red Cross achieved second place out of 130 ranked firms and organizations in the Purpose Readiness Index, which measures the credibility of German companies in terms of their positive contribution to society (GlobeOne, 2022).

Effective Civil
Society
Organizations
(Environment)
Score: 9

Environmental associations enjoy high levels of respect and trust in German society. According to a 2016 survey, 60% of German citizens reported having great or very great trust in environmental organizations. This compares with 69% for the police, 44% for trade unions, 29% for churches, and 18% for political parties (Polis Gesellschaft für Sozial- und Marktforschung mbH, 2016). Therefore, environmental CSOs are well-positioned to draw attention to environmental issues and inform the public about nature and environmental concerns.

Environmental CSOs are primarily funded by membership fees and donations, but they may also receive public funding (Bundesamt für Naturschutz, n.d.). The federal government finances certain projects conducted by environmental associations if they strengthen awareness and engagement for the protection of nature and the environment (Umweltbundesamt, 2023). For instance, the German branch of the World Wide Fund for Nature (WWF) received €33 million in government funding from Germany and abroad during the 2020-2021 accounting year (Fuchs, 2022). Additionally, membership fees and

donations to organizations active in environmental and nature protection are tax-deductible (LohnsteuerKompakt, n.d.).

Major German environmental CSOs, such as NABU, BUND, and WWF, have the organizational strength to independently formulate policies and often propose enhancements and amendments to existing laws. For example, a group of CSOs proposed a revised version of the Federal Forests Act (Bundeswaldgesetz) in fall 2023 (NABU, 2023). These organizations also contribute to the development and enhancement of the national sustainability strategy (Bundesregierung, 2023).

The German League for Nature Conservation and Environmental Protection (Deutscher Naturschutzring, DNR) serves as the principal umbrella organization for German environmental CSOs. It comprises approximately 100 member organizations, collectively reaching 11 million people (Global Nature Fund, n.d.). The DNR coordinates projects among its members, seeks to influence political discourse on environmental and climate protection, and advocates for a diverse, open-minded, and tolerant society (Deutscher Naturschutzring, n.d.). The largest German environmental CSO is the German Union for Nature Conservation (Naturschutzbund Deutschland, NABU), with more than 900,000 members. NABU is also part of the DNR (NABU, n.d.).

CSOs mainly have an advisory role in the political process in Germany. While environmental CSOs often propose new laws and regulations, these are merely suggestions, and the federal government and parliament are not obliged to consider them. The role of environmental CSOs in the policymaking process is further discussed under “Effective Involvement of Civil Society Organizations (Environment).”

III. Horizontal Accountability

Independent Supervisory Bodies

Effective Public
Auditing
Score: 10

The Basic Law assigns the Federal Court of Audit (Bundesrechnungshof) the responsibility for public auditing in Germany, specifically auditing accounts and ensuring the federation properly and efficiently administers public finances. To carry out these duties, members of the court enjoy judicial independence (Article 114, Paragraph 2, Basic Law). As an independent body, the Federal Court of Audit is subject only to the law and holds the same status as the federal ministries, the Office of the Federal President, and the Federal

Chancellery. It is autonomous and independent in its choice of audit methods, the depth of the audit, and has the legal authority to decide on the content of the audit (Seyfried, 2021).

During an audit, relevant bodies are required to provide information and cooperate, including sharing confidential or secret data. The Federal Court of Audit must simply state that the information is essential to fulfilling its mandate to obtain the necessary information (Article 28 Prüfungsordnung des Bundesrechnungshofes).

The president of the Federal Court of Audit is elected by parliament (Bundestag) and the Federal Council (Bundesrat) based on the federal government's suggestion. After the election, the president is appointed by the federal president. There is no debate prior to the election, and the Bundestag vote is conducted in secret, requiring a majority of its members. This process ensures the independence of the court's president, and reelection is not permitted (Article 5 Bundesrechnungshofgesetz). Given that the court's members, including the president, enjoy judicial independence, the potential removal of the president adheres to Article 97 of the Basic Law, which outlines judicial independence. Thus, dismissal, whether permanent or temporary, is only possible through a judicial decision based on the law.

As a federal authority, the Federal Court of Audit's financial and personnel resources are funded by the federal budget. The court submits its budget request, including estimates of the resources required to fulfill its mandate, to the federal government, where the final budget is then subject to political negotiations. Currently, the court has a staff of around 1,050 employees and an annual budget of €187 million (Bundesrechnungshof, 2023a). While these costs are low compared to the size of the federal budget (below 0.1%), the resources should be sufficient to effectively monitor the federal budget given the size of the institution.

According to the Open Budget Survey (2021), Germany's budget oversight, comprising audit and legislative oversight, scores an impressive 91 out of 100 points, ranking it first in global budget oversight. The audit oversight alone is awarded a score of 95. Additionally, the survey rates public access to budgetary information at 73 out of 100, and the audit report – which examines the soundness and completeness of the government's year-end accounts – at 67 points. Since these scores exceed 61 points, they indicate that Germany publishes sufficient information about the use of public resources to facilitate effective public debate.

Nevertheless, the Federal Court of Audit only examines, criticizes, or recommends cost-saving measures and does not have the authority to issue legally binding judgments. For media access, the Court publishes press releases, statements, and background information on its website. The Court further encourages the media to contact the designated press officer with any questions or requests for additional information (Bundesrechnungshof, 2023b). The legislature reviews the Court's reports and regularly invites Court representatives to public hearings. If federal ministries receive critical remarks or suggestions for changes from the Court, they must adhere to the "comply or explain" principle. They may diverge from the Court's guidance but must provide arguments to justify their disagreement with a particular view or suggestion.

Effective Data
Protection
Score: 9

Following chapter four of the Federal Data Protection Act (Bundesdatenschutzgesetz, BDSG), the national data protection authority in Germany is the Federal Commissioner for Data Protection and Freedom of Information (Bundesbeauftragte für den Datenschutz und die Informationsfreiheit, BfDI). The BfDI is considered a supreme federal authority responsible for protecting the fundamental right of informational self-determination. It functions as both a supervisory body and an advisor to the Bundestag regarding data protection issues. Additionally, the commissioner is independent in the performance of tasks and the exercise of power, thus free from both direct and indirect external influence (Article 10 BDSG).

While the BfDI operates independently and can choose which audits to undertake, citizens have the right to file a complaint with the commissioner if they believe their rights regarding data protection or access to information have been infringed (BfDI, n.d.). Furthermore, the BfDI has access to all necessary information, as each public authority is obligated to provide all data or information needed by the commissioner to fulfill the relevant tasks (Article 16 BDSG).

The BfDI is elected, without prior debate, by the Bundestag with more than half of the parliament's statutory members at the proposal of the federal government. To be eligible for election, the candidate for the commissioner's office must be at least 35 years old and possess sufficient qualifications, experience, and skills in the domain of data protection. If elected, the BfDI serves for five years; however, reelection for one additional term is possible. Although the dismissal of the federal commissioner is possible, the standards for removal are high. Thus, removal from office is only possible at the request of the president of the Bundestag due to the commitment of serious

misconduct or by no longer fulfilling the necessary requirements (Article 11f. BDSG).

Similar to the previously examined Federal Court of Audit, the BfDI, as a federal body, is financed by the federal budget, with the final amount of financial resources depending on political considerations. For the financial year 2024, the federal commissioner is allocated €45 million, making up 0.01% of the total federal budget (Bundesministerium der Finanzen, 2023). With 50 additional positions added in 2022, the BfDI had a personnel budget for 396.4 positions. Eighty percent of these positions were filled, meaning that 301 people worked for the BfDI in 2022 (BfDI, 2023). (Note that additional data protection authorities exist in each federal state, which significantly increases the budget and the number of people employed in this area)

The BfDI submits an annual report (Tätigkeitsreport) detailing its work to the federal government, parliament, and council. The report is also available to the public on the BfDI's website. Additionally, the authority published 13 press releases in 2022. The media can also submit inquiries to the BfDI. In 2022, the commissioner responded to 413 requests by email and 406 by telephone.

Furthermore, in 2022, the authority was involved in 119 draft laws, 109 regulations, 33 directives, and 12 additional projects initiated either by the European Union or at the national level. While the commissioner criticized the often untimely inclusion of the BfDI, overall inclusion increased by almost 50% (BfDI, 2023a). However, as of April 2022, many recommendations made by the BfDI in his annual report have not been fully implemented or have not been implemented at all (BfDI, 2023b). Specifically, in his 2022 report, the BfDI criticized that none of the recommendations from the 2021 report were fully implemented. Regarding the legislature, the commissioner serves as an advisor to the parliament. This means the BfDI is included as an expert on data protection in parliamentary committees and supports the parliamentary consultation process through detailed statements on relevant issues (BfDI, 2023).

Rule of Law

Effective Judicial
Oversight
Score: 10

The separation of powers in Germany, which ensures an independent judiciary, is regulated by the Basic Law (Article 20, Paragraph 2; Article 92ff.). Judicial power is vested in judges and courts, including the Federal Constitutional Court (Bundesverfassungsgericht, BVerfG) and other specialized federal courts. A similar structure exists at the subnational state level. Notably, judges are independent and exclusively bound by the law,

meaning they possess the legal autonomy to interpret and review existing laws and decide on issues without outside interference. However, the BVerfG does not initiate legal proceedings; it only becomes active once a complaint is submitted.

Next to the framework conditions set by the law, additional measures ensure the exercise of independent judicial review. For instance, judges must swear an oath (Richtereid) to fulfill their positions true to the law and with the purpose of only truth and justice (Article 38 Deutsches Richtergesetz, DRiG). Additionally, the German Association of Judges has outlined multiple theses for judicial ethics in Germany, including independence, impartiality, and integrity (Deutscher Richterbund, 2018).

Still, the capacity to exercise independent judicial review is restricted by the required legal education, which is offered only by universities (Article 5f. DRiG). In principle, access to a sufficient legal education is open to everyone, provided they hold a higher education entrance qualification (Abitur) with minimum grades. However, in Germany, school performance and the likelihood of achieving a university degree are significantly influenced by socioeconomic background. In this respect, an indirect selection bias might exist.

The members of the Federal Constitutional Court are elected by the Bundestag and the Bundesrat, with each body electing half of the members. Elections are conducted based on a two-thirds majority (Bundesverfassungsgericht, 2023a). While the standard majority for votes in the Bundestag or Bundesrat is a simple majority, the vote for appointing judges to the BVerfG requires a higher majority, which increases the likelihood of politically unbiased justices. Additionally, judges are appointed for a limited term of 12 years and are not eligible for reelection.

Generally, citizens in Germany have secure and effective access to justice (V-Dem, 2023) and can challenge government action through a constitutional complaint to the Federal Constitutional Court if they claim the action violated their fundamental rights or rights equivalent to fundamental rights. While any person may lodge a constitutional complaint, there are preconditions. All legal remedies must be exhausted before a complaint can be lodged. Additionally, the complaint must meet the deadline of one month after a court or administrative decision and adhere to certain requirements in its content and form (Bundesverfassungsgericht, 2023b).

The judicial independence established by law holds for the majority of rulings by the Federal Constitutional Court. For instance, the Freedom House Index

considers Germany's judiciary to be independent. Further, the index indicates that the court seldom makes decisions that disregard its actual views and merely reflect the government's decisions. Nevertheless, some criticism focuses on the regular meetings between the Federal Constitutional Court and the federal government, with allegations that these meetings affect the judges' impartiality. The BVerfG dismissed these complaints as unfounded (FAZ, 2023).

Finally, the government and parliament accept rulings by the FCC and act accordingly.

Universal Civil
Rights
Score: 9

Civil rights in Germany are governed by the basic rights (Grundrechte) that are safeguarded by the Basic Law. According to Article 1 of the Basic Law, these rights act as defenses against the state and bind the legislative, executive, and judiciary branches. In principle, only the state must adhere to these rights. However, derived from Article 1, the state has a protective duty, obligating it to shield citizens from threats arising from the unlawful activities of third parties, i.e., non-state actors (Belling, Herold and Kneis, 2014).

The Basic Law ensures both personal freedom (Article 2) and equality before the law (Article 3), stating that all people are equal before the law and that everyone has the right to personal development, life, and physical integrity. Additionally, the so-called basic judicial rights guarantee Constitutional Court proceedings (Article 101ff.). They prohibit capital punishment, torture, and inhumane treatment of those in custody. Imprisonment not based on a judicial order is possible for a maximum of one day. Furthermore, the judicial basic rights ensure a fair trial, meaning that everyone is entitled to a hearing in accordance with the law. Due to the specifications "all" or "every person," these rights apply not only to citizens but to everyone.

According to the Rule of Law Index, Germany ranks fourth globally for civil justice. The index's score of 0.85 indicates that civil justice is effectively and timely enforced in practice. Consistent with this, Germany is considered free based on the Civil Liberties Index (Freedom House, 2023). However, there is concern regarding the individual expression of religious faith, sexual orientation, or gender identity due to a rise in hate crimes related to antisemitism, Islamophobia, sexual orientation, and gender (Amnesty International, 2023). Another significant concern is the continuing increase in politically motivated crimes.

Discrimination remains a significant issue in various diverse areas of Germany. Preventive measures include an action plan against right-wing extremism introduced by the Federal Ministry of the Interior and Community

in March 2023. However, the plan neither recognizes nor addresses systemic and institutional racism. Additionally, there are proposals for a law that would allow transgender, intersex, and non-binary individuals to legally change their gender and name through a simple declaration at a registration office. This would eliminate the current requirement for a psychological expert opinion and court decision (Amnesty International, 2023). Further measures addressing gender discrimination are discussed in the section on gender equality (Policy Efforts and Commitment to Achieving Gender Equality).

Lastly, due process generally prevails in criminal and civil matters (Freedom House 2023), with the Rule of Law Index (2023) allocating a score of 0.76. This score indicates that most people have and can afford equal access to justice, including advice and representation. The score further implies there are no significant barriers in the form of linguistic obstacles or unreasonable procedural hurdles.

Effective
Corruption
Prevention
Score: 8

It is generally assumed that corruption is relatively rare in Germany. This implies that cases of corruption are nonetheless detected, such as the procurement of masks for the pandemic (Handelsblatt, 2021) or the case of overspending and bribery at the public broadcaster RBB (Tagesschau, 2022).

Germany has robust legal frameworks to combat corruption. Relevant laws include the Criminal Code (Strafgesetzbuch), which criminalizes corruption-related offenses such as bribery, embezzlement, and fraud. Germany is also a signatory of the United Nations Convention against Corruption (Corruption Risk, 2023). Additionally, the Lobbying Register Act, which requires representatives of special interests to register at the Bundestag, came into force in January 2022. Regulatory bodies such as the Federal Financial Supervisory Authority and the Federal Court of Audit oversee financial institutions, auditors, and accounting practices to ensure compliance with regulatory standards.

As for party financing regulations aimed at preventing corruption, parties are required to report their finances annually. However, there are very few limitations on procuring private income. For instance, only donations from corporations and anonymous donations over a certain amount are banned, and income sources such as political foundations are prohibited. Public funding is allocated based on the results of the previous elections, with no specific regulations on how the funds should be distributed. Parties are banned from vote buying, which constitutes the only regulation on party spending. Sanctions for violating the laws include fines or the loss of public funding (EuroPam, 2017).

Regarding the regulations for officeholders, including ministers and members of parliament, they are required to declare interests in a company, gifts, further remunerated activities, and stocks that come with more than 25% of voting rights. Members of parliament must also declare additional income sources and positions on advisory bodies of companies and foundations. Members of parliament only face sanctions for late or non-filing of their declarations with the president of the parliament. The head of state, in contrast, is not bound by the financial disclosure legislation (EuroPam, 2017).

Both the financial reports by political parties and the declarations by officeholders are made public. While Germany receives a full score for its de jure transparency, it has a de facto transparency score of 9.5 out of 14, which is below the regional average. This score results from the fact that some public financial data is only partially accessible or available (Corruption Risk, 2023).

The Council of Europe's Group of States Against Corruption (GRECO) made 14 recommendations, raising various issues regarding the implementation of integrity mechanisms. The 2022 GRECO report considers only one of these recommendations to be implemented satisfactorily: the training on integrity for the Federal Police. Still, GRECO criticizes Germany for not enhancing the monitoring capacities of the Federal Police. The other recommendations have either been only partly implemented or not implemented at all. The report specifically criticizes that many representatives of special interests are not affected by the Lobby Register Act and that further rules should be implemented to disclose more detailed information about lobbyist contacts (GRECO, 2022).

Legislature

Sufficient
Legislative
Resources
Score: 10

The legislature in Germany includes the Federal Parliament (Bundestag), the state parliaments (Landtage), and the Federal Council (Bundesrat).

The finances of the Bundestag and the Bundesrat are part of the federal budget. For 2023, €1.141 billion was allocated for parliament, constituting 0.24% of the overall budget. The budget for the Council was set at €39.7 million, which is 0.01% of the total budget (Bundesministerium der Finanzen, 2023). According to the V-Dem Index (2023) score of 0.99, the legislature controls the resources that finance its internal operations and the perquisites of its members.

While the federal budget is designed by the Federal Ministry of Finance and decided on by the government, parliament holds the budgetary right, meaning

the budget draft must secure a majority in parliament. Consequently, the budget must be submitted to the Bundestag and Bundesrat for discussion and frequent revision before it can take effect (Deutscher Bundestag, n.d.). The budgeting process at the state level follows the same procedure.

The Bundestag has additional resources in the form of administrative support staff, totaling 3,200 employees. The administration consists of multiple departments. For example, the central division of the administration is responsible for financial and personnel resources. Specifically, it draws up the budget and financial plan and handles public procurement. This means that the legislative body exercises control over its own resources.

Additionally, as part of the administration, the Bundestag has a library and documentation directorate responsible for collecting documents necessary for parliamentary work starting from 1949. Furthermore, the Bundestag has a research service directorate, which is divided into ten thematic research sections. These research sections are intended to strengthen the decision-making ability of individual members of parliament and parliamentary committees in the legislative process by compiling and preparing information in a way that covers, if possible, all opinions or alternatives on an issue (Deutscher Bundestag, 2023a).

According to the federal budget for 2023, the legislature has approximately €4.5 million allocated to parliamentary committees and citizens' councils. However, the budget does not make it clear how much of that allowance is spent on independent research (Bundesministerium der Finanzen, 2023).

Even though the exact monetary allowance available for the research unit is unclear, the legislative research unit produces a significant number of reports each month. For instance, in October 2022, 28 reports were published, while in September, the different thematic units published 59 reports. Moreover, the research unit provides internal briefing documents to parliamentarians. Nevertheless, most of the publications were reports and not studies (Deutscher Bundestag, 2023b).

Effective
Legislative
Oversight
Score: 9

As the Bundestag is a “working parliament,” parliamentary committees play a crucial role in the legislative process. Germany has several permanent committees established by the Basic Law (Article 44ff) that significantly influence policymaking (V-Dem, 2023). In addition to their legislative influence, these committees oversee government activities.

When investigating a subject, committees generally have the right to take evidence, and the executive branch is required to provide requested documents. However, the government sometimes attempts to withhold

information. In such cases, the responsible minister must present reasons for the refusal. Additionally, the committee can appeal the decision to the Federal Constitutional Court or the Federal Court of Justice (Deutscher Bundestag, 2016).

Additionally, following Article 43 of the Basic Law, the legislature has the right to require presence. This means parliament and its committees can require members of the executive to attend committee meetings for questioning. If summoned witnesses are absent without excuse, the committee can order their compulsory appearance without a court order or impose a fine of up to €10,000 (Deutscher Bundestag, 2016).

According to the V-Dem index (2023), the legislature regularly questions members of the executive branch, requiring ministers or the head of government to explain policies or testify regarding various issues. Committees specifically set up to investigate misconduct – so-called committees of inquiry – will be discussed in the next text on legislative investigations. It cannot be determined, however, if the answers provided are satisfactory to the committee.

Effective
Legislative
Investigations
Score: 8

As previously mentioned, parliamentary committees exercise oversight of the government. Specifically, committees of inquiry function to investigate possible misconduct by the executive branch. A committee must be set up at the request of at least one-quarter of the members of parliament, regardless of their party (Deutscher Bundestag, n.d). Thus, the opposition can, in principle, initiate the setup of a committee of inquiry, even against the will of the governing coalition. As of 2020, around three-quarters of the 46 committees of inquiry set up since 1949 were based on a request from the opposition (Knelagen, 2021).

Nonetheless, in July 2023, a committee of inquiry requested by the CDU to examine the CumEx Scandal was denied by the governing coalition on the premise that the issue was not within the government's competence. It was argued that, as a federal committee of inquiry can only examine misconduct covered by the government's competence, the committee would be unconstitutional. However, Article 44 of the Basic Law does not stipulate that a committee of inquiry can only deal with issues covered by the government's competence. Moreover, this was the first time in the Federal Republic's history that a majority denied a committee of inquiry despite at least 25% of members of parliament demanding it. The CDU filed a complaint with the Federal Constitutional Court (Kohnert and Kornmeier, 2023).

Regarding the actual capacity of committees to investigate unconstitutional or illegal government activities, the V-Dem index (2023) estimates that it is

nearly certain the legislature would conduct an investigation resulting in an unfavorable decision or report to the executive if the executive were engaged in unconstitutional or illegal activity.

As committees of inquiry are primarily an instrument of parliamentary control designed to hold the government accountable, the outcomes of such investigations do not necessarily have severe consequences for the government. Depending on the extent of an investigation's success, its outcome can have political consequences, such as damaging the reputation of government members or leading to changes in policy content. Additionally, the outcome can have legal consequences if illegal actions are uncovered. However, the impact of an investigation largely depends on two factors: whether the committee can expose illegal or unconstitutional activities and the amount of media attention the investigation receives, which creates additional public pressure on the government (Deutscher Bundestag, 2010).

Legislative
Capacity for
Guiding Policy
Score: 10

Committees in the Bundestag play a crucial role in guiding policies. Based on consultations within a committee and public hearings of experts, stakeholders and other relevant actors providing information on the issues, committees then give a recommendation to the plenary session (Deutscher Bundestag, 2016). Each legislative term, the legislature can independently decide on the number of its committees, with the exception of four committees defined in Basic Law. These are a committee on the European Union (Art. 45), a committee on foreign affairs and a defense committee (Art. 45a), and a petitions committee (Art. 45c).

For the 20th electoral term, the legislature set up 25 committees, whereby slightly more committees than ministries exist. Generally, the parliamentary committees for most policy areas fully align with the ministries' areas. For example, the corresponding committee for the Federal Ministry of Labor and Social Affairs is the Committee of Labor and Social Affairs. In some cases, the overall policy areas of a ministry are split into two committees. This is the case, for instance, for the Economic Committee and the Committee on Climate Protection and Energy, which coincide with the responsibilities of the Federal Ministry for Economic Affairs and Climate Action, or for the Ministry of Finance, which is covered by the Committee of Finance and the Committee of Budget.

Additionally, it is possible that multiple committees can bear the responsibility for the policy areas of one ministry or that one committee handles issues not clearly assigned to a single ministry. Nevertheless, the division into diverse parliamentary committees still allows for effective monitoring of the executive

and guiding of the development of legislative proposals (Deutscher Bundestag, 2023a).

Generally, the sizes of the committees differ, but the distribution of seats is always proportional to the majority ratio in parliament. For the 20th electoral term specifically, committee sizes range from 19 to 49 members, with the Committee on Labor and Social Affairs being the largest (Deutscher Bundestag, 2023a). Every year, parliament has at least 20 session weeks that are mandatory for members of parliament. During those weeks, committees meet every Wednesday, while some committees also meet on Thursdays. To manage the workload, additional meetings for hearings are often held on Mondays (Deutscher Bundestag, 2023b).

Opposition parties regularly hold chairs of legislative committees. The number of committee chairs held by opposition parties is proportional to their seat shares. Out of the 25 committees, opposition parties hold the chairs of eleven committees. The opposition always holds the chair of the budget committee. In the current term, the CDU/CSU holds the chairs of the Economic and Finance committees, while Die Linke holds the chair for the Committee on Climate Protection and Energy (Deutscher Bundestag, 2023a).

Bills are routinely revised during the committee phase, although to varying degrees (Ismayr 2012). Generally, parliament makes its final decision based on the recommendations of the responsible committees (Deutscher Bundestag, n.d.), and only rarely does the final decision deviate from the committee recommendation.

Governing with Foresight

I. Coordination

Quality of Horizontal Coordination

Effective
Coordination
Mechanisms of
the GO/PMO
Score: 7

Germany has a high level of intergovernmental communication, especially between the Federal Chancellery and the line ministries. This does not always lead to successful cooperation between the units. While the chancellor gives guidelines and direction to foster coherent policymaking across the line ministries, inter-party conflict – typical for German coalition governments and heightened under the current “Traffic Light Coalition” – still occasionally leads to intergovernmental tensions. However, formal and informal mechanisms of coordination often successfully calm or fully prevent outright conflict.

Coordination mechanisms between the German Federal Chancellery and the line ministries exist and are frequently used for both formal and informal coordination. The German Federal Chancellery employs around 620 staff members. Its policy units assess, filter, and analyze policies and current developments, supporting the German Chancellor (Olaf Scholz). Some of these units, known as “Spiegelreferate,” mirror the responsibilities of each line ministry in the chancellery and facilitate policy work in these areas (Busse and Hofmann, 2019).

The design and preparation of bills and policy proposals, following the “Ressortprinzip,” is largely the prerogative of the line ministries, while the chancellor should provide direction and priorities (“Richtlinienprinzip”). Line ministries typically share policy proposals with officials from the chancellery before introducing them in the federal cabinet, where the chancellor must ultimately sign off on them. This process aligns priorities. Conflicts are often resolved in the weekly meetings between the head of the

chancellery and the state secretaries. However, this mechanism frequently reaches its limits when coalition parties publicize their differences and seek to gain an advantage in political competition.

Weekly meetings occur between line ministries and the chancellery at various levels. These include meetings between the chief of the chancellery and the state secretaries, as well as lower-level meetings within interministerial working groups that include the chancellery.

During the observation period, conflicts between coalition partners emerged on almost all relevant issues, from support for Ukraine to the budget, from welfare programs for less wealthy families to energy policy. The chancellery was rarely able to mitigate these conflicts (see Zohlhöfer and Engler 2024).

Effective
Coordination
Mechanisms
within the
Ministerial
Bureaucracy
Score: 7

Policy proposals often affect the responsibilities of several line ministries and require coordination. The German ministerial bureaucracy provides some incentives and established mechanisms for coordination across ministries. However, in most cases, one line ministry leads a policy proposal, and coordination with other ministries is secondary. Given the political differences among the three coalition partners of the Traffic Light Coalition, tensions and power struggles between line ministries have regularly occurred in the policymaking process.

Interministerial working groups exist at all hierarchical levels, though their permanence and formalization vary.

Digital coordination and digital administration are explicit goals of German governance. Although intranets and digital platforms for interministerial exchanges are in use, digital administration has not yet reached its full potential. According to the “Digital Check” implemented by the Bundestag in 2022 and performed yearly by the Norm Control Council (NKR), there is ample room for improvement in development, utilization, and education related to digital coordination tools (“Digitalcheck,” 2023).

In accordance with the “Rotationsbeschluss,” a decision by the government in 1995, regular exchanges of employees between the chancellery and the line ministries are encouraged and mandatory. This is an established practice in both agencies (Busse and Hofmann, 2019). Often, employees who have completed a stint at the chancellery are later promoted to make use of their increased oversight and experience, providing incentives for job rotation and encouraging information exchanges across ministerial boundaries.

According to the GGO (Gemeinsame Geschäftsordnung der Bundesministerien), line ministries are required to cooperate and coordinate on policy designs before presenting them in the federal cabinet. However, this process is usually not enforced (“Gemeinsame Geschäftsordnung der Bundesministerien,” 2020).

Political practice and precedent ensure that ministries generally avoid making proposals that might be blocked by other ministries and that conflicts between ministries are often resolved before cabinet meetings. Policy proposals in specific areas cannot be made without the involvement of the responsible ministry, such as budgetary decisions, which must involve the Federal Ministry of Finance. However, the Traffic Light Coalition and their respective ministries often clash on topics where party lines do not align, occasionally resulting in public conflict and conflicting policy proposals reaching the media. This has, in some cases, mitigated fluidity in coordination. The root of these issues lies more in party politics than in organizational structure.

Complementary
Informal
Coordination
Score: 7

Informal coordination mechanisms complement formal interministerial coordination. The most important informal meeting often occurs in the coalition committee, which consists of the chancellor, the vice-chancellor, and the heads of each party in the coalition (“Koalitionsvertrag 2021,” 2021). In general, informal meetings support formal coordination between the chancellery and line ministries.

The informal meetings between the head of the chancellery and the state secretaries reportedly resolve many intergovernmental disagreements before they reach more formal channels (Busse and Hofmann, 2019; Hebestreit and Korte, 2022). These informal coordination processes seem to be less effective in the current coalition than in previous governments (Deutschlandfunk 2023).

Quality of Vertical Coordination

Effectively
Setting and
Monitoring
National
(Minimum)
Standards
Score: 8

The provision of public services in Germany, including education, housing, healthcare, waste management, public transport, and land use, is generally well-organized among various levels of governance. Due to the country’s federal constitution, subnational governments enjoy a relatively high level of autonomy and decision-making power. Consequently, defining nationwide standards can be challenging in some areas. However, according to the constitutional understanding of German federalism, full harmonization of standards through central guidance is not desirable.

Public services are split among the federal, subnational, and communal levels and, in some cases, outsourced to nonprofit institutions or indirect public administrations (such as social security). In certain instances, minimum standards are decided at the federal level, such as the BSI (Bundesamt für Sicherheit in der Informationstechnik) minimum standard for IT security, while in others, subnational governments impose rules (Hebestreit and Korte, 2022; Hegele and Behnke, 2017).

Environmental standards are defined at the national level. For education, federal states have the authority to set standards but coordinate to some extent through the committee of state ministers for culture and education (Kultusministerkonferenz). Compared to a centralized governance system, this leads to greater differences in school organization and educational attainment. Healthcare is organized nationally and divided into a two-tier mandatory healthcare system that generally functions well at high costs and is mainly controlled by independent national agencies.

Frequent assessments and reports on compliance with minimum standards are provided by ministries, responsible providers, intergovernmental agencies, and independent nonprofit institutions. Subnational governments function as supervisory bodies, taking on sanctioning and oversight roles in the provision of public services.

Effective
Multilevel
Cooperation
Score: 8

Cooperation between the Bund and the Länder is integral to the German federal system and generally functions well to ensure the provision of public goods and public services. Subnational governments are represented at the national level in the Bundesrat, and weekly meetings are held – both formally and informally – between members of parliament and members of the Bundesrat. This frequent exchange is supported by formal structures. Due to the relatively high independence and power of subnational governments in Germany, the Länder often serve as checks and balances for national policymaking. They also enjoy more power than the national government in areas such as education and other domains that primarily affect the state level.

All states have representatives in Berlin, and both state and national governments have expanded institutions for horizontal and vertical coordination.

State prime ministers meet quarterly in the “Ministerpräsidentenkonferenz,” where state-level issues are discussed among states, and foundational political questions regarding the states are discussed among ministers. Twice a year, this is followed by talks with the chancellor. The “Fachministerkonferenzen” –

conferences of area ministers – consolidate and support coordination within departments. Additionally, many smaller working units focused on specialized issues facilitate coordination among ministerial and administrative bodies.

Local governments also enjoy relatively high power over their jurisdictions. They are integrated into a tightly woven system of constituencies and are responsible for providing some public goods themselves.

One aspect where German horizontal coordination struggles is digitalization. This is often criticized at all levels (“Digitalcheck,” 2023). Backlogs and a lack of technology and expertise at the local level often prevent advances in information and coordination between levels of government.

II. Consensus-Building

Recourse to Scientific Knowledge

Harnessing
Scientific
Knowledge
Effectively
Score: 9

In Germany, the formulation of political decisions – whether concerning strategic, long-term issues such as climate policy or immediate crises like the pandemic and energy crises – is intricately woven with extensive consultations within the scientific community. This consultative process stands on two foundational pillars: first, routine engagements and policy recommendations from well-established scientific advisory boards; and second, on-demand, ad hoc consultations that have assumed an increasingly pivotal role, particularly in addressing urgent decision-making requirements during recent crises.

Central to the established advisory framework are scientific advisory boards within individual ministries, whose members are chosen based on their academic expertise and a diversity of academic perspectives, within the bounds of accepted scientific principles. These boards enjoy a notable degree of autonomy in selecting their focus areas and organizing their work. Several other esteemed expert advisory bodies, such as the German Council of Economic Experts and the German Advisory Council on the Environment, contribute expertise and advice through regular reports on prevailing policy challenges.

The Robert Koch Institute (RKI) has played a consequential role in pandemic decision-making through its meticulous monitoring of objective data. Additionally, the German Ethics Council has showcased a high profile in media discussions and governmental decisions, particularly on ethical quandaries arising during the pandemic, such as vaccine distribution priorities and the role of mandatory vaccination. Finally, the German National Academy

of Sciences Leopoldina and the National Academy of Science and Engineering (acatech) regularly provide scientific expertise on various topics.

Temporary commissions, featuring leading researchers in the relevant policy field, are established for specific reform topics. Another avenue for scientific guidance is provided by parliamentary expert hearings. For significant legislation, Bundestag committees conduct expert hearings, which are transparently broadcast through Bundestag television. Despite occasional concerns that experts are selected based on their alignment with specific positions, these hearings serve as a crucial instrument for providing scientific advice to the parliament. The Bundestag also benefits from its own scientific service, which offers succinct summaries of the scientific state of knowledge to its members through briefings.

Ad hoc scientific advice is organized flexibly, involving bilateral conversations and larger rounds of experts in digital talks. This approach has become standard practice during crises, including the pandemic and recent energy challenges. Noteworthy policy decisions, such as those addressing the surge in gas and electricity prices during the energy crisis, have been shaped through close collaboration with researchers advising on optimal design.

The frequency of advice depends on the urgency of the situation, with recent crises necessitating even weekly digital expert meetings with ministers. Critically, all significant crisis-related decisions by the German government in recent years have been informed by scientific insights. Challenges, however, arise in the realm of long-term reform, where a prevalent political present-bias impedes acceptance of viable, forward-looking solutions. An illustrative example is the German pension system, where resistance against comprehensive reform, including adjustments to the statutory pension age, persists despite scientific recommendations. While complaints from non-governmental experts about superficial participation surface occasionally, the broader German scientific community generally recognizes that their advice is considered by policymakers, even if, constrained by political realities, decisions may not consistently align with this advice.

Involvement of Civil Society in Policy Development

Effective
Involvement of
Civil Society
Organizations
(Capital and
Labor)
Score: 7

Trade unions and business organizations generally have only an advisory role in the political process in Germany. However, they still wield some political influence. These groups are part of the self-governing bodies of social security insurances. Representatives from both sides are often invited to participate in public hearings in parliament as experts or stakeholders. They also contribute to legislative initiatives on issues of central importance to capital and labor.

Furthermore, representatives from unions and employers' organizations sit on numerous advisory boards and bodies that advise the federal government (Rütters/Mielke, n.d.).

One exception to the limitation on advising roles is the minimum wage commission, which is entitled to set the minimum wage. It is composed of three representatives each from the trade unions and business organizations, plus one chairman (Deutscher Gewerkschaftsbund, 2023). However, the new government elected in 2021 decided to set the minimum wage themselves and raised it to €12 per hour. After that, the usual process allowing the commission to decide the minimum wage was restored (Lesch et al., 2021, p. 194), at least for the time being.

There are no official, regular meetings between trade unions, business organizations, and government officials. However, certain ministers – first and foremost the minister of labor and the minister for economic affairs, and sometimes even the chancellor himself – meet regularly with representatives from capital and labor to discuss current affairs. It is difficult to determine how much the government acts upon these consultations.

In July 2022, Chancellor Olaf Scholz met with trade unions and business organizations for a “concerted action” (Konzertierte Aktion) but did not invite the federation of small and medium-sized businesses (Bundesverband der Mittelständischen Wirtschaft). This omission was heavily criticized by the federation (Mitteldeutscher Rundfunk, 2022). That being said, criticism of or dissatisfaction with too little participation in the political process is rare.

In Germany, wage bargaining operates autonomously. Trade unions and employers' organizations negotiate wages and working conditions without political intervention. Consequently, the government does not interfere in collective bargaining rounds and is typically not entitled to resolve disputes between unions and business organizations (Strünck, n.d.). Pleas from the government and other political institutions usually do not influence the collective bargaining rounds and are typically rejected by the negotiating parties swiftly. Additionally, there are no serious debates about limiting the function of autonomy in wage bargaining (Lesch et al., 2023: 26).

Effective
Involvement of
Civil Society
Organizations
(Social Welfare)
Score: 7

Social welfare associations and initiatives can highlight certain issues in the public eye, draw attention to political problems, and build pressure for change. However, their political role in Germany is primarily advisory.

After the publication of a draft law, organizations such as chambers, churches, and civil society organizations (CSOs) are free to comment on it before it is discussed in the Bundestag, the German parliament. They thus have the

opportunity to shape discussions about upcoming laws, both in public and within the Bundestag. Sometimes, organizations are specifically invited by the responsible ministry to comment on a draft law. These comments are made public on the website of the ministry responsible for the draft law (Bundesministerium für Finanzen, n.d.).

The current government has shortened the official period for commenting on draft laws many times recently. This has left associations and experts with too little time to fully understand and react to proposed legislation. This practice has been heavily criticized by some organizations (RedationsNetzwerk Deutschland, 2023).

CSOs are sometimes consulted by the Bundestag or certain ministries. While this has historically been limited, there has recently been an increase in consultation opportunities for CSOs. The involvement of social welfare CSOs in decision-making and the development of draft laws varies greatly among different ministries. These organizations mainly use lobbying to gain political influence. Certain recognized associations have the Right of Association (Verbandsklagerecht) to take legal action on behalf of the public (Hummel et al., 2022: 3, 71). Apart from that, social welfare CSOs do not participate in the policymaking process, and there are no serious discussions to extend their role. Free welfare work in Germany is primarily organized under six main organizations, such as the Red Cross, Caritas, and Diakonie. These social welfare CSOs perform numerous social tasks, caring for sick or disabled people, the elderly, and youth. Additionally, they operate many hospitals and residential homes for the elderly and disabled (Bundesregierung, 2020). Consequently, they assist the government in caring for the most vulnerable in society, which makes them politically powerful and influential. Without them, the German welfare state would collapse.

The six free welfare head organizations participate in various advisory councils in federal ministries, particularly in the Federal Ministry of Labour and Social Affairs and the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (Bundesregierung, 2019).

Another example of organizations consulted in policymaking are churches. Both the Protestant and Catholic churches of Germany have official plenipotentiaries at the Bundestag. They are consulted in legislative processes and draw attention to grievances in various fields of politics, such as social, labor, asylum, and family policies (Evangelische Kirche in Deutschland, n.d.). Social welfare CSOs like Caritas and Diakonie perform similar functions but do not have official offices in the Bundestag. Additionally, these organizations often make suggestions for new laws or amendments to existing laws.

However, these are merely suggestions, and the Bundestag and the federal government are not obliged to consider them. Similar to citizens, organizations have the opportunity to start a petition. If it reaches 50,000 signatures, the Bundestag must discuss it (Deutscher Bundestag, n.d.).

Criticism or dissatisfaction with having too little influence in Berlin or too little participation in the political process seems rare among social welfare CSOs.

The free welfare organizations are funded mainly through social insurances and governmental grants. However, they are independent associations; therefore, the government is not entitled to moderate disputes between major CSOs (Schmid, n.d.). The six free welfare head organizations come together in the Federal Working Group of Free Welfare Care (Bundesarbeitsgemeinschaft der Freien Wohlfahrtspflege.).

Effective
Involvement of
Civil Society
Organizations
(Environment)
Score: 7

Environmental CSOs are highly respected and trusted in German society, making them well-suited to raise awareness about environmental issues and inform the public about environmental protection issues. The federal government supports environmental CSOs, such as BUND, NABU, and DNR, in their efforts and projects. These associations collaborate with the government and public administration to implement projects related to nature and the environment (Bundesregierung, 2023).

The federal government and the Bundestag, the German parliament, can consult environmental CSOs. The involvement of CSOs in the decision-making and development of draft laws varies greatly among the different federal ministries. CSOs primarily use lobbying to gain political influence. Recognized associations have the Right of Association (Verbandsklagerecht) to take legal action on behalf of the public, particularly in cases related to environmental protection, nature conservation, and animal welfare (Hummel et al., 2022: 3, 71). Any organization can comment on recent draft laws before they are discussed in the Bundestag, allowing them to shape the discussion about environmental laws both publicly and in parliament (Bundesministerium der Justiz, 2024).

Environmental CSOs contribute to the development and enhancement of the national sustainability strategy (Bundesregierung, 2023). Like German citizens, they can start a petition. If a petition reaches 50,000 signatures, the Bundestag is obliged to discuss it (Deutscher Bundestag, n.d.). Apart from these avenues, environmental CSOs do not participate directly in the policymaking process, and there are no serious discussions underway to extend their role.

There are no regular, official meetings between environmental organizations and government officials. While certain ministers and sometimes even the chancellor often meet with trade unions and business organizations, this does not seem to be the case with environmental CSOs. However, the Expert Council on Climate Issues (Expertenrat für Klimafragen, ERK), founded in 2020, consists of five experts in innovation and climate. Its main task is to monitor German carbon emissions and highlight any overshooting of sector-specific emission goals. The Bundestag and the federal government can request special reports from the ERK on climate topics, in addition to a mandatory report on carbon emissions and climate goals every two years (Expertenrat für Klimafragen, n.d.).

Environmental CSOs frequently criticize the federal government's plans and actions and sometimes file lawsuits against the government. For example, in November 2023, the Bund für Natur- und Umweltschutz (BUND) and the Deutsche Umwelthilfe filed a suit against a governmental program of immediate action. The government had to develop this action plan due to overshooting carbon emissions in the building and transportation sectors. The court ruled in favor of the environmental organizations, stating that the program lacked short-term policies to immediately address the excess emissions (Energiezukunft, 2023). This is not the only case of an environmental CSO or a group of such organizations filing a suit against the federal government.

Major environmental CSOs are independent associations, and the federal government is not entitled to moderate disputes within or between them.

Openness of Government

Open
Government
Score: 8

As a member of the Open Government Partnership (OGP), Germany is committed to open government and is required to submit a National Action Plan (NAP) every two years. These NAPs are developed in collaboration with civil society and are expected to contain 5 to 15 independent commitments regarding open government (Federal Chancellery, 2021). In August 2023, Germany adopted its fourth NAP and a new national data strategy designed to improve data utilization to promote innovation, transformation, and competitiveness in the economy, public sector, scientific industry, and society. This initiative aims to enable a more responsible and innovative use of data, thereby fostering societal progress (Die Bundesregierung, 2023).

In 2017, Germany adopted the Federal Open Data Act, which obligates federal authorities to publish data in machine-readable and open formats (OECD, 2020). Additionally, the Second Open Data Act and the Data Use Act were adopted in 2021. Based on the Data Use Act, uniform and non-discriminatory terms of use for public sector data are to be created (Federal Ministry for Digital and Transport, 2022). Further, as of 2024, the Second Open Data Act expanded the group of authorities obligated to the Open Data principle by including the federal administration. In line with this, as of 2024, research data collected by the federal administration or on its behalf must be published as open data (Bundesministerium des Inneren und für Heimat, 2023). Lastly, by the end of 2024, the government wishes to adopt a Transparency Act (Transparenzgesetz), which is supposed to simplify cooperation within the government and improve participation opportunities for citizens.

The national metadata portal GovData was created to facilitate access to information across different regions and administrative levels. Its purpose is to provide an overview of data from federal, state, and municipal administrations, along with links to access the original data (Bundesministerium des Inneren und für Heimat, 2023). While the portal allows users to provide feedback by mail, it does not offer an interactive feedback function.

Additional portals include two by the Federal Statistical Office: one on open data for the sustainable development indicators and the Dashboard Deutschland (German Dashboard). These portals also feature communication tools but lack interactive feedback functions. However, they do offer guidelines on how to use the available data.

Overall, the World Justice Index ranks Germany's open government with a score of 0.79 out of 1.0. Germany is ranked 13th globally and 11th regionally. The index further indicates that both Germany's publicized laws and government data, as well as its complaint mechanisms, are good (World Justice Project, 2023).

According to the German Council of Economic Experts, "both in terms of availability and access to research data, Germany continues to lag behind other countries" (Sachverständigenrat, 2023a). In its yearly report for 2023 – 2024, the council acknowledges that some improvement initiatives have been introduced but still heavily criticizes the lack of data availability and timely provision of data (Sachverständigenrat, 2023b). While the OECD Open Useful and Re-usable Data report from 2019 scored Germany's data accessibility at 0.27 out of 0.33 – one of the highest scores compared to other OECD countries – it also found the availability of data (0.17) and the government's support to reuse data (0.07) to be lacking (OECD, 2020).

Data published by governments is generally barrier-free. In 2022, the government adopted key points of the Federal Accessibility Initiative, whereby information on laws and administration, for instance, is to be translated more systematically into sign language and plain language and is supposed to have subtitles more frequently (Bundeskanzleramt, 2023). Still, while the Federal Open Data Act theoretically requires this, there is no data available to make an informed comment on how accessible the data is to machines based on data formats in practice.

III. Sensemaking

Preparedness

Capacity for
Strategic
Foresight and
Anticipatory
Innovation
Score: 6

Strategic foresight approaches have been strengthened in the German government over the past few years. The Bundesakademie für Sicherheitspolitik has established a Strategic Foresight Competence Center, which supports federal ministries and authorities in incorporating and expanding the concepts and methods of strategic foresight in their work. In particular, the BAKS offers the Strategic Foresight methodology seminar and other event formats (Bundesakademie für Sicherheitspolitik, 2024). The BAKS provides information about the broad arsenal of foresight methods, including most that are mentioned in the question.

The Federal Ministry of Education and Research (BMBF) plays a coordinating role with its “Vorausschau” (Foresight) initiative. A mid-term conference of this initiative gathered contributions from various ministries, each of which has increasingly devoted resources to strategic foresight over the past ten years. Consequently, attention to long-term trends has grown. Structures also include a strategic foresight group in the Federal Chancellery. Experts see some impact of these increasing foresight analyses on government policies (Bovenschulte et al. 2021).

Currently, the BMBF Vorausschau initiative is ongoing, with trends and topics continuously being developed for discussion within and outside the BMBF. A future office has been established to systematically search for and briefly describe new developments using scientific methods. Every six months from 2019 to mid-2022, 50 to 60 topics were identified, updated, and then discussed with the Zukunftskreis (Future Circle), a committee of experts from science, business, and culture.

Finally, the Future Circle identifies topics that it believes could be important for future developments and should be further investigated. The initial focus – in a first detailed study – is on the social values of people and how they are changing. The Chancellor’s Council for the Future (“Zukunftsrat”) primarily advises the federal government on new developments in science and technology.

Other scientific institutions advising the government also apply strategic foresight tools. The German Council on Foreign Relations (DGAP) integrates strategic foresight into its policy advisory processes. Specialists aim to assist policymakers in making sophisticated, long-term decisions within a dynamic global context by applying foresight methodology. This adaptable methodology allows for customization to address specific circumstances in areas of interest (DGAP, 2024).

Information on whether strategic foresight know-how plays a significant role in the recruitment of top civil servants is not available. It is also unclear whether this forward-looking approach has already had a significant impact on policy reflections. The prevailing impression is that the German government often responds reactively to major upheavals and crises. For example, events such as the Russian aggression against Ukraine or the sudden halt of Russian gas imports were not systematically analyzed as potential scenarios beforehand.

Analytical Competence

Effective
Regulatory
Impact
Assessment
Score: 8

Germany’s Regulatory Impact Assessment (RIA) system has received commendable scores from the OECD, according to their most recent assessment (OECD, 2022). The OECD evaluates RIA based on criteria such as systematic adoption, transparency, methodology, and oversight. In 2018, Germany, alongside Estonia and the Czech Republic, held a top position based on the combined score, marking an improvement from 2015 to 2018.

In Germany, RIAs are mandatory for all primary laws and subordinate regulations prepared by the federal government, with no exceptions. Even in emergency cases, legislative initiatives undergo a proportional impact assessment that analyzes the resulting compliance costs.

In terms of methodological rigor, a principle of proportionality is applied. Proposals with low compliance costs or those expected to bring about minor changes are exempt from detailed quantitative assessments, including

compliance costs and other regulatory impacts. The decision to skip quantitative assessment requires approval from the National Regulatory Control Council (NKR), based on an estimation of regulatory compliance costs.

The focus of RIAs has largely been on the cost side of regulation, with less attention given to potential benefits.

Stakeholders participate in impact assessments through avenues such as parliamentary expert hearings during the legislative process. The Better Regulation Unit (BRU) in the Federal Chancellery serves as the central coordinating and monitoring body for the federal government's program on better regulation and bureaucracy reduction. Its mandate has expanded to include the evaluation and enhancement of the ex ante procedure, assessing early-stage compliance costs for Germany in planned EU legislation.

Operating independently from the government, the National Regulatory Control Council (NKR) reviews the quality of all RIAs, provides advice throughout the rulemaking stages, and holds responsibilities in administrative simplification and burden reduction. In November 2019, the German government introduced additional requirements for independent quality control of ex post evaluations, a task also managed by the NKR.

Since 2018, Germany has centralized all ongoing public consultations on a government website in alignment with the federal government's commitment to enhancing transparency in the legislative process.

Effective
Sustainability
Checks
Score: 8

Germany has committed to a formal sustainability strategy since 2002 and has continuously developed this strategy, now aligning with the SDGs. The last update of the strategy occurred in 2021 (Bundesregierung, 2021), and the next revision is ongoing, with a further update expected in 2024 (Bundesregierung, 2023).

There are no explicit SDG-related action plans, but the ministries are bound by this strategy when developing their policies. The Federal Chancellery leads on sustainability issues, and oversight, advisory, consultative, and cross-government coordination mechanisms are in place. A system of SDG-related indicators is used to define targets and check for compliance.

Since 2009, the Joint Rules of Procedure of the Federal Ministries (GGO) have stipulated that impact assessments must demonstrate whether the effects of a project align with sustainable development (Section 44 (1) sentence 4 GGO). This requirement entails examining the effects on the Sustainable

Development Goals (SDGs) and their specific targets, as well as the goals and indicators of the German Sustainable Development Strategy, in detail. The GGO explicitly requires consideration of the long-term consequences of the measure. To facilitate this assessment, a web-based tool for electronic sustainability assessment (eNAP) is available (BMJ, 2023).

In the German Bundestag, the Parliamentary Advisory Council on Sustainable Development monitors German sustainability policy. One of its tasks is to oversee the sustainability assessments conducted by the ministries as part of the legislative impact assessment.

The capacity to measure progress is generally strong. Germany's statistical agencies, both at the federal and state levels, possess substantial capabilities, high expertise, and integrity, ensuring they provide reliable data on progress concerning the SDGs.

Effective Ex Post
Evaluation
Score: 6

The obligation to conduct efficiency studies and performance reviews in accordance with Section 7 (2) of the Federal Budget Code (BHO) includes an examination of the achievement of objectives, effectiveness, and efficiency (Bundesministerium für Wirtschaft und Klimaschutz, 2023).

In 2013, the State Secretaries' Committee on Bureaucracy Reduction and Better Regulation adopted the "Concept for the Evaluation of New Regulatory Projects" (Bundeskanzleramt, 2021). This policy mandates a mandatory evaluation of every significant law or regulation after three to five years. A regulatory project is considered significant if the annual compliance costs amount to €1 million, or if the costs incurred by citizens exceed €1 million or 100,000 hours (Deutscher Bundestag, 2020).

There is no legal requirement to involve stakeholders in evaluations, but evaluation methods often include the involvement of stakeholders, such as through interviews.

The government aims to publish all evaluations on a central platform, but this announcement has not yet been realized, thus the lack of transparency on evaluations remains an issue.

Line ministries determine the practicalities of evaluations themselves, resulting in heterogeneous methods across different ministries. A frontrunner in this regard is the Ministry for Development Cooperation, which has established an external evaluation agency to provide expertise and

independence. However, some ministries still adhere to a rather formalistic approach to evaluations.

Particularly when evaluations are commissioned to external service providers from universities or research institutes, the methodological quality is high. However, internal evaluations remain common and frequently tend to be more descriptive and qualitative.

The impact of evaluations on actual policy decisions is difficult to measure. Too often, political decision makers are still characterized by an input-oriented mindset, focusing more on the amount of money spent on a policy rather than on the impact achieved.

Sustainable Policymaking

I. Economic Sustainability

Circular Economy

Circular
Economy Policy
Efforts and
Commitment
Score: 7

In general, the ministry responsible for circular economy policies is the Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection (BMUV). Germany does not yet have a circular economy strategy. However, as of April 2024, the government – particularly the BMUV – is developing a National Circular Economy Strategy (NKWS). The foundation for this strategy was published in April 2023. The strategy will be based on the EU Circular Economy Action Plan and is intended to serve as a framework for combining existing strategies relevant to raw material policy. Nevertheless, the strategies contributing to the goals of the NKWS, such as the National Bioeconomy Strategy and the National Lightweighting Strategy, are to remain independent.

The overall goal of the strategy is to reduce the consumption of primary raw materials. While no concrete measures to achieve this goal exist yet, they are supposed to improve market conditions for secondary raw materials (materials obtained through recycling) to increase their share in the use of raw materials. Additionally, the measures aim to promote resource efficiency and product design focused on long service life, circularity, and reparability (BMUV, 2023).

As the full strategy does not yet exist, there are no sector-specific action plans in the strategy so far. However, the strategy will focus on eight fields of action, such as plastic, metals, and textiles. The BMUV plans to monitor progress regarding the measures and goals through a set of indicators. While it is still unclear what indicators the BMUV intends to use, the plan is to adapt measures in line with the Agenda 2030 for Sustainable Development. Again, as the strategy is still being developed, no statement can be made on its comprehensiveness (BMUV, 2023).

There are, however, a few existing policies supporting the transition to a circular economy. As of 2012, Germany has a Circular Economy Act with the goal of protecting natural resources through a circular economy and promoting environmentally sound waste management to protect the environment and humans. The act was adapted in 2020 following an EU directive (BMUV, 2022).

An important area of German waste management policy is the product responsibility of manufacturers, which ensures environmentally sound waste prevention at the production level. This contributes to resource efficiency through various acts, such as the Packaging Act and the Waste Oil Ordinance (BMUV, 2020a).

Additionally, Germany introduced the German Resource Efficiency Program III in 2020, which includes 118 measures to improve efficiency and indicators to monitor set targets. Specifically, the program includes four goals for a circular economy, such as promoting and preparing reuse. One priority measure is to facilitate donations by retailers to avoid the destruction of unusable products from returns, for instance (BMUV, 2020b).

The Circular Economy Act, after its adjustment in 2020, obligated federal institutions and agencies to give preference to the purchase of resource-friendly, low-waste, repairable, low-pollutant, and recyclable products as long as no unreasonable additional costs occur based on that purchase (BMUV, 2022). Public procurement will also be a field of action included in the NKWS. Whether current public procurement policy aligns with that strategy will be seen once the NKWS is published.

Overall, Germany had a resource productivity, defined as the GDP divided by domestic material consumption, of 2.8 compared to the EU27 average of 2.1 in 2022 (Eurostat, 2024a). Additionally, the country had a circular material use rate – the share of material recycled and fed back into the economy – of 13% in 2022, whereas the EU27 average was 11.5%, indicating an increase since 2010 (Eurostat, 2024b).

Lastly, market surveillance, aimed at ensuring the effective implementation of waste regulations within the context of a circular economy, is conducted by the states while considering regional conditions. The supreme state authorities responsible for waste law collaborate in the Federation/Länder Working Group on Waste (LAGA) to promote the exchange of information and experiences. Additionally, LAGA maintains relationships with relevant associations and works on the development of statutory provisions (BMUV, 2021).

Policy Efforts
and Commitment
to a Resilient
Critical
Infrastructure
Score: 8

Viable Critical Infrastructure

The German National Strategy for Critical Infrastructure Protection (CIP Strategy) was developed in 2009 and serves as the central strategic basis for CIP, although it is not legally binding. The strategy focuses on three main goals: prevention, reaction, and sustainability. This means avoiding serious disruptions and failures of important infrastructure services, minimizing potential consequences if avoidance is not possible, and regularly evaluating measures and analyzing national and international disruptions to foster continuous learning (BMI, 2009).

The CIP strategy does not specify concrete measures, goals, or indicators. Instead, it provides a framework for existing and planned activities, guiding a structured approach to protecting critical infrastructure and coordinating tasks between ministries. It does not include sector-specific action plans but has led to the development of various action plans, programs, and laws for the protection of essential technical infrastructure, such as digital, transport, water, and energy sectors, all of which have precautionary and safeguarding laws.

For instance, the Energy Security Act (Energiesicherungsgesetz) regulates the energy sector, the Water Security Act (Wassersicherstellungsgesetz) covers the water sector, and the Traffic Safety Act (Verkehrssicherstellungsgesetz) governs the transport sector. Additionally, the IT Security Act (IT-Sicherheitsgesetz) addresses the protection of digital infrastructure (BBK, 2020).

To date, Germany does not have a comprehensive law specifically for the protection of critical infrastructure. However, based on the current government's coalition agreement, the BMI proposed a draft law in July 2023 to identify critical infrastructures at the federal level and define minimum standards for CIP operators. The aim is to create a framework that encompasses the various critical infrastructure sectors currently regulated individually (BMI, 2023a).

Germany's policy efforts to protect critical infrastructure mainly focus on cybersecurity. Besides the IT Security Act, the BMI published a cybersecurity strategy in 2016, which was updated in 2021. This updated strategy, resulting from the monitoring and evaluation process, formulates multiple guidelines, fields of action, and strategic goals, including the protection of critical infrastructure from cyberattacks. The strategy outlines measures to prevent and protect against such threats and describes three criteria to monitor the progress

of these measures. The strategy is evaluated every four years and is updated every four to six years (BMI, 2021). For the protection of railways and maritime infrastructure, the Federal Police use surveillance measures, including cameras, sensors, and task forces (BMI, 2023b).

The BMI, as the ministry tasked with civil protection, coordinates strategies, measures, and activities related to critical infrastructure protection. It is supported by the Federal Office of Civil Protection and Disaster Assistance, the Federal Office for Information Security, and the Federal Agency for Technical Relief. In October 2022, the BMI introduced a joint critical infrastructure unit (GEKKIS) to provide situational reports and facilitate structured information exchange between departments to address challenges jointly (BMI, 2023b).

To ensure effective policy implementation, the cybersecurity strategy plans to involve critical infrastructure operators in a nationwide information exchange on a voluntary basis. Operators are also required to regularly submit information on IT security measures to the Federal Office for Information Security (BMI, 2021).

In conclusion, while Germany has policies targeting the protection of critical technical infrastructure, an overall strategy with clearly defined measures is still lacking. However, the government is committed to updating and improving the protection of basic technical infrastructure.

Decarbonized Energy System

Policy Efforts
and Commitment
to Achieving a
Decarbonized
Energy System
by 2050
Score: 8

With a score of 68.3 on a scale from 0 to 100, Germany ranks 18th out of 115 countries on the 2021 Energy Transition Index. This places Germany above the world average of 59.35, making it a leading country in the energy transition. The country's transition readiness is scored at 69.2 points, placing Germany ninth (World Economic Forum, 2021).

In general, the Federal Ministry for Economic Affairs and Climate Action (BMWK) is responsible for energy policies. It is currently working on developing a system development strategy (Systementwicklungsstrategie) that will function as a cross-sectoral strategy for transforming the energy system. In November 2023, the BMWK published a progress report on the strategy. The report suggests that the strategy will define robust transformation paths and focus on the industry, building, and transport sectors while also covering energy supply and infrastructure (BMWK, 2023).

Although Germany does not yet have an overarching strategy for transforming its energy system, the government has formulated specific goals for the energy sector. Measures to achieve these objectives are included in other existing programs and plans.

First, the Federal Climate Change Act (Klimaschutzgesetz) sets legally binding greenhouse gas (GHG) emission targets for individual sectors, including the energy sector. For 2030, the emission volume is set at a maximum of 108 million tons of CO₂-equivalents, representing a 77% reduction compared to 1990. These emission goals are continuously monitored. If the sector does not meet its emission target, the responsible ministry must develop and implement an immediate program with measures to meet the required target (Umweltbundesamt, 2023).

Second, measures to reach these targets are outlined in the Action Plan 2050 (Klimaschutzplan 2050) and the Climate Protection Program 2030 (Klimaschutzprogramm 2030), which specify multiple actions to achieve climate neutrality. For example, the Climate Protection Program 2030 includes the gradual reduction and eventual end of coal-fired power generation. Onshore wind energy is also to be expanded, specifically by accelerating planning procedures, involving local citizens at an early stage, and improving the permit situation (BMU, 2019).

Third, through the adaptation of the Renewable Energy Sources Act (Erneuerbare-Energien-Gesetz, EEG), a primary target for the energy sector is to increase the share of renewable energy sources to a minimum of 80% by 2030, supporting the measure of significantly scaling back fossil-based energy. To achieve this, a set of immediate measures was adopted by the parliament in 2022, including actions such as accelerating the planned expansion of onshore wind turbines (BMWK, 2024).

In 2022, Germany had electricity production capacities – the maximum amount of power that can be generated – of 66,163 megawatts for wind energy, 10,974 megawatts for hydro energy, and 1,592 megawatts for energy from solid biofuels. The wind energy capacity was particularly notable, increasing from 33,477 megawatts in 2013. Germany's wind energy capacity is the highest among countries in the Euro area. For wind energy, Germany ranked sixth and fourth for solid biofuel energy. Germany also had the highest solar energy capacity in the Euro area in 2020, with 53,671 megawatts (Eurostat, 2024a).

Finally, due to a lack of specific information, no informed statement can be made on whether the government monitors the effective implementation of policies if the implementation is delegated or whether it can intervene if the implementation is endangered.

Adaptive Labor Markets

Policies
Targeting an
Adaptive Labor
Market
Score: 8

Germany's labor market increasingly faces shortages across all sectors and qualification levels. In this setting, employers have a growing self-interest in retaining and developing the skills of their workforce. Moreover, Germany has a tradition of long and stable employment where employees tend to stay with their employers for extended periods. The average duration of employment with a given company is 11.2 years (2020) and has not substantially changed from the levels in the 1990s (iwd, 2022). This environment encourages employers to invest in their workforce's skills.

However, participation in training measures is only at 8% (the survey asks about participation in a measure in the past four weeks), which is clearly below the EU average of 12% with much higher numbers in Scandinavia (Destatis, 2023). Regulation on paid leave for external training measures is the responsibility of the federal states. In 14 of the 16 states, there is a legal claim for this type of paid leave amounting, in most cases, to 5 days per year (DGB, 2022).

Employers and employees alike must be incentivized to invest in their skills. Germany faces an issue due to high marginal tax rates (see "Policies Targeting Adequate Tax Revenue"), which not only disincentivize longer working hours but also higher skill-related salaries. Moreover, Germany's labor market is heavily regulated with high hurdles for dismissals. On one hand, this provides job security; on the other hand, it can reduce incentives for demotivated workers to invest in their skills.

Germany leads the countries with a particularly generous and established short-time work scheme system. The German system provided a template for many other industrial countries, especially during the COVID-19 pandemic. In severe crises like the pandemic, the support is intensified.

The mission of the Federal Agency for Labor (Bundesagentur für Arbeit: BA) is to support worker mobility across firms, industries, regions, and countries. Current evaluations of the BA's effectiveness are lacking. Although high employment growth in recent years suggests effective mobility, it is unclear whether the BA has played a significant role in this success.

Policies
Targeting an
Inclusive Labor
Market
Score: 7

The German welfare state provides a generous level of support through a guaranteed minimum-income citizens' benefit for job-seekers (Bürgergeld). Bürgergeld and financial support for housing costs (Wohngeld) are also available for low-income workers. Income from work is offset against the Bürgergeld and Wohngeld, but not fully. In general, transfer recipients can increase their available income by taking up work. However, there is an ongoing debate about whether the often marginal increase in income is sufficient to create incentives to work. The debate has intensified after significant increases in the level of Bürgergeld due to the semi-automatic inflation indexation of the system. Low-skilled individuals are confronted with effective hourly wages (in terms of additional money compared to non-work) of just a few euros. This may effectively prevent the unemployed from sacrificing their leisure time for a very limited monetary return. Current studies propose reducing the margin by which work income reduces transfers to increase work incentives (ifo and zew, 2023). Other concepts suggest cutting back the generosity of transfers and/or increasing financial sanctions for transfer recipients refusing to take up a job offer (MDR, 2023).

The German labor market policies have always included a wide range of measures: activation and vocational integration, career choice and vocational training, special programs for taking up employment, participation of people with disabilities, and employment-creating measures (see for details GIB, 2020).

Young people receive special attention in all these measures and participate disproportionately in these programs. Moreover, some active labor market policies explicitly target young individuals, such as measures aimed at the beginning of occupational training. This may include special courses to prepare certain groups for their occupational training (GIB, 2020).

Germany has a developed welfare state with extensive regulations on regular and special-purpose unpaid holidays – such as for family tasks, illness, and care – working times, and work safety. Social partners also pay significant attention to continuously adjusting rules to match changing life realities and the possibilities of remote work. This creates a solid foundation for workers to achieve a work-life balance. The very low hours worked per capita – much lower than in most other OECD countries – also indicate that workers in Germany have ample opportunity to spend their time outside of work.

So far, employers are not legally obliged to accept remote work. However, in many sectors, remote work has become the norm, and competition among companies for qualified workers supports this development. In 2022, 24.2% of

Policies
Targeting Labor
Market Risks
Score: 9

workers regularly worked from home, which is double the pre-pandemic level (Destatis, 2024).

Social protection in Germany is generally comprehensive. The Bürgergeld minimum-income support is available to all job-seekers, regardless of prior employment, and includes health insurance and access to public services, including the free public education system. Additionally, states and municipalities provide targeted support to low-income households through subsidized public transport and free access to various public services. However, the German pension insurance system bases pensions on individual contributions. Consequently, workers with extensive part-time employment or marginal employment (*geringfügige Beschäftigung*) may face low pension entitlements in old age. In these cases, the Bürgergeld system offers basic protection, supplemented by various instruments aimed at bolstering the pensions of workers with limited employment (see “Policies Aimed at Old-Age Poverty” Prevention).

Every worker has the right to join a trade union, but union membership has been declining, dropping from 9.8 million in 1994 to 5.6 million in a DGB trade union in 2022 (Statista, 2024). Interest in trade union membership is particularly low among high-skilled employees in the service sector, whereas the industry and public sectors have higher membership rates. Worker representation, independent of trade union membership, is supported by guaranteed company co-determination.

The Betriebsverfassungsgesetz (Works Constitution Act), effective since 1952, defines comprehensive information, consultation, and co-determination rights for works councils. However, coverage is not universal and is declining, with only 41% of workers employed by companies with a works council (IAB, 2023). Co-determination is more prevalent in older, larger, and industrial companies, and less common in newer, smaller companies in the service sector.

There are no significant restrictions on the portability of pensions or social insurance, as social insurance is not tied to a specific employer or sector. Private pension claims against a former employer are generally portable, with limitations only for very short employment contracts. Typically, after a few years, the non-forfeatability (*Unverfallbarkeit*) of private pension claims is reached, allowing the worker to transfer the contract to a new employer or receive financial compensation.

Policies
Targeting
Adequate Tax
Revenue
Score: 6

Sustainable Taxation

Germany's tax system has effectively generated dynamic revenue growth. From 2019, the last year before the COVID-19 pandemic, to 2023, revenues increased from €799 billion to €16 billion, a rise of 14.6% despite the strong economic downturn caused by the pandemic (BMF 2023 a,b). Current tax projections indicate continued strong growth, with revenues expected to surpass €1 trillion in 2025 (BMF, 2023a).

However, the German tax system must today be seen as one of the significant reasons for a declining German growth potential. High marginal tax rates disincentivize both employment and corporate investment.

The top marginal personal income tax rate of 47.5% is comparable to the OECD average (OECD 2023), but the average marginal rate remains a key challenge for Germany's competitiveness. An average single earner pays marginal taxes, including social security contributions, of 58.4% of labor costs. This places Germany at a top position in the OECD and 15 percentage points above the OECD average (OECD 2023: 75). These high marginal tax rates reduce the willingness to work and incentivize a cutback of working hours. This situation has serious consequences for the country's growth potential given the shrinking labor force due to the aging population.

The corporate tax system in Germany lacks international competitiveness. Over the past decade, Germany's position in effective corporate tax rate comparisons has steadily declined. In 2022, very few industrial countries impose a higher tax burden on companies. Among 35 European countries, Japan, and the United States, Germany ranks third in its effective average tax rate on companies, which includes all details of tax base definitions (ZEW, 2023). In Europe, only Spain imposes a slightly larger tax burden on companies. Consequently, Germany has lost considerable tax appeal as a destination for foreign direct investment. Although Germany is among the initiators of the new OECD rules on international minimum corporate tax rates, this project is unlikely to improve German tax competitiveness since the international minimum tax rate will be set far below the German level.

The German tax administration, by international standards, effectively collects revenues and combats tax evasion. International estimates on the size of the shadow economy consistently report GDP shares for Germany that are clearly below the average for EU and OECD countries (Hassan and Schneider, 2016).

Policies
Targeting Tax
Equity
Score: 7

In principle, the German tax system treats entities with similar tax-paying abilities in a similar manner. Exemptions often relate to sectoral tax subsidies. For example, farmers are exempt from paying the motor vehicle tax (Kfz-Steuer) and benefit from a tax subsidy on diesel fuel consumption. These exemptions often have historical origins and are defended by special interest groups, even if they have clearly lost their justification. Following a 2023 ruling of the Federal Constitutional Court on the Debt Brake, the government has proposed phasing out these sectoral tax exemptions, which, from the perspective of equal sectoral treatment, would represent progress.

A specific feature of the German income tax system is its attention to the details of each individual tax case. Taxpayers can claim reductions for a multitude of special circumstances. Although this attempt to ensure maximum fairness for each case creates significant complexity, it contributes to vertical equity.

Germany's tax and transfer system is notably effective in redistributing income between the rich and the poor among OECD countries. This system significantly reduces inequality in market incomes, resulting in a more equitable post-tax scenario. The Gini coefficient, which is 0.49 for pre-tax market incomes, drops to 0.29 for disposable incomes after applying all redistributive tax and transfer mechanisms (Sachverständigenrat 2019). Thus, the tax and transfer system excels in achieving its redistributive objectives and equalizing incomes.

Germany taxes inheritances but allows generous provisions for corporate wealth. There is no wealth tax, and the idea is highly controversial. Therefore, while income is significantly equalized through the tax system, this is less true for wealth.

Policies Aimed at
Minimizing
Compliance
Costs
Score: 5

The German income tax system is one of the most differentiated and complex in the global tax landscape. While standard tax declarations for employees' wages are generally straightforward, the ambition to account for all the individual features of a single tax case has resulted in substantial complexities and reporting requirements.

Hence, tax compliance costs in Germany are significant. Digital tax declaration possibilities have advanced in recent years, with more information, such as from employers and health insurers, being centrally provided. Still, an SME in Germany needs a relatively high number of hours to comply with its tax reporting and declaration requirements (World Bank 2020).

Policies Aimed at
Internalizing
Negative and
Positive
Externalities
Score: 8

Since the ecological tax reforms of the late 1990s, the German tax system has included “green” taxes designed to internalize the ecological damage produced by certain polluting activities. German industry is subject to the European emissions-trading system, which features market-based pricing of CO2 emissions. In 2021, Germany took another significant step toward comprehensive CO2 pricing by introducing a national price on CO2 for fossil fuels used for heating and cars. This CO2 levy is increasing from its starting price of €25 in 2021 to €45 in 2024 and €55 in 2025. In 2027, a European emission trading system is planned to cover emissions from traffic and buildings. With this system, the CO2 price will then be determined as the market price in this trading system (Bundesregierung, 2024).

Critics argue that the government could do more with price incentives. The current administration seeks to steer the green transition through regulations that mandate specific technologies. A recent example is the new Building Energy Act (Gebäudeenergiegesetz). This act prescribes in detail which technology must be used under certain circumstances. The concept of a price mechanism is to leave these decisions to the voluntary actions of agents, potentially leading to higher efficiency.

Subsidies and tax incentives are largely focused on measures with ecological or research-related justifications. Among the largest federal subsidies are support for energy efficiency in buildings, support for microelectronics, hydrogen infrastructure, charging and fueling infrastructure, measures for natural climate protection, and climate protection contracts with industry (BMF, 2023). The financial capacity of the government to fund these incentives has been curtailed by the Federal Constitutional Court’s ruling on the German Debt Brake, forcing the government to reprioritize these subsidies. However, the government remains committed to using substantial financial incentives to support the green transition.

Sustainable Budgeting

Sustainable
Budgeting
Policies
Score: 8

Germany enacted its current constitutional fiscal rule, the Debt Brake (Schuldenbremse), in 2009. The rule’s full application was phased in over several years and took full effect for the federal budget in 2016 and for the states in 2020. The Debt Brake is established in Articles 109 and 115 of the German Basic Law, comprising both structural and cyclical elements. The structural component restricts the federal government from incurring new debt beyond 0.35% of the nominal gross domestic product annually. The cyclical element permits additional borrowing during economic downturns, with the obligation to repay when economic conditions recover. Additionally, there is

an escape clause that enables the Bundestag to temporarily lift the Debt Brake by a simple majority in cases of natural disasters or other exceptional emergencies beyond the state's control. The states have to balance their budgets without an allowance for a deficit but, like the federal level, can incur deficits in a downturn and also activate an escape clause.

Germany's Debt Brake has served as an effective fiscal rule, helping the government counteract the inherent biases in the political process. Unlike many other EU and OECD countries, Germany managed to reduce its debt-to-GDP ratio following the financial crisis. By 2019, when the country faced the fiscal consequences of the pandemic, Germany was in the favorable situation of having significant fiscal buffers, with a debt-to-GDP ratio of approximately 60%.

In reaction to the pandemic and the energy crisis, the federal government has increasingly used budgetary cosmetics to expand its debt leeway through extra-budgetary funds such as the Climate and Transformation Fund (Klima- und Transformationsfonds: KTF). Through the KTF, a deficit allowance justified by the pandemic emergency was shifted for use in later years. This practice was halted by a significant ruling in November 2023 by the Federal Constitutional Court (FCC). The Court declared this creative construction unlawful and the related budget void. Consequently, in a turbulent and conflict-ridden process, the government had to adjust both the 2023 and 2024 budgets with spending cuts and cuts to tax exemptions that had benefited the restaurant sector and farmers.

The FCC's ruling has clearly strengthened the Debt Brake's effectiveness. The budgetary reactions have demonstrated how helpful such a fiscal rule is for a government to prevail against fierce lobbying pressure. Without the pressure from the strengthened fiscal rule, the government would not have been able to cut tax subsidies for restaurants and farmers, although these cuts find overwhelming support from tax and public finance experts.

Whether the tight Debt Brake presents an obstacle to public investment or other future-oriented spending is the subject of an intensive debate. The Debt Brake does not include a golden rule or similar provisions that would permit additional debt for investment spending. In a recent survey of German economists, a large majority supports the Debt Brake in principle, but 44% favor reforming it (ifo, 2023). Reform supporters often wish to exempt gross or net investment from the deficit ceiling.

The annual budgetary process is embedded in medium-term financial planning. Each year, the government provides budgetary projections for the next five years, adding foresight to the budgetary process. Once per legislative term, the government publishes a Report on the Sustainability of Public

Finances (the last report: BMF, 2020), which adopts a very long-term perspective.

The role of off-budget funds outside the core budget has significantly increased in recent crisis years. Fiscal support to cope with various crises – from the pandemic to flood damage and the energy crisis – has been mobilized through these special funds. Experts have criticized this reliance on off-budget funds, arguing that it damages budgetary transparency. The Constitutional Court’s ruling has now initiated a correction. As a consequence of the ruling, the government has announced plans to decrease or close down key special funds.

The German Ministry of Finance has recently implemented a system of SDG tagging, where ministries classify their spending with respect to the SDGs. In the future, the federal budget will more transparently show how it supports the SDGs. Germany has committed to several spending targets, including the NATO spending target of 2.0% of GDP on defense and the development spending target of 0.7% of GDP. However, the government increasingly aims to implement principles of performance budgeting, which implies taking a critical view of mere input spending targets. Instead, the government wants to assess the budget more on the basis of outcomes and impact achieved.

Sustainability-oriented Research and Innovation

Research and
Innovation Policy
Score: 9

With the FONA strategy (Forschung für Nachhaltigkeit, research for sustainability) published at the end of 2020, the Federal Ministry of Education and Research (BMBF) has aligned its research funding for climate protection and greater sustainability with the United Nations 2030 Agenda. The FONA strategy focuses on the global SDGs and outlines three strategic goals to which research can significantly contribute. These goals are detailed in eight priority fields of action, each with specific measures to achieve the strategic objectives. For instance, to meet climate goals, one action involves establishing green hydrogen. To preserve habitats, another action is developing the biodiversity monitor for Germany. Like all such strategies, FONA expresses a political commitment, but it is not legally binding.

Startups benefit from various federal and state support schemes. However, like any other companies, they suffer from intense regulation and bureaucratic burdens in Germany across various fields, such as labor market, taxation, data protection, and environmental regulation. Venture capital markets are underdeveloped in Europe compared to the US. The German venture capital

market has shown high growth rates over recent years, with investment more than doubling between 2018 (€1.5 billion) and 2021 (€4.0 billion) (Statista, 2024). After this peak, investment volumes decreased due to the difficult environment of high inflation and interest rates.

Since 2020, Germany has applied an R&D tax incentive. Since then, spending on R&D staff has benefited from a 25% tax allowance that will be paid out if the entity makes a loss. The allowance can be applied to a maximum of €2 million, which limits the subsidy to €500,000 per company per year. This amount was doubled for the period between mid-2020 and mid-2026 in the context of pandemic support measures (Bundestag, 2023).

Responsibility for promoting science and research is divided between the federal government and the state governments. For example, the federal government exercises legislative powers in areas such as research funding and training grants (Art. 74 (1), no. 13 GG). The higher education sector, however, is fundamentally the responsibility of the federal states (Art. 30, 70 GG). The federal and state governments have two coordinating and advisory bodies at their disposal: the Gemeinsame Wissenschaftskonferenz (Joint Science Conference, GWK) and the Wissenschaftsrat (Science Council, WR). At the federal level, the Federal Ministry of Education and Research takes the lead.

The government continuously monitors the progress of its research and innovation policies and their outcomes. A key in-depth report is the Bundesbericht Forschung und Innovation (Federal Report Research and Innovation). The Federal Report is the standard reference work on Germany's research and innovation policy. It provides an overview of the activities of the federal and state governments in research and innovation and presents data and facts in a structured manner. The report is published every two years, with the most recent edition from 2022 (BMBF, 2022). Research and innovation policy is also evaluated annually by the independent Commission of Experts for Research and Innovation (EFI).

Agencies and research associations that receive public research funds are subject to continuous monitoring. This includes audits from state and federal audit institutions and, more important, performance-related reporting requirements to their sponsors. Moreover, responsible ministries send their delegates to the supervisory bodies of the sponsored units.

Global Financial
Policies
Score: 8

Stable Global Financial System

Germany is ranked seventh on the 2022 Financial Secrecy Index by the Tax Justice Network, scoring 57 out of 100 points, where 100 points indicate full secrecy, and zero points signify full transparency. According to the index, Germany still has some way to go to achieve full transparency. Additionally, with a score of 58 out of 100, Germany ranks 24th on the 2021 Corporate Tax Haven Index, which assesses jurisdictions based on their complicity in helping multinational corporations underpay corporate income tax. Overall, Germany loses approximately \$26 billion in taxes per year due to global tax abuse, amounting to 2.7% of tax revenue. This is slightly below the global average of 2.8% and the regional average of 3.1% (Tax Justice Network, 2023).

According to the Tax Justice Network (2022: secrecy indicator 20), Germany demonstrates above-average participation in international transparency commitments and engagement in international judicial cooperation on money laundering and other criminal matters. The country has ratified relevant international agreements, such as the Multilateral Tax Convention and the UN Convention Against Corruption (Tax Justice Network, 2022). Additionally, Germany is a member of the Financial Action Task Force (FATF), whose recommendations are recognized as global standards for anti-money laundering and counter-terrorist financing.

According to the FATF's follow-up report on Germany in 2023, 17 recommendations are ranked as compliant for the country, while 20 are ranked as largely compliant, and 3 as only partially compliant. This shows an improvement, as two recommendations were upgraded to the largely compliant ranking (FATF, 2023). Overall, based on the 2022 FATF report, Germany has made significant reforms since 2017. However, it remains at high risk of terrorist financing, and the FATF suggests that it could be more proactive by freezing terrorist assets as a preventive measure.

Nevertheless, the report acknowledges that Germany performs well in investigating, prosecuting, and disrupting financing activities related to terrorism. It also highlights the positive introduction of the Transparency Register, a federal government initiative to prevent money laundering and terrorist financing (FATF, 2022).

In October 2023, the Federal Ministry of Finance (BMF) proposed a new strategy to combat financial crime based on the draft law "Combating Financial Crimes Act" (Finanzkriminalitätsbekämpfungsgesetz). A key change will be the establishment of the Federal Financial Crime Agency (FFCA) in 2024, which will begin operations in 2025. The agency will consolidate core

competencies to facilitate and enhance cooperation. One focus area of the FFCA will be investigating cases of international money laundering. Additionally, the quality of the data in the Transparency Register is to be improved (BMF, 2023).

To enhance information transparency in international financial markets, Germany is part of the Financial Stability Board (FSB), an international body that makes recommendations on the global financial system to promote financial stability. One of the FSB's goals is to encourage coordination and information exchange among authorities, including national financial authorities and international standard-setting bodies (FSB, 2020). Additionally, as of July 2020, credit institutions, tax consultants, lawyers and auditors are required to report tax structuring models. The group for international information exchange in the special task force against tax structuring models – created in 2022 – is responsible for using these reports for quick reactions to avoid tax losses (BMF, 2022).

Lastly, the BMF campaigns for what it refers to as fair corporate taxation on an international level (BMF, 2024). In this regard, Germany supports and has argued for the two-pillar solution to address tax challenges arising from the digitalization of the economy, which was agreed upon by the members of the OECD Inclusive Framework on Base Erosion and Profit Shifting (BEPS) in 2021. The two-pillar solution proposes a reform to the global financial system. The objective of pillar one is to ensure a fair international distribution of taxes, while the aim of the second pillar is to introduce a global minimum corporate tax of 15% (OECD, 2021).

II. Social Sustainability

Sustainable Education System

Policies
Targeting Quality
Education
Score: 8

In Germany, education is widely acknowledged as a public good. Article 7, Paragraph 1 of the Basic Law states that the government holds primary responsibility for education, which is predominantly funded by taxpayers. The inherent public interest in education places an obligation on the state to ensure the effectiveness of the educational system (Hepp, 2013). More specifically, education in Germany is regulated at the state level. Consequently, individual states have their own school acts (Schulgesetze) and thus different policies and regulations.

As described, the financial resources for education are predominantly provided by the government. For public school systems, municipalities and states share responsibilities for finances. Generally, states finance the teaching personnel while municipalities usually provide resources for material costs. Because the finances are not regulated at the federal level, differences across municipalities and states can be observed regarding schools' financial resources (Schrooten, 2021). For instance, in 2021, spending per student in Berlin was around €13,300, while it was €8,200 in Mecklenburg-Western Pomerania. However, spending cannot be compared directly, as schools in different states differ in factors such as structure and educational offerings (Destatis, 2023a).

Since the Basic Law outlines the government's responsibility for providing education, resources must be available even in times of economic crisis or government transition. During the COVID-19 pandemic, the system struggled with schools' digital backwardness regarding equipment and teacher training. Nevertheless, federal and state governments reacted quickly by providing additional crisis programs and digital investment budgets. Generally, the budget ranges from approximately 6 to 7% of GDP, with 7% for 2021 and 7.1% for 2020 (Destatis, 2023b).

Concerning human resources, in 2021, Germany had a ratio of pupils and students to teachers and academic staff of 14.8 for primary schools and 12.1 for upper-secondary schools. Both ratios are above the EU average (Eurostat, 2023).

To provide highly skilled educators, teachers undergo a multi-stage training process that includes a university program and preparatory training, known as the Referendariat. The specifics of university education for aspiring teachers vary among the states. In Bavaria, Hesse, Mecklenburg-Western Pomerania, and Saxony, students graduate with a state examination (Staatsexamen), whereas in other states, students earn a bachelor's and master's degree.

Although the framework is designed to facilitate the recruitment of highly skilled educators, Germany faces a considerable teacher shortage, particularly in STEM subjects. An improvement in the situation is unlikely, especially since the number of students enrolling in teaching programs has declined. Even with a 100% graduation rate, it is insufficient to address the teacher shortage. Additionally, there is criticism that the current education system does not adequately prepare educators for digitalization or the challenges arising from increased heterogeneity in schools (Stiferverband, 2023).

As of 2004, Germany has national educational standards implemented by the federal states and introduced into core curricula, forming the basis for consistent skill development for all students from primary school to the end of the upper-secondary level. Each state has its own core curriculum, developed by the individual state's departments of education and cultural affairs (e.g., Hessisches Kultusministerium, n.d.). However, it is unclear to what extent these curricula are adapted to labor market demands.

The provision of training programs and education with relevant hands-on skills occurs through vocational training under the dual system. This system is referred to as “dual” since training takes place at two learning locations: in the company and at vocational school (Kultusministerkonferenz, n.d.). Besides the option of vocational training under the dual system, several companies also offer dual study programs. Vocational training and these study programs, due to the dual involvement of both the public and private sectors, are highly responsive to the changing skill needs of the labor market.

With regard to lifelong learning, adults in Germany participated in non-formal learning for an average of 4.24 hours per week before the COVID-19 pandemic and 3.23 hours per week during the pandemic lockdowns. This is slightly less than the OECD average of 4.54 hours (pre-COVID) and 3.42 hours (during lockdowns). Additionally, 45% of adults in Germany choose not to participate in available education and training opportunities, compared to the OECD average of 50%.

According to the OECD Skills Outlook for 2021, fundamental skills – specifically reading competence in this study – increased by 25 points from age 15 to 27, compared to an OECD average increase of 13 points (OECD, 2021).

Sustainable development is included in most German school curricula. However, current surveys indicate that the sustainability dimension is not yet systematically integrated into school teaching and remains a secondary concern (Deutsches Schulportal, 2024).

Policies
Targeting
Equitable Access
to Education
Score: 6

School attendance in Germany is compulsory, with the number of mandatory years varying between nine and ten years depending on the state. Preprimary education, in contrast, is not mandatory. However, there are regulations ensuring that children have access to early childhood development and care (Edelstein, 2013).

On the federal level, Article 24 of Book 8 of the German Social Code – Child and Youth Services – regulates that children from ages one to three, as well as

children from age three until the beginning of primary school, have a legal claim to early childhood development, care, and preprimary education. In March 2023, 90.1% of children between the ages of three and six, as well as 36.4% of children below the age of three, were enrolled in child daycares. The childcare quotas vary across individual states. In Bremen, for instance, only 86% of children over three years old attend child daycare, while the percentage is considerably higher in Thuringia at 94.4% (Statistisches Bundesamt, 2023).

While children from the age of one on have the right to a childcare slot, the demand exceeds the supply of available slots, meaning not every child has access to preprimary education. This particularly applies to children below three years of age, as the need and actual rate of childcare for this group differ by 13.6 percentage points (BMFSFJ, 2023). A study by the Federal Institute for Population Research showed that disadvantaged families are disproportionately affected by this issue. Children below three from families vulnerable to poverty and with parents with low levels of education are less likely to receive a place in childcare. Furthermore, only 24% of children who do not speak German at home are in childcare, compared to 38% of children from primarily German-speaking households. These findings are problematic, as these children could particularly benefit from preprimary education (Bundesinstitut für Bevölkerungsforschung, 2023).

Nevertheless, the share of children enrolled in early childhood education systems in Germany is still above the OECD average and the EU25 average (OECD, 2023).

Regarding primary and secondary education, the previously mentioned compulsory schooling (Schulpflicht) is regulated by the school laws of the respective state, with the specific structure varying between states. Once schooling is no longer compulsory, secondary schools have mandatory attendance (Deutscher Bundestag, 2019). These regulations result in high enrollment rates in Germany, with a rate of 99% for the age group of six to fourteen and 88% for ages 15 to 19, which is above the OECD average (OECD, 2023).

During primary school, all children, regardless of socioeconomic background, attend the same educational institutions. Depending on the state, primary education extends from year one to year four or until year six. Secondary education is divided into different school forms with varying levels of education. Students receive a recommendation for secondary school based on grades and, occasionally, other criteria such as learning behavior (Schullaufbahneempfehlung). While it is not mandatory to follow this

recommendation, some states require students to take an entrance exam or pass a probationary period if they choose a non-recommended type of school (Edelstein, 2013).

Equitable access to all levels of secondary and tertiary education, regardless of socioeconomic background, is an issue in Germany. For example, the probability of a child attending the highest level of secondary schooling (Gymnasium) is only 21.1% if no parent graduated with an Abitur and the family’s net monthly household income is below €2,600. This probability increases to 80.3% if both parents have an Abitur and earn a net monthly household income of over €5,500 (Wößmann et al., 2023). Similarly, only 27% of students from non-academic households go on to study at a university, while this share is 79% for students from academic households (Stifterverband, 2022).

Additionally, the German education system offers second-chance education opportunities (Zweiter Bildungsweg, ZBW). The ZBW is part of adult education and enables adults to obtain a school-leaving certificate later in life. This opportunity exists for all levels of secondary education. However, since the ZBW, like other parts of the education system, is regulated by the states, individual regulations and opportunities vary depending on the state. Despite the availability of second-chance education, the overall number of people obtaining school-leaving qualifications through this route is rather small, with around 50,000 participants (Käpplinger, Reuter and Pfeil, 2020).

Sustainable Institutions Supporting Basic Human Needs

Policies
Targeting Equal
Access to
Essential Services
and Basic Income
Support
Score: 8

According to the principle of local self-governance, municipalities in Germany are responsible for providing essential services (Daseinsvorsorge) (Hanesch, 2020). Additionally, there are different forms of basic income support. First, following the Second Book of the Social Code (SGB II), the citizen’s benefit (Bürgergeld) replaced the previous unemployment assistance in 2023. This benefit ensures the socio-cultural subsistence minimum, considering the needs for food, clothing, personal hygiene, household goods, household energy without the shares attributable to heating and hot water production, and participation in social and cultural life.

Generally, income support depends on an individual’s personal situation. For single people, parents, and individuals over 18, the citizen’s benefit amounts to €502 in 2023. Importantly, to be eligible, citizens must be employable (BMAS, 2023). Individuals in need who are not employable due to illness, disability, or having reached retirement age can receive social assistance

(Sozialhilfe), which is regulated in the Twelfth Book of the Social Code (SGB XII). Like the citizen's benefit, social assistance is meant to provide a minimum subsistence level in case of insufficient income and assets (BMAS, 2021).

As the allowance is continuously adjusted for inflation, the allowance for the citizen's benefit and social assistance will be raised by €1 for 2024. Consequently, single adults will receive €62 (Die Bundesregierung, 2023b).

The Federal Ministry of Labor and Social Affairs (BMAS) and the Federal Employment Agency provide detailed information about access to basic income support on their websites, including eligibility for citizens' benefits and the application process. Generally, applications for citizens' benefits can be completed online. However, the Federal Employment Agency also offers in-person consultations at respective job centers where individuals can apply for the benefit (Bundesagentur für Arbeit, 2023a).

For individuals receiving minimum-income benefits under SGB II or XII (citizens' benefit or social assistance), rent and heating costs are covered in addition to the benefit allowance. However, the costs must be reasonable and should be discussed with the job center first (Bundesagentur für Arbeit, 2023b). If individuals are not eligible for a citizens' benefit, they can request support for low-income households in the form of a housing benefit (Wohngeld). This housing benefit is a contribution to rent or homeowner charges, meaning it only partially covers the costs. The federal government's housing benefit reform in January 2023 increased both the size of the housing benefit and the number of people eligible to receive it. Additionally, the reform introduced a permanent heating cost component. To determine eligibility and the amount of the benefit, the Federal Ministry for Housing, Urban Development and Building (BMWSB) provides a housing benefit calculator on its website (BMWSB, 2023).

The provision of water and sanitation is obligatory for the state and is regulated by municipalities as part of their infrastructure services. Water is an operating cost included in the rent for a house or an apartment, and it is therefore either fully or partially covered for individuals who receive minimum-income benefits or housing benefits. Sanitation requires a fee to the municipality or public or private supply companies. While there are no special regulations, such as reductions or benefits for low-income individuals, the costs for those entitled to citizen's benefits or social assistance are covered, as they are considered housing costs. However, these costs must be reasonable. Otherwise, the housing benefit allowance includes sanitation as part of ancillary costs along with rent and heating (Hanesch, 2020).

Concerning energy, companies do not offer tariffs based on income, so low-income households cannot receive special tariffs. Household energy is, however, part of the allowance provided by minimum-income benefits and is thereby covered for those entitled to citizens' benefits or social assistance. Energy can further be partly covered through the housing benefit if it falls under heating costs (Hanesch, 2020). Additionally, following the increased costs for energy, one-off energy price flat rates of €200 were paid to university students in 2023. Employed persons and pensioners received €300 in 2022 (Die Bundesregierung, 2023a).

In June, July, and August 2022, a public transport ticket for nine euros per month was offered. The so-called 9-Euro Ticket could be used for all local and regional transportation throughout Germany. As of May 2023, a similar public transportation ticket for €49 (Deutschlandticket) is available. Various large towns offer favorable "Social Tickets" (Sozialtickets) for transfer recipients (Arbeitslosenhilfe, 2023). While already available at some universities, students are expected to receive the ticket with a 40% discount starting in the summer semester of 2024 (Die Bundesregierung, 2023c). Although this ticket is available to everyone, financial relief for digital infrastructure is only available to people eligible for minimum-income benefits following SGB II and XII, as the received money is meant to cover digital services (Hanesch, 2020).

Regarding financial services, Germany introduced the Payment Accounts Act (Zahlungskontengesetz, ZKG) in 2016, which transposed the European Payment Accounts Directive into German law. The act stipulates that every consumer residing in the EU has the right to a payment account. This right exists regardless of a person's creditworthiness and also applies to asylum-seekers or people without a permanent residence. According to the ZKG, every institution is required to offer a basic account option, including all basic payment services. While this means that institutions must enable cash deposits and withdrawals, transfers, direct debits and card payments, loans or overdrafts are not available with a basic account (Hanesch, 2020).

Policies
Targeting Quality
of Essential
Services and
Basic Income
Support
Score: 7

While the previous text outlined existing policies, the following text illustrates their quality. As Germany introduced the unemployment benefit reform in 2023, no statistics are yet available to assess how well the new benefit ensures the fulfillment of basic human needs. The following statements are therefore based on the preceding unemployment benefit.

Nevertheless, while minimum-income benefits under SGB II and XII are calculated based on an income and consumption sample to ensure the socio-cultural subsistence minimum, they are often criticized as insufficient. Simultaneously, critics argue that the increased allowance from the citizens' benefit reduces the motivation for unemployed individuals to seek work (Handelsblatt, 2022).

Despite the coverage of housing costs through minimum-income benefits or housing allowances, 41.5% of the population at risk of poverty spent more than 40% of their disposable income on total housing costs in 2022. This is significantly higher than the EU average of 33.1% (Eurostat, 2023a).

To assess the quality of policies ensuring access to water and sanitation, the proportion of the population with utility bill arrears can be considered. In 2018, 7.4% of the population at risk of poverty in Germany had arrears on their utility bills. Although this proportion was higher than that of the total German population, it was significantly below the EU-27 average of 16.3%. Furthermore, an interruption of the water supply in Germany can only occur in the case of eviction (European Commission, 2020).

In contrast, the number of people at risk of poverty who could not afford regular use of public transportation in 2014 was above the EU-27 average: 9.9% compared to 5.8%. Additionally, the share of low-income individuals reporting they could not use public transportation regularly was more than 5 percentage points higher than the share of the total population facing the same difficulties. However, because these statistics are from 2014, the effect of the new Deutschlandticket has not been taken into account.

According to the European Social Policy Network (ESPN), Germany has national coverage of uninterrupted basic energy supply (European Commission, 2022). While this indicates that every household can access energy, cash benefits do not seem to fully ensure complete access to energy. As described under "Policies Targeting Equal Access to Essential Services and Basic Income Support," 13.6% of the population at risk of poverty could not keep their homes adequately warm in 2022. Still, this share is lower than the EU average of 20.1% (Eurostat, 2023b).

Regarding access to digital infrastructure, available cash benefits often do not enable full access to an internet connection for personal use at home. While only 2.6% of the overall population could not afford an internet connection in 2022, this share increases considerably for unemployed people to 11.9%, which is above the EU average of 6.9% (Eurostat, 2023c).

Finally, according to ESPN national experts, Germany's policies generally make it easy for consumers to open a Basic Account. However, these accounts can be expensive, potentially costing more than standard bank accounts, which can deter people from accessing such accounts (European Commission, 2020).

Sustainable Health System

Policies
Targeting Health
System
Resilience
Score: 8

Germany is investing in the digitalization of its health system. Sixteen percent of the €25.4 billion German Recovery and Resilience Plan is dedicated to healthcare investments. The funds are planned to be invested in the digital strengthening of public healthcare, hospital modernization, and more (OECD/European Observatory on Health Systems and Policies, 2023, p. 17ff.). Additionally, a public research data center for health (Forschungsdatenzentrum Gesundheit) is currently under construction. It will collect data from the statutory health insurances and use it for research, prevention, and better control of the health system. It will use artificial intelligence to collect and analyze data, optimize processes, and deliver data-supported diagnoses and therapy recommendations (Bundesministerium für Gesundheit, 2023a).

In Germany, it is mandatory to be insured in health insurance, either statutory or private. As a result, only 0.1% of Germany's population is not part of health insurance. Additionally, Germany had the highest per-capita healthcare spending in the European Union, with more than €5,000 per person in 2021. Citizens' direct payments for health services not covered by insurance were among the lowest in the EU at 12%, compared to an EU average of 15%. Furthermore, Germany has one of the lowest percentage rates of unmet needs for medical care in the European Union, with a rate lower than 1%. The share of medical consultations by phone increased during the COVID-19 pandemic but remains low compared to other EU countries (OECD/European Observatory on Health Systems and Policies, 2023).

Compared to other European OECD countries, the German health insurance system has one of the best coverage rates for medical treatments. Additionally, 76% of patients were able to secure a doctor appointment the same day or the next day the last time they needed medical care. This is the highest rate among all European OECD countries (Finkenstädt, 2017, p. 69ff.).

The number of surgeries conducted in Germany dropped during the Covid-19 pandemic; however, the decline was less severe than in other EU countries. This indicates that the health system was able to maintain its usual services during the crisis more effectively than the systems in other countries

(OECD/European Observatory on Health System and Policies, 2023).

Hospitals face significant challenges due to labor shortages of nurses, caretakers, and doctors, as well as limited capacities, leading to inadequate patient care (Tagesspiegel, 2022). To address these issues, a reform of hospitals and their funding is planned. The reform aims to change the funding structure to ensure hospitals are economically sustainable, even with fewer patients than expected. Previously, funding was calculated based on the number of patients treated, which sometimes forced hospitals to discharge patients early. The reform seeks to ensure that decisions about patient treatment are based on medical rather than economic considerations (Bundesministerium für Gesundheit, 2023b).

As in other industrial countries, high demand and supply chain problems have caused temporary shortages in pharmaceuticals in recent years, prompting discussions on the need to reshore production to Europe and Germany. However, in typical years, the supply of drugs remains stable. In Europe, Germany leads in the rapid deployment of innovative pharmaceuticals (Pharma Fakten, 2023).

Between 1992 and 2020, spending on healthcare in Germany increased by an average of 3.6% per year, and the share of healthcare spending compared to the gross domestic product also increased (Bundeszentrale für politische Bildung, 2022). The insurance contributions are not sufficient to cover total healthcare expenses. In 2019, expenses exceeding €50 billion had to be financed by governmental grants (Statistisches Bundesamt, 2019).

Policies
Targeting High-
Quality
Healthcare
Score: 9

Health insurances in Germany finance various examinations for the early detection of diseases such as cancer and diabetes, starting at different ages (Betanet, n.d.). Statutory insurants receive a reminder about the opportunity to undergo a cancer screening every five years (OECD/European Observatory on Health Systems and Policies, 2023).

To prevent such diseases, various strategies aim to sensitize the population about the importance of balanced nutrition and physical exercise. The national plan of action for this cause, named IN FORM, was founded in 2008. It consolidates health initiatives into a national strategy and seeks to prevent malnutrition, lack of physical exercise, and excess weight by improving the population's knowledge about healthy lifestyles and motivating adherence to such lifestyles (Bundesministerium für Gesundheit, n.d.). Since 2015, most governmental prevention expenses have been directed to schools, kindergartens, nursing facilities, and firms to enhance health and prevention knowledge among the population, starting from a young age (Stiftung Gesundheitswissen, 2021).

The federal government plans to prohibit advertising for foods high in sugar, fat, or salt directed at children in all relevant media to prevent unbalanced eating and excess weight (Bundesministerium für Ernährung und Landwirtschaft, 2023).

The prevention of alcohol and tobacco consumption in Germany is progressing slowly compared to other European countries. However, an increase in tobacco taxes is taking place from 2022 to 2026, and advertising for tobacco was banned on billboards and in cinemas in 2020. Germany was the last EU country to do so, though. There is no smoking ban in private cars yet (OECD/European Observatory on Health Systems and Policies, 2023).

Between 2011 and 2019, the avoidable mortality rate – deaths that could have been prevented through better public health measures or a more effective healthcare system – declined by approximately 8%. The avoidable mortality rate remains below the EU average (OECD/European Observatory on Health Systems and Policies, 2023).

Germany has one of the lowest percentages of unmet needs for medical care in the European Union, with under 1%. Moreover, there is only a negligible difference in the unmet needs rate among different income groups (OECD/European Observatory on Health System and Policies, 2023).

The German health insurance system has one of the best coverage rates for medical treatments compared to other European OECD countries. This is true for both statutory and private insurance (Finkenstädt, 2017).

In 2004, the principle of integrated care was introduced into German law. The government aimed to prevent multiple examinations of the same patient by different doctors, thereby saving costs and improving coordination among care, inpatient treatment, and rehabilitation efforts, as well as coordination between family doctors and hospitals (Der Paritätische Gesamtverband, 2011).

In Germany, everyone must participate in a health insurance plan, which means that nearly 100% of the population is insured. This mandate ensures affordable access to healthcare for all individuals, regardless of socioeconomic status, gender, age, ethnicity, and other factors (OECD/European Observatory on Health Systems and Policies, 2023).

There is a very small percentage of people with unmet needs for medical care, and the difference among income groups is negligible. In the lowest income quintile, 0.3% of households reported unmet healthcare needs, compared with

0.1% in the highest income quintile. Overall, only 0.2% of households mentioned unmet needs for medical care due to cost reasons (OECD/European Observatory on Health Systems and Policies, 2023).

The statutory health insurances cover a broad range of medical care and treatments, and the benefits are equal for anyone who is insured, regardless of socioeconomic status, gender, age, ethnicity, etc. Persons with high incomes may choose private insurance, which provides benefits that are at least equivalent to those of statutory insurance and often better. Asylum-seekers and recognized refugees are only entitled to emergency, maternity, and preventive care during the first 18 months of their stay. After that, they can access a broader range of healthcare (OECD/European Observatory on Health Systems and Policies, 2023).

A European Parliament study stated that the German health system provides equal access for both males and females (European Parliament, 2015).

A couple of years ago, the federal government commissioner for people with disabilities (Beauftragter der Bundesregierung für die Belange von Menschen mit Behinderungen), Jürgen Dusel, criticized that many doctors' practices and their websites are not barrier-free and nursing staffs in hospitals are often not trained to deal with specific disabilities and the special needs of their disabled patients (Beauftragter der Bundesregierung für die Belange von Menschen mit Behinderungen, n.d.). Currently, the federal ministry for health (Bundesministerium für Gesundheit) is working on an action plan to reduce barriers and improve accessibility in the health system (Bundesministerium für Gesundheit, 2023).

To evaluate the equal accessibility of medical care across all regions of Germany, it is essential first to examine the differences among the sixteen federal states. In 2015, the number of healthcare professionals in the various federal states ranged from 55 to 75 professionals per 1,000 inhabitants, with the German average at 65. The disparities in healthcare expenses per capita were also minimal, ranging from approximately €4,000 to €4,400, with the German average at €4,213 (Statistisches Landesamt Rheinland-Pfalz, 2017). In 2022, the occupancy of hospital beds in Germany averaged 69%, with a range of 65% to 74% among the federal states (Gesundheitsberichterstattung des Bundes, 2023).

An emerging problem is the shortage of doctors in rural areas. Although there are more doctors than ever since German reunification, they often specialize or are drawn to the cities. In the countryside, however, a general practitioner is needed first. The federal states are trying to counteract this problem, for

example, by providing scholarships for students who promise to settle in a rural area when finally becoming a doctor (Deutschlandfunk, 2022).

Gender Equality

Policy Efforts
and Commitment
to Achieving
Gender Equality
Score: 8

According to the United Nations Development Program's Gender Equality Index (GII), Germany had a relatively low and thereby favorable score of 0.073 for 2021. A lower score indicates lower inequality on a scale from 0 to 1. The GII measures gender-based inequality across three dimensions: reproductive health, empowerment, and the labor market. The dimensions of empowerment and the labor market include women with at least a secondary education, women's participation in the labor market, and their share of parliamentary seats. For context, Denmark had the lowest score at 0.013, while the world average was 0.465 (UNDP, 2023).

The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) is generally responsible for gender equality policies. Equality is a central topic for the ministry, and it is divided into multiple sub-categories, such as equality in the labor market, violence against women, and equality policies for boys and men. Some initiatives result from interdepartmental policy coordination. An example of this is policies on equality in education, for which the BMFSFJ and the Federal Ministry of Education and Research (BMBWF) cooperate.

Germany is a party to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). As a control mechanism for the convention, countries must regularly submit reports outlining newly adopted equality and women's policy measures. Germany's most recent report, adopted by the federal cabinet in 2021, addressed 80 questions posed by the CEDAW committee (BMFSFJ, 2021a).

As of 2020, Germany has implemented a strategy to ensure gender equality, developed interdepartmentally and published by the BMFSFJ, which formulates nine goals. These goals primarily focus on ensuring equal career opportunities, income, and participation in politics, business, and science. This is achieved, for instance, through the promotion of an equal distribution of paid work and unpaid care work between women and men. Although these goals are based on current key figures, the measures proposed by the strategy do not include specific target values. Nevertheless, the strategy outlines multiple comprehensive key measures in the form of initiatives or policies to

achieve the individual goals. Additionally, the strategy identifies an indicator to measure progress for each action, such as data from the Federal Statistical Office (BMFSFJ, 2020).

In line with its strategy, Germany has implemented or planned several policies to support gender equality. The paragraphs below outline a few exemplary policies in relevant areas.

Regarding education, Germany has a gender-equitable school system, and more girls than boys complete school with an upper-secondary education. However, gender stereotypes still need to be addressed to promote career diversification and equal opportunities. In recent years, several initiatives, such as “YouCodeGirls,” “Boy’s Day,” and “Girl’s Day,” were launched, and the BMBF introduced the “National Pact for Women in STEM Professions” to increase the number of women in STEM occupations (BMFSFJ, 2023a).

For the year 2022, 46.7% of the total labor force were women, which is above the global share of 39.5% (World Bank, 2023). However, unequal treatment still becomes apparent in issues such as the gender pay gap. There are policies in place to promote women’s participation and equal treatment in the labor market. For instance, as of 2021, executive boards with more than two members must include at least one woman. Nonetheless, this policy affects only 66 companies, of which 21 do not have women on their executive boards (BMFSFJ, 2021).

While a goal of the 2020 strategy is to promote parity in politics, especially in all parliaments, a corresponding parity act (Paritätsgesetz) in Thuringia was declared null and void by the Thuringian Constitutional Court. The act required that candidate lists for state parliamentary elections be filled alternately by women and men, but it was ruled unconstitutional (Bundesverfassungsgericht, 2021).

Lastly, Germany ratified the Istanbul Convention, the most comprehensive international human rights treaty on preventing and combating violence against women and domestic violence, in 2017. The convention entered into force in 2018 (EIGE, 2023). Based on this convention, the BMFSFJ launched the federal funding program “United against violence against women” (“Gemeinsam gegen Gewalt an Frauen”). The program aims to expand the network of support services, improve access to many nationwide help services, and educate about the various forms of violence (BMFSFJ, 2023a). In November 2023, the Federal Minister for Family Affairs proposed a new violence aid act set to enter into force in the current legislative period. The draft law plans the creation of the legal right to protection and counseling in

cases of gender-specific and domestic violence (Zeit, 2023). Additionally, as of November 2023, the federal government is working on a national strategy for protection against violence to implement a measure from the Istanbul Convention (BMFSFJ, 2023b).

Strong Families

Family Policies
Score: 8

According to International Labor Organization (ILO) standards, maternity leave with a duration of at least 18 weeks, but no less than 14 weeks, is recommended. While it is also suggested that the cash benefits during maternity leave should represent the full amount of the income received before the leave, benefits received should not be less than two-thirds of that income (WHO, 2023).

Germany's maternity leave system follows the Maternity Protection Act (Mutterschutzgesetz). The act pertains to all pregnant and breastfeeding women in an employment relationship and includes regulations for health and safety at the workplace, protection from dismissal, and benefits before and after childbirth. Regarding job protection, women have the right to be employed under the terms of the contract existing before the pregnancy. Employers are prohibited from terminating an employment contract from the beginning of a pregnancy until at least four months after childbirth. In the case of parental leave, the protection from dismissal is extended until the end of the registered parental leave. Additionally, employers are banned from preparing measures for a dismissal once the protection period is over.

The protection periods before and after childbirth are six weeks before and eight weeks after delivery, ensuring Germany meets the minimum ILO requirement for maternity leave duration. In cases of premature birth, multiple birth, or if the child has been diagnosed with a disability, the leave after delivery can be extended to 12 weeks. During that period, women on maternity leave are entitled to maternity benefits replacing the full pay received before the pregnancy (BMFSFJ, 2020).

Maternity leave in Germany lasts 14 weeks, which places the country below the OECD average of 18.5 weeks and the EU average of 21.1 weeks in 2022 (OECD, 2023).

In addition to maternity leave, both men and women are entitled to request parental leave from their employer. Parental leave is regulated under the Federal Parental Allowance and Parental Leave Act (Bundeselterngeld- und Elternzeitgesetz) and can be taken for up to three years (BMFSFJ, 2020).

Parental allowance is paid by the government and is divided into three different types: the Basic Parental Allowance, Parental Allowance Plus, and the Partnership Bonus.

The Basic Parental Allowance can be paid for up to 12 months and generally consists of 65% of the net income before the child's birth, up to a maximum of €1,800 per month. Low-income households can receive 100%. Households with very high incomes (€300,000 joint income) are not eligible. If both parents take parental leave, this period can be extended to 14 months to encourage sharing family and household responsibilities.

Parental Allowance Plus, on the other hand, is available to parents who work part-time during parental leave (up to 32 hours per week) and is paid for twice as long as the Basic Parental Allowance. However, the benefit is only half of that of the Basic Parental Allowance. Lastly, parents who work part-time can also apply for the Partnership Bonus, which is paid for up to five months (BMFSFJ, 2023a).

Taking parental leave into account, Germany has an average total paid leave of 58 weeks, which is above the OECD average of 50.8 weeks but below the EU average of 64.6 weeks (OECD, 2023). While the parental leave policies enable both parents to take parental leave to promote shared responsibilities, in 2022, only 3% of fathers compared to 45.2% of mothers with children below three years were on parental leave (Statistisches Bundesamt, 2024).

According to Article 45 of Book Five of the German Social Code, people with statutory health insurance are entitled to 10 days of sick pay per child if a child under the age of twelve falls ill. Additionally, as of December 2023, parents can receive sick leave by telephone if their child falls ill and care is necessary.

Moreover, the Caregiver Leave Act (Familienpflegezeitgesetz) allows employees up to six months in caregiver leave, with a complete or partial release from work. This release from work is available for close adult relatives in need of long-term care, as well as close relatives who are minors. A partial release from work is possible for up to 24 months. To compensate for income losses, caregivers can apply for interest-free advances with the Federal Office for Family and Civil-Social Duties (BMFSFJ, 2019).

As of January 2023, Germany has enacted the KiTa-Qualitätsgesetz, focusing on the further development of quality and the improvement of participation in child daycare. The act aims to create equal living conditions for children, with the federal government planning to invest €4 billion in 2023 and 2024 (BMFSFJ, 2023b).

As described in the indicators addressing a sustainable education system, children aged one to three, as well as three to the beginning of primary school, have a legal claim to early childhood care based on Article 24 of Book 8 of the German Social Code – Child and Youth Services. However, childcare is not free throughout Germany. While certain states, such as Berlin or Hesse, offer some exemptions from charges for daycare, fees must be paid in other states (Deutsches Jugendinstitut, 2018).

In 2017, average costs for children below the age of three were €1,710, while parents paid €1,630 on average for children between the ages of three and five (Statistisches Bundesamt, 2021). The overall attendance rate in Germany is 36.4% for children under 3, while 90.9% of children attend daycare from the ages of three to six (Statistisches Bundesamt, 2023).

A more detailed description of attendance is outlined under “Policies Targeting Equitable Access to Education,” which shows that, despite not all children having access to childcare, the German average is still above the OECD average.

Financial support for children in Germany to assist families mainly consists of the child benefit (Kindergeld) and the supplementary child allowance (Kinderzuschlag). Parents who are subject to income tax without restriction and live in Germany receive a monthly sum of €250 per child. Generally, the child benefit is paid until the age of 18, or 25 if the child is completing vocational training or a course of study (BMFSFJ, 2023c).

In addition to the child benefit, employed parents can receive supplementary child allowance if their income is insufficient for the whole family. This supplementary allowance includes a monthly benefit of €292 as of January 2024 and offers additional benefits such as coverage for school trips, €195 for school supplies per school year, or a monthly charge for social or cultural activities up to €15 (BMFSFJ, 2023d).

In 2020, expenditure on family-children benefits amounted to 3.7% of GDP, which was above the EU average of 2.5% of GDP (Eurostat, 2023).

Sustainable Pension System

Every employee in Germany is automatically part of the statutory pension insurance. The amount of payments that pensioners receive is based on the income they earned over the span of their working years. The statutory pension insurance can be combined with private or company plans. The use of

private insurance is partially aided by the government (“Riester-Rente”) (Bundesministerium für Arbeit und Soziales, 2017).

Pensions are lower for individuals with shorter or non-continuous employment histories due to the strong link between contributions and pension payments. However, the pension system offers several measures to prevent poverty in old age for those who experience interruptions in their work histories. For instance, periods of unemployment due to illness, caring for family members, and child-rearing are, under certain conditions, treated similarly to regular employment. These periods then count toward the pension system, thereby increasing pension incomes (Bundesregierung, 2023: 4).

For child-rearing, each child is granted an additional pension amount equivalent to the average contribution payment over three years (two and a half years if the child was born before 1992) (Deutsche Rentenversicherung, n.d.A). Parents can also earn extra pension claims beyond the three years covered if they have low incomes during the first ten years of a child’s life, such as by working part-time to have more time for child-rearing. In this case, the income used for pension calculation is 50% higher than the actual income, without requiring higher contributions (Deutsche Rentenversicherung Oldenburg-Bremen, 2018).

When an individual cares for a family member, friend, or neighbor requiring high-maintenance care and, as a result, works less than full-time, the compulsory long-term care insurance, under specific circumstances, pays additional pension contributions (Deutsche Rentenversicherung, n.d.B).

Self-employed individuals are not automatically part of the statutory pension system, although they may apply for membership. There are plans to make the statutory pension system compulsory for the self-employed as well (Bundesregierung 2023: 4).

The average net income of a single pensioner per month is approximately €1,700 in West Germany and approximately €1,550 in the eastern part of the country. This is more than three times higher than the Bürgergeld, the German long-term unemployment benefit (Bundesministerium für Arbeit und Soziales, 2023a, p. 22). In 2020, expenditures on pensions amounted to 12.6% of Germany’s gross domestic product, which is slightly lower than the EU average of 13.6% (Eurostat, 2023).

However, employees in non-standard employment, low-paying jobs, or with interrupted employment histories may face much lower pensions than the average. If the pension is insufficient to ensure a dignified life, there are

several additional aids available for senior citizens. The base pension (Grundrente) provides supplemental income on top of the normal pension for seniors who have worked for a long time in underpaid jobs and are therefore not eligible for a higher pension. Seniors with low incomes may also benefit from “Wohngeld,” a government-funded aid for low-income households struggling to pay their rent (Bundesregierung, 2023, p. 4).

The guaranteed minimum pension for seniors (Grundsicherung im Alter) is a safety net for people above the statutory retirement age whose pension incomes are too low to cover basic subsistence needs. It is designed to ensure that every senior can live in dignity, much like the Bürgergeld, the German long-term unemployment benefit, does for working-age individuals. The guaranteed minimum pension for seniors is thus a social welfare benefit and is not linked to statutory pension insurance (Bundesministerium für Arbeit und Soziales, 2023b).

Policies
Targeting
Intergenerational
Equity
Score: 5

The statutory retirement age in Germany is 67, but individuals have the option to retire earlier or later. Most people can retire as early as age 63, although this results in reduced pensions for the rest of their lives (Deutsche Rentenversicherung, n.d.A). Conversely, it is possible to work beyond the usual retirement age, with each additional month of work increasing the monthly pension payments by 0.5%. Seniors can draw their pension while still working (Deutsche Rentenversicherung, n.d.B). Continuing to work after early retirement is also an option, with job income not limiting or reducing pension payments (Deutsche Rentenversicherung, 2023: 4).

Additionally, the statutory pension insurance covers individuals who are not old enough to retire but are unable to work due to health reasons or can only work a limited number of hours. If the insured person is determined to be able to work a few hours per week, they are required to do so and receive reduced pension payments while also earning job income. Eligibility requires that the person has been insured for at least five years, with contributions paid for at least three of those years (Deutsche Rentenversicherung, n.d.C).

The German statutory pension insurance is financed by contributions from employers and employees, along with government grants. In 2020, receipts consisted of approximately €250 billion in contributions and about €75 billion in grants. The underlying principle is a pay-as-you-go system, meaning that each year’s revenue covers that same year’s expenditures. Without the government grants, the insurance would incur losses annually (Bundeszentrale für politische Bildung, 2022). The imbalance between contributions and payments is expected to grow in the coming decades due to the retirement of

the baby boomer generation and increased life expectancies (Deutschlandfunk, 2022).

The statutory pension insurance can be supplemented with private or company plans. The use of private insurance has been subsidized by the government since 2002 under the “Riester-Rente” scheme, which was made more generous in 2018. The goal is to reduce Germany’s reliance on the pay-as-you-go pension system. Slightly fewer than 10.5 million people participated in the program in 2020, costing the government around €4 billion (BMF, 2023).

The German Council of Economic Experts (Sachverständigenrat, SVR) calls for a reform of the German pension system to stabilize funding and address demographic changes. Without reform, there is a risk of lower pensions, leading to a higher risk of poverty among seniors, combined with higher future contributions (Sachverständigenrat, 2023). Proposed solutions to address the demographic challenge include raising the retirement age, increasing contributions, reducing pension payments, or providing additional government grants (Deutschlandfunk, 2022).

Furthermore, a public pension fund is planned, with financial resources to be invested in assets, generating revenue to address the pension insurance’s future financing problems. However, it is still unclear where the money for the fund will come from and how much relief the fund and its revenue can provide (Deutschlandfunk, 2023).

Sustainable Inclusion of Migrants

Integration Policy
Score: 7

Regarding labor market mobility for migrants, the Migration Integration Policy Index (MIPEX) rated Germany with a value of 81 for 2019, ranking the country fifth out of 56. Thus, the MIPEX considers Germany’s labor market policies favorable for promoting equal-quality employment over the long term. This means the index recognizes Germany for promoting equal rights, opportunities to access jobs, and the improvement of skills (MIPEX, 2020).

Germany’s migration regulations must be divided into those for EU member states and those for non-EU countries. Since EU citizens enjoy freedom of movement, they are not subject to any restrictions when working in Germany (The Federal Government, 2019). Therefore, the following policies and regulations concern immigrants from non-EU member states only.

Germany is among the countries with the lowest restrictions on the immigration of skilled workers. The Immigration Act for Skilled Workers

(Fachkräfteeinwanderungsgesetz) provides the legal framework, defining skilled workers as individuals with a university degree or qualified vocational training of at least two years. Migrants with vocational training can obtain residence and work permits, allowing them to work in any profession they are qualified for, provided they have an employment contract and a salary equivalent to that of a German employee.

Skilled workers with a university degree can receive an EU Blue Card. Applicants must provide a university degree comparable to a German university degree and have a binding employment contract with a gross annual salary of at least €58,400 as of 2023. For occupations experiencing a shortage of employees, such as doctors, this minimum salary decreases to €45,552 per year (BMI, 2023).

The previously outlined favorable MIPEx score for Germany's labor market mobility policies is largely due to improved procedures for recognizing foreign qualifications and skills. This implies effective recognition procedures. Moreover, the MIPEx cites targeted support measures for immigrants as a strength in German labor market policy (MIPEx, 2020).

The German government offers different types of language courses. For professional purposes, the Federal Office for Migration and Refugees provides free vocational language courses (Berufssprachkurse) that can be combined with vocational qualifications or work placements (internships). The courses start at a B1 language level; therefore, existing language skills are a prerequisite and can be acquired through an integration course (Integrationskurs). These integration courses consist of a language course and an orientation module (BMI, 2021).

Nevertheless, in 2021, a lack of language skills was an obstacle for obtaining a suitable job for 458,400 migrants, while for 369,200 immigrants, the obstacle lay in the lack of recognition of their qualifications (Eurostat, 2023a).

Regarding training programs, the Federal Ministry of Education and Research (BMBF) offers the Career Orientation for Refugees program (BOF). The BOF lasts up to 26 weeks and is designed to help young immigrants and refugees find training positions through workshops and practical experience. According to the BMBF, participants receive individual support throughout the program. However, the BOF is relatively small, with classes limited to a maximum of twelve participants (BMBF, 2023).

In 2022, the employment rate of migrants was 69.8% compared to the OECD average of 71%, with an unemployment rate of 5.6%, which was below the

OECD average of 7.6%. Compared to 2021, the employment rate increased by 1.5% while the unemployment rate decreased by 0.9%. However, compared to native-born individuals, the employment rate for migrants was 9.1% lower while the unemployment rate was 3% higher. Additionally, in 2021, 58.7% of long-term or permanent immigrants migrated to Germany due to free mobility, 10.7% were labor migrants, 16.2% were family members, and 13.1% were humanitarian migrants (OECD, 2023).

Children of foreigners born in Germany acquire German citizenship if one of their parents has lived in Germany legally for eight years and possesses a permanent residence permit. Foreigners living in Germany can obtain citizenship by fulfilling specific requirements (see below). While Germany's naturalization rate increased by 28% from 2021 to 2022 (Statistisches Bundesamt, 2024), the country's naturalization rate for 2021 was considerably below the EU average, with a percentage of 1.2% compared to 2.2% (Eurostat, 2023b).

With an allocated value of 42, the MIPEX index ranks access to citizenship in Germany as only halfway favorable and describes the naturalization process as clear but demanding. Additionally, Germany has a general ban on dual citizenship (except for EU members and Switzerland and for people born and raised in Germany who have two citizenships at birth), which contributes to low naturalization rates (MIPEX, 2020).

Under current law, immigrants must have lived in Germany for eight years before applying for citizenship. Naturalization after six years is possible through what is referred to as special integration achievements, such as particularly good language skills or civic engagement. A draft law from 2023 proposed shortening the minimum residence time from eight to five years and to up to three years in cases of special integration achievements. Further, the draft suggests enabling multiple citizenships in general (BMI, 2023b).

Political participation for immigrants regarding voting in Germany is related to the naturalization process since only German citizens (and EU citizens in municipal and European elections) have the right to vote in Germany. Given the low naturalization rate, 47% of people with a migration background – around 10.6 million – did not have German citizenship in 2021, rendering them unable to vote (Statistisches Bundesamt, 2022). Nevertheless, due to existing policies to consult and support immigrant civil society, political participation is still considered slightly favorable by the MIPEX, with a score of 60 (MIPEX, 2020).

Generally, family reunification is possible if skilled workers intend to stay in Germany for over one year. If the marriage occurs after the move to Germany, the spouse can only come to Germany two years later. The circumstances are more favorable for highly qualified migrants and immigrants with an EU Blue Card as exceptions exist in this case (BMI, 2023). Through the Opportunity Residence Act (Chancen-Aufenthaltsrecht), introduced in 2022, the requirement that spouses provide a language certificate no longer exists. According to MIPEx, Germany's family reunification policies are more restrictive than those of most Western OECD countries. Therefore, with a score of 42, the index rates Germany's family reunification policies as only halfway favorable (MIPEx, 2020). However, as the index was created for 2019, it does not take into account the changes brought about by the Opportunity Residence Act.

According to the MIPEx, Germany's education policies regarding migrants are moderately favorable, with a score of 55, ranking it as the 15th country. The index indicates that Germany has made partial progress in addressing specific needs and opportunities at all school levels (MIPEx, 2020). As education is regulated by the states, the support schools offer varies across different states. In Hesse, for instance, measures such as language assessments and an overall language promotion concept exist, including mandatory preparatory German courses (Staatliche Schulämter in Hessen, n.d.).

Both the Federal Ministry of Labor and Social Affairs (BMAS) and the Federal Ministry of the Interior and Community (BMI) are responsible for migration policies. However, while cooperation is necessary in some aspects, the BMI mainly focuses on broader migration subjects such as citizenship and asylum and refugee protection. In contrast, the BMAS deals with issues related to migrants and their access to the labor market.

The Federal Office for Migration and Refugees (BAMF), an authority of the BMI, is responsible for executing policies related to the integration of immigrants and processing asylum applications. The Federal Employment Agency, the respective authority for the BMAS, handles tasks such as recognizing qualifications and providing employment consultation.

Additionally, the federal government has a Commissioner for Refugees, Immigrant and Migration.

Finally, it is not clear whether the government has established target values for supporting immigrants. The BAMF, however, published a report on migration and integration in 2022, monitoring educational and labor migration.

Management of
Development
Cooperation by
Partner Country
Score: 9

Effective Capacity-Building for Global Poverty Reduction

As of 2015, Germany has had a Sustainable Development Strategy (GSDS), which was updated in 2021. The strategy outlines the framework for the national implementation of the Agenda 2030 for Sustainable Development with 17 sustainable development goals (SDGs). The first goal is to eradicate poverty, while additional goals, such as ending hunger and ensuring healthy lives and promoting well-being for all ages, are also connected to poverty (United Nations, 2015).

The updated GSDS contains 75 indicators in 39 target areas, which were adapted based on the findings of the 2017 GSDS. To regularly monitor progress, the Federal Statistical Office reports on the indicators every two years. Additionally, the 2021 GSDS details the implementation status of the different development targets (Federal Government, 2020).

In addition to the Sustainable Development Strategy, the Federal Ministry for Economic Cooperation and Development (BMZ) has published multiple development strategies since the start of the new legislative period. Specifically, there are three core area strategies: a strategy for sustainable agri-food systems, a strategy for health, social security, and population dynamics, and a strategy for sustainable economic development, education, and employment. In addition, the BMZ developed individual strategies for Africa, Latin America and the Caribbean, and Asia that include all relevant fields of action for the region. These strategies are not binding.

The core area strategy “Sustainable Agri-Foods Systems: A World Without Hunger,” for instance, includes goals in food and nutrition security, agriculture, and rural development. Particularly, the goal of promoting rural development involves aims such as fighting poverty in rural areas by ensuring secure employment and income opportunities and creating infrastructure for the general public. While the strategy does not outline specific measures in terms of concrete initiatives or policies, it identifies several overall targets for capacity-building, such as securing legitimate land rights and ensuring equal access to land to strengthen rural governance. The strategy further includes twelve standard indicators that can be used to monitor the results of programs or projects in line with the strategy’s goals (BMZ, 2021).

While there is no information on the frequency of government monitoring progress, reports and evaluations are published by the BMZ or by the German Institute for Development Evaluation. Evaluation reports follow the BMZ Evaluation Policy, which outlines the guidelines for evaluating German development cooperation (BMZ, 2023a).

Germany's net official development assistance (ODA) has steadily increased since 2018, rising from 0.6% of gross national income (GNI) to 0.8% of GNI in 2022, compared to an average of 0.37% for all countries in the Development Assistance Committee (DAC) in 2022. In addition to this continuous increase in ODA relative to GNI, Germany is the second-largest net contributor to the DAC, with a contribution of \$37,918 million for 2022 (OECD, 2024). Furthermore, the 2021 coalition agreement pledged to continue fulfilling a minimum ODA rate of 0.7% of GNI, allocating 0.2% to the least-developed countries (SPD, Bündnis 90/Die Grünen and FDP, 2021). Based on these pledges, the development assistance flows can be considered predictable.

The existing cooperation policies support capacity-building for poverty reduction. The 2021 report on the implementation of the Agenda 2030 details which policies were enacted to achieve the Sustainable Development Goals (SDGs). For example, to meet the goal of ending poverty, Germany supported the development of social security systems such as basic insurance and health insurance. In Malawi, Germany assisted with the introduction of directly receivable Social Cash Transfers. Nevertheless, according to the report, development is progressing but still falls short of the target for ending poverty by 5 to 10% (Bundesregierung, 2021).

Considering the German government's provision of technology access, the BMZ supports multiple programs and initiatives. For example, the special initiative "Transformation of Agricultural and Food Systems" aids in the development of sustainable and resource-conserving cultivation and processing technologies, particularly for smallholder farmers. These technologies include more targeted irrigation and machinery adapted to local conditions. The initiative encompasses around 300 projects and supports five knowledge centers for organic farming to facilitate knowledge-sharing and foster innovation in developing countries (BMZ, 2023b).

In scientific knowledge, the DAAD project "SDG Partnerships," funded by the BMZ, promotes the expansion of educational capacities by improving teaching, research, and higher education management at partner institutions. In the long term, the program aims to develop sustainable higher education institutions in partner countries. As of 2023, 34 projects were funded for the period from 2023 to 2026 (DAAD, 2023).

Germany is a participant in the Global Fund to Fight AIDS, Tuberculosis, and Malaria (GFATM) concerning the provision of healthcare and medicine. The fund finances national measures against these three illnesses and aims to build the capacity of recipient countries. As of 2022, Germany contributed €4.6

billion to the fund and pledged another €1.3 billion for 2023 – 2025 (The Global Fund, 2023).

According to the 2021 report on implementing Agenda 2030 in Germany, out of nine indicators for the SGI goal of ensuring healthy lives and well-being, five targets are estimated to be reached or almost reached. However, the indicators for premature mortality in both men and women are developing in the right direction but are expected to miss the target by 20% (Bundesregierung, 2021).

III. Environmental Sustainability

Effective Climate Action

Policy Efforts
and Commitment
to Achieving
Climate
Neutrality by
2050
Score: 8

Germany's climate protection policy consists of three main pillars: the Federal Climate Change Act (Klimaschutzgesetz), the Climate Action Plan 2050 (Klimaschutzplan 2050), and climate protection programs.

The Federal Climate Change Act forms the legal framework for climate policy. Enacted in 2019, the act makes climate targets legally binding, defining both overall climate action goals and annual emission limits for individual sectors. It outlines procedures for monitoring and compliance and includes mechanisms for readjustment. Following a 2021 ruling by the Federal Constitutional Court, the targets were intensified: the act now aims for net climate neutrality by 2045 and a reduction of greenhouse gases (GHG) by at least 65% by 2030 and 88% by 2040, compared to 1990 levels. The annual emission volumes for each sector were also adjusted (BMWK, 2023a).

The Climate Action Plan 2050, introduced in 2016, is Germany's long-term climate protection strategy following the adoption of the Paris Agreement. Although initially based on achieving climate neutrality by 2050, it outlines the federal government's climate policy goals and principles, encompassing environmental, economic, and social dimensions. The plan addresses all relevant sectors: energy, building and transportation, industry, and agriculture and forestry.

Each sector has a specific action plan within the Climate Action Plan, detailing both general targets and sector-specific measures. For instance, the forestry sector focuses on GHG sequestration through land use, while the energy sector targets the expansion of renewable energy. The building sector aims to

promote sustainable construction through increased use of sustainable materials. These action plans include concrete milestones to be achieved by 2030, serving as indicators to measure the overall success of the measures (BMUB, 2016).

The third component, climate protection programs, establish concrete measures to achieve climate targets. The latest program, the Climate Protection Program 2023, was adopted by the cabinet in October 2023. Developed to address a gap of 200 million tons of CO₂ equivalents between 2022 and 2030, the program aims to reduce this gap by 80% through comprehensive policies.

The program includes specific measures for the energy, building, industry, transportation, and agriculture sectors. For example, the building sector plans to introduce a heat planning act to nationalize heat planning and decarbonize heating networks. The agricultural sector aims to expand organic farming and develop climate- and animal-friendly livestock practices. For transportation, measures include strengthening and digitalizing Deutsche Bahn's network and expanding railway capacity.

It is anticipated that the current climate protection gap can be closed by 2030 through measures in the electricity and agricultural sectors and significantly reduced in the building sector. However, the program indicates that further action is needed in the transportation sector despite the proposed measures (BMWK, 2023b).

Compliance with the Federal Climate Change Act is not reviewed by the courts but is monitored by the Federal Environment Agency (Umweltbundesamt), which annually calculates emission data for each sector and publishes it in March of the following year. An independent council of experts reviews this data, monitors progress, and reports its evaluation to the Bundestag (Die Bundesregierung, 2019).

The Climate Change Performance Index ranks Germany 14th out of 63 countries and the EU for 2024, with a score of 65.8, indicating high performance. While Germany has adopted multiple policies to accelerate the expansion of renewable energy, the building and transport sectors are still falling short of their targets. Nevertheless, Germany's performance has improved compared to the previous year (CCPI, 2023a; CCPI, 2023b).

Various strategies contribute to achieving net-zero emissions. The Federal Ministry for Economic Affairs and Climate Action (BMWK) introduced the System Development Strategy to establish a climate-neutral energy system by

2045. This initiative includes a cross-sectoral mission statement and a strategy for transforming the energy system (BMWK, 2023b). Additionally, the Federal Action Plan on Nature-based Solutions for Climate and Biodiversity promotes soil preservation to protect its significant role in GHG sequestration (BMUV, 2023).

The federal administration plans to be climate neutral by 2030, making environmentally friendly public procurement crucial. Article 13, Paragraph 2, of the Federal Climate Change Act states that the federal government must align investment planning, selection, and implementation with the climate targets set by the act.

It is unclear whether the central government can intervene at lower political levels if effective implementation is endangered or if ministries monitor implementation. However, the National Climate Initiative (NKI) supports climate action in companies and municipalities through diverse projects and network initiatives. According to the NKI, over 1,150 companies and municipalities are involved in these networks, and around 42 projects were carried out from 2016 to 2020 (NKI, 2021).

Effective Environmental Health Protection

Policy Efforts
and Commitment
to Minimizing
Environmental
Health Risks
Score: 8

Germany does not have a comprehensive strategy to prevent environmental pollution. However, separate strategies, programs, or plans have been developed for air, water, and soil pollution, some of which operate at the European level. While the strategies themselves are not legally binding, the actions proposed to achieve their goals often include the introduction of new legislation or the adaptation of existing laws, which are then binding.

Regarding air pollution, Germany is required to submit a National Air Pollution Control Program (NAPCP) to the European Commission every four years as part of the EU's National Emissions Reduction Commitments (NEC) directive. Based on the percentage emissions reduction commitments defined by the NEC directive for sulfur dioxide, nitrogen oxides (NO₂), ammonia, non-methane volatile organic compounds, and fine particulate matter smaller than 2.5 micrometers (PM_{2.5}), the NAPCP must include a With Measures Scenario (WM) and a NEC Compliance Scenario (WAM).

In this context, a scenario refers to the compilation of strategies and measures and their effect on pollutants. Specifically, the WM is meant to include measures that have already been adopted, while the WAM contains strategies and measures aimed at meeting the emissions reduction commitments in the event of noncompliance.

As the NEC directive prescribes specific percentages by which pollutants must be reduced, the NAPCP aims to achieve clearly defined goals. By requiring the program to be published every four years, the directive also provides a mechanism for monitoring progress. The key indicators for measuring outcomes are whether the goals specified in the directive are met.

Since the goals are based on an EU directive, the measures must be codified into national law in order to be binding. Germany passed its first NAPCP in 2019 and, as of June 2023, a draft for the second program exists. The 2019 program outlines how effectively the existing measures contribute to meeting the reduction commitments for each pollutant and what additional measures should be implemented to address any shortfall (BMUV, 2019). Overall, Germany's NAPCP considers 23 policies and measures for adoption and has adopted 21. For example, the reduction of coal-fired power generation is listed as an effective measure for sulfur dioxide and PM2.5 reduction (Kaar and Menadue, 2022).

The increasing pressure from droughts and their impact on forests, agriculture, and biodiversity prompted the Federal Ministry for the Environment, Nature Conservation, Nuclear Safety, and Consumer Protection (BMUV) to present the National Water Strategy in 2023. Although this strategy focuses on ensuring the responsible use of available water resources, it also addresses health risks associated with water pollution. In support of the EU's zero pollution plan, the BMUV's strategy aims to achieve zero pollutants by 2050.

The strategy includes a program of water measures to operationalize the National Water Strategy, making it comprehensive. For water pollution, the proposed measures include the implementation of EU directives from the zero pollution action plan and the introduction of a limit value in the Groundwater Ordinance (Grundwasserverordnung) for medicinal products in ground water (BMUV, 2023).

The implementation progress of the National Water Strategy is monitored every six years by an interministerial work group with state participation. The working group will submit a report using the implementation status of the measures set out in the programs as indicators to measure the outcome of the goals (BMUV, 2023).

Finally, Germany does not have a separate national strategy to address soil pollution. The federal government, however, acknowledged the need for European soil protection in its coalition agreement, thereby supporting the EU's soil strategy for 2030. While the soil strategy, similar to the National

Water Strategy, focuses on the overall soil ecosystem and its health, the reduction of soil pollution harmful to human health is one of the long-term objectives of the strategy (European Commission, 2021).

Generally, existing policies support efforts targeting environmental health. For air pollution, according to the European Environment Agency, Germany met the reduction commitments in both 2020 and 2021. Simultaneously, 0% of the population was exposed to PM2.5, 0.2% to NO2, and 0.4% to an ozone (O3) concentration above the EU standard. While this suggests a strong commitment to protecting the public from health risks due to air pollution, the European Environment Agency still lists around 45,000 deaths per year that are attributable to either PM2.5, NO2, or O3 (European Environment Agency, 2023). Additionally, the WHO recommends values significantly below the permitted maximum value for PM2.5 and NO3. Thus, the EU’s limit value for PM2.5 is 25 micrograms per cubic meter and 40 micrograms for NO3, while the WHO recommends reducing these values to five micrograms for PM2.5 and ten micrograms for NO3 (Tagesschau, 2022).

Regarding the previous question, it is not possible to make an informed statement on whether ministries can efficiently monitor implementation or intervene if effective implementation is endangered.

Effective Ecosystem and Biodiversity Preservation

Policy Efforts and Commitment to Preserving Ecosystems and Protecting Biodiversity
Score: 8

In March 2023, Germany introduced the Federal Action Plan on Nature-based Solutions for Climate and Biodiversity (Aktionsprogramm Natürlicher Klimaschutz, ANK), previously mentioned in P 17. Of the ten fields of action to protect the climate and biodiversity, five specifically target the preservation of ecosystems and biodiversity, each with its own action plan that details measures and goals. For each measure, the ANK outlines its aim and purpose and the plans the government has made to achieve it (BMUV, 2023).

The first three fields focus on the protection of intact peatlands, the water balance of rivers, lakes, and floodplains, and seas and coasts. Protection of intact peatlands includes the implementation of the federal state target agreement on climate change mitigation through peat soil conservation and the National Peatland Protection Strategy from 2022. While marine and coastal ecosystems are a field of action, the measures mainly focus on protecting and restoring plant ecosystems to ensure carbon sequestration. The topic of overfishing is not addressed.

The fourth and fifth fields describe measures planned to protect wilderness and protected areas and conserve forest ecosystems, which can sequester large quantities of greenhouse gases and are crucial for biodiversity conservation. With measures for protected areas and forests, Germany aims to expand the covered areas, following the EU Biodiversity Strategy for 2030 (BMUV, 2023). These measures do not include policies to prevent poaching or the trafficking of protected flora and fauna species.

To date, the Federal Action Plan is not subject to concrete monitoring efforts. However, the government aims to develop and implement a biodiversity monitoring plan to identify and quantify the effects of the Action Plan on biodiversity conservation in Germany. Additionally, the plan includes measures to monitor individual ecosystems, such as water balance analyses and soil quality monitoring (BMUV, 2023a).

The restoration of degraded soils and the goal of ensuring sustainable food production systems and resilient agricultural practices are not included in the Action Plan. However, the Federal Ministry of Food and Agriculture (BMEL) published the Organic Farming Strategy 2030 (Bio-Strategie 2030) in 2023. The main goal of this strategy is to achieve 30% organic farming by 2030, based on the premise that organic farming is more resource-efficient, environmentally friendly, and sustainable compared to conventional agricultural practices. This contributes to biodiversity conservation, reduction of greenhouse gas emissions, and increased autonomy by requiring less fossil energy.

With 30 individual measures allocated to six fields of action, the Organic Farming Strategy includes extensive measures such as promoting biological and genetic diversity in the agricultural landscape, crops, and livestock. According to the BMEL, interim and final evaluations will be published in 2026 and 2030, using the implementation status of the measures as indicators. Additionally, the ministry will continuously monitor and report on the implementation (BMEL, 2023b).

Both the Organic Farming Strategy and the Federal Action Plan outline comprehensive policies for their respective goals. However, while the respective ministries formulate the plans and strategies and the government aims to commit to these measures and reach the determined goals, they are not legally binding.

To mitigate issues arising from policy delegation, the Federal Action Plan intends to foster close cooperation between the federal government and the states. For example, in peat soil conservation, a permanent federal-state

committee will be established to monitor and coordinate implementation, addressing regional issues. Additionally, the federal government plans to create voluntary alliances with states, municipalities, and private forest owners to implement a logging ban in old-growth forests.

Beyond the Organic Farming Strategy and the Federal Action Plan, multiple policies and programs support ecosystem and biodiversity protection. Since 2007, Germany has had the National Strategy for Biodiversity (Nationale Strategie zur Biologischen Vielfalt), which includes around 330 goals and 430 measures concerning biodiversity (BMUV, 2023b). Moreover, the Federal Nature Conservation Act (Bundesnaturschutzgesetz, BNatSchG) includes regulations on the protection of wild fauna and flora (Article 37ff.) as well as on marine nature conservation (Article 56ff.).

However, in 2019, the indicator for species diversity and landscape quality by the German Environment Agency (Umweltbundesamt) reached only 75.3%, falling short of the target value of 100% for 2030. This highlights a considerable need for development in biodiversity (Umweltbundesamt, 2023). Another indicator for the success of ecosystem preservation policies in Germany is the Ocean Health Index (OHI), which scored Germany with 88 points out of 100 for 2020, placing the country above the global average of 72 points. The two main issues identified by the index are clean water and fisheries, the latter not being included in the Federal Action Plan (Ocean Health Index, 2020).

Effective Contributions to Global Environmental Protection

Policy Efforts
and Commitment
to a Global
Environmental
Policy
Score: 9

Germany is part of the United Nations Framework Convention on Climate Change (UNFCCC) and the Paris Agreement, which provide the framework for its climate foreign policy. With a participation rate of 1.0, Germany, alongside Finland, has the highest participation rate in global and regional multilateral environmental agreements.

In 2023, coinciding with the UN Climate Change Conference, Germany adopted its first environmental cooperation strategy, the Strategy on Climate Foreign Policy (Klimaaußenpolitik-Strategie, KAP). While not legally binding, the strategy defines specific fields of action and instruments, signaling Germany’s commitment as a reliable and supportive partner (BMUV, 2023).

The KAP focuses on six areas, including reducing global GHG emissions by 2030, ensuring climate justice, and protecting, promoting, and restoring the sustainable use of ecosystems. Capacity-building targets are a substantial part of the strategy. For instance, the KAP calls for tripling installed renewable energy capacities and doubling the rate of energy efficiency improvement. It pledges to work with partner countries to advance renewable energies and enhance energy efficiency (Die Bundesregierung, 2023).

Germany acknowledges that as a member of the G20, it is part of a group responsible for around 80% of global emissions while also benefiting from high economic output. Consequently, the strategy emphasizes the particular responsibility of G20 countries, including Germany, to implement ambitious climate policies. It also addresses “climate justice,” highlighting that states and communities in Africa and small island developing states are especially affected by climate change. Germany addresses some of the resulting spillover effects (Die Bundesregierung, 2023).

Existing cooperation policies support capacity-building and skills development for global environmental protection. For example, based on the commitment in the Paris Agreement to Nationally Determined Contributions (Nationale Klimabeiträge, NDCs), the Federal Ministry for Economic Cooperation and Development (BMZ) and BMUV initiated the NDC Partnership in 2016. The main objective of the NDC Partnership is to promote the implementation of the Paris Agreement and the 2030 Agenda for Sustainable Development through coordinated bilateral and multilateral donor programs (BMZ, 2023a). Additionally, through the International Climate Initiative (IKI), the BMUV, BMWK, and Federal Foreign Office support measures helping partner countries adapt to climate change or restore natural carbon sinks. From 2008 to 2022, with funding of almost €6 billion, the IKI has approved over 950 climate and biodiversity projects globally in more than 150 countries (IKI, 2023).

Germany is the EU member state committed to paying the highest amount toward the international \$100 billion climate finance commitment under the UNFCCC in 2021, contributing €7,844 million. For reference, France, the second-highest contributor, committed €5,781 million (Eurostat, 2022).

One example of government contribution is a joint funding project in Kenya and Senegal by the BMZ, the Green Climate Fund, and partner governments. Since a majority of the population in Kenya and Senegal cook using biomass (firewood, charcoal, and plant residues), releasing significant greenhouse gases, the project aims to provide improved stoves as low-carbon cooking techniques. The objective is to promote the capacity of a market for efficient

cooking technologies and increase the capabilities of both the supply and demand sides. The BMZ, as a main donor, contributed €1.5 billion from 2020 to 2023 (BMZ, 2023b).

Germany also supports technologies for positive environmental development, primarily through financial assistance rather than direct transfer and dissemination of technologies. For example, the German government and the KfW Group created the PtX Development Fund to promote the use of green hydrogen in developing countries as an energy carrier, enabling access to that technology. According to the KAP, the German government plans to invest €270 million into the fund (Die Bundesregierung, 2023).

As Germany's first Strategy on Climate Foreign Policy, the KAP has not yet undergone evaluations to monitor progress in capacity-building in recipient countries. However, an evaluation of bilateral cooperation is planned for the end of 2024 to adapt the strategy accordingly. Indicators will assess whether and how well measures were implemented (Die Bundesregierung, 2023). Additionally, mandated by the BMZ, the German Institute for Development Evaluations analyzes development cooperation activities and measures, including those for global environmental sustainability (DEval, 2023).

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