SECRETARIAT / SECRÉTARIAT

SECRETARIAT OF THE COMMITTEE OF MINISTERS
SECRÉTARIAT DU COMITÉ DES MINISTRES

COMMITTEE OF MINISTERS
COMITÉ DES MINISTRES

COUNCIL OF EUROPE
75 1949 - 2024
CONSEIL DE L'EUROPE

Contact: Ireneusz Kondak
Tel: 03.90.21.59.86

Date: 01/10/2024

DH-DD(2024)1100

Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

Meeting:	1514th meeting (December 2024) (DH)
Item reference:	Action Report (30/09/2024)

Communication from Germany concerning the case of Basu v. Germany (Application No. 215/19)

* * * * * * * * * * * *

Les documents distribués à la demande d'un/e Représentant/e le sont sous la seule responsabilité dudit/de ladite Représentant/e, sans préjuger de la position juridique ou politique du Comité des Ministres.

Réunion :	1514e réunion (décembre 2024) (DH)
Référence du point :	Bilan d'action (30/09/2024)

Communication de l'Allemagne concernant l'affaire Basu c. Allemagne (requête n° 215/19) ***(anglais uniquement)***

Bundesministerium
der Justiz

Berlin, 30 September 2024

Application Basu v. Germany (No. 215/19)

Action Report on the execution of the judgment of the European Court of Human Rights delivered on 18 October 2022, final 18 January 2023

Updates in paragraphs 5, 7, 11, 15, 16, 17, 26, 26a, 26b, 27, 28.

A. Case description

1 The application raised the question whether allegations of racial profiling were investigated sufficiently.

2 On 26 July 2012, two police officers of the Federal Police District Office in Dresden carried out an identity check on the applicant, a German national of Indian origin, and his daughter. The check took place on a train which had just passed the border from the Czech Republic to Germany. The applicant asked the police officers why he was checked, and they said it was a random check. One of them later added that cigarettes were frequently smuggled on that train, but confirmed that there had not been any specific suspicion in respect of the applicant in this regard.

3 One year later, on 19 July 2013, the applicant brought an action with the Dresden Administrative Court for a declaration that the identity check had been unlawful, arguing that he and his daughter were singled out as they were the only passengers with dark skin colour in the train carriage. He did neither file a complaint with the Federal Police nor a criminal complaint. The Dresden Administrative Court dismissed the action as inadmissible. It found that the applicant did not have a legitimate interest in a declaratory judgment on the lawfulness of the identity check. The applicant's appeal to the Saxony Administrative Court of Appeal and his constitutional complaint with the Federal Constitutional Court were unsuccessful. When

being informed about the court proceedings, the Federal Police Regional Office in Pirna immediately started internal investigations into the incident but found no indications of racist motivation on the part of the officers involved.

4 In the proceedings before the Court, relying in particular on Article 14 (prohibition of discrimination) of the Convention taken in conjunction with Article 8 (right to respect for private and family life), the applicant complained that the identity check amounted to racial discrimination and that the domestic courts refused to investigate or examine on the merits his allegations.

5 The Court held, unanimously, that there has been a procedural violation of Article 14 in conjunction with Article 8. The Court declared the complaint admissible on the basis that the applicant had made an arguable claim that he may have been targeted on account of his skin colour and had substantiated his argument that the consequences of the identity check had been sufficiently serious. On the merits, the Court held that the State authorities failed to comply with their duty to take all reasonable measures to ascertain through an independent body whether or not a discriminatory attitude had played a role in the identity check, and thus failed to carry out an effective investigation in this regard. The investigations conducted by the Federal Police Regional Office in Pirna, i.e. the superior police agency to the Dresden office, lacked independence due to the hierarchical and institutional connections with the officers of the Federal Police District Office in Dresden, where the polices officers, who had carried out the identity check (paragraph 36 of the Court's judgment, read in conjunction with paragraph 33), were working. As for the proceedings before the administrative courts, the Court noted that – despite an arguable claim that the applicant may have been the victim of racial profiling – the courts dismissed the action as inadmissible on the basis that the applicant lacked a legitimate interest in a decision on the lawfulness of his identity check and thus failed to take the necessary evidence (paragraph 37 of the Court's judgment, read in conjunction with paragraphs 7 and 8). The Court further observed that it has found a breach of Article 14 in conjunction with Article 8, essentially because the administrative courts declined to examine whether a discriminatory attitude had played a role in the identity check and thus had failed to carry out an effective investigation in this regard.

B. Individual measures

6 The Federal Government notes that the applicant did not submit any claims for just satisfaction under Article 41 of the Convention. The Court therefore did not make an award in this respect.

7 According to Section 580 no. 8 of the Code of Civil Procedure, applicable to administrative proceedings pursuant to Section 153 (1) of the German Code of Administrative Court Procedure, an action for retrial of a case may be brought where the Court has established that the Convention has been violated, and where the judgment is based on this violation. To date (24 September 2024), the applicant has not brought an action for retrial and, in any case, has not exercised this right within the statutory period under Section 586 of the Code of Civil Procedure.

8 In the Federal Government's view, no additional individual measures are necessary to implement the judgment.

C. General measures

9 With respect to general measures, the Federal Government considers that in view of the source of the violation (*see 1*) and the developments that have taken place in German case law regarding the admissibility of actions against identity checks (*see 2*), the publication and dissemination of the judgment (*see 3*) will be sufficient to redress the violation suffered by the applicant and prevent similar violations in the future. In light of the complexity of the issue of racial profiling, the Federal Government would also like to take this opportunity to highlight relevant developments in this field (*see 4*) that contribute to preventing and effectively investigating incidents of alleged racial profiling in the future.

1. Identification and assessment of the source of the violation

10 As detailed in paragraph 5 above, the Court based its finding of a breach of the Convention on the analysis that neither the internal investigation of the Federal Police nor the proceedings before the administrative courts fulfilled the requirements for effective investigation of the applicant's arguable claim of racial discrimination. At the same time, the Court's judgment cannot be read in the sense that its implementation requires "independent investigations" (within the meaning of the Court's case law) at the level of the Federal Police or even the creation of an external investigation unit. Rather, in view of the Federal Government, a breach of the Convention in the case at hand could have been avoided if the administrative courts had examined the merits of the applicant's claim and had taken the necessary evidence.

11 This position is supported, firstly, by paragraphs 36 to 38 of the Court's judgment. In order to decide whether the authorities fulfilled their duty to investigate "*through an independent body*" (38), the Court deemed it necessary to analyse not only the investigations carried out by

the Federal Police (36) but also the judicial proceedings (37). The examination of the latter would have been superfluous if the police investigations themselves already amounted to a breach of the convention. Besides, the Court itself observed in paragraph 42 that the breach of Article 14 taken in conjunction with Article 8 has been found "*essentially because the administrative courts declined to examine the merits of the applicant's complaint*". Secondly, to the Federal Government's knowledge, there has not yet been a ruling by the Court requiring Contracting States to establish independent investigations at the level of the police or even the creation of an external investigation unit, if there are effective judicial investigations. If the Court had intended to change that, it can be assumed that the Court would have done so unambiguously. That such an outcome was not intended by the Court is demonstrated, thirdly, by the judgment in the case Muhammad v. Spain (Application no. 34085/17) rendered by the same Section of the Court on the very same day as the *Basu* judgment. In paragraphs 69-76 of that judgment, the Court came to the conclusion that the Spanish authorities did not breach their duty to investigate because the applicant's arguable claim of racial profiling was duly examined in administrative court proceedings. In view of the Federal Government, this finding would be hardly compatible with the assessment that the Court's judgment in the present case should be read as requiring the establishment of independent investigations at the level of the Federal Police.

12 As a result, the implementation of the Court's judgment does not require changes to the way in which internal investigations are conducted at the level of the Federal Police.

13 It is the understanding of the German government, that in principle the criteria of "independent investigations" can be fulfilled alternatively by different forms of proceedings such as:

- internal investigations at the level of the police;
- criminal investigations;
- proceedings before an administrative court.

2. Convention compliant interpretation of administrative procedural law regarding claims of racial profiling

14 In the present case, an effective examination of the applicant's arguable claim of racial discrimination did not take place in the administrative proceedings because the Dresden Administrative Court and the Saxony Administrative Court of Appeal found that the Applicant lacked the necessary legitimate interest in a finding of the unlawfulness of the act in question

after its termination.[1] Based on this finding, the court did not take any evidence, especially it did not interrogate witnesses or the applicant or the alleged perpetrators.

15 Since 2015, when these decisions were rendered, there have been significant **developments in the German jurisprudence** regarding the admissibility of actions against identity checks carried out by the police, in particular in cases regarding claims of racial profiling. Courts throughout Germany, including the Higher Administrative Courts of Baden-Württemberg, Hamburg, Lower Saxony, North-Rhine-Westphalia, Rhineland-Palatinate, Bavaria and Saarland have rendered decisions in which the existence of a legitimate interest in case of identity checks was confirmed and the merits of the cases, e.g. the alleged discriminatory acts, were considered in detail by these courts .[2] Furthermore, the Federal Administrative Court clarified recently (in a judgment unrelated to identity checks) that, in cases of terminated measures with an only short-term impact, a legitimate interest to have a court decide on the merits of the claim can be considered, in particular, where there has been a qualified encroachment upon fundamental rights.[3] In this context, it explicitly referred to the Court's *Basu* judgment and held that discrimination in the context of identity checks based on ethnic characteristics *("racial profiling*") constitutes a "*particularly severe encroachment*" which requires the courts to consider the facts and allegations of the case.[4] In contrast, no court decision is known to the government where a court rejected to consider the facts of case of alleged racial profiling or declared such a claim inadmissible because of a lack of legitimate interest as the Dresden Administrative Court and the Saxony Administrative Court of Appeal did in the case of Basu.

16 What is more, also **the Dresden Administrative Court itself** has since rendered three (final) judgments, dating 2 November 2016 (6 K 438/19), 18 January 2022 (2 A 806/17) and 14 February 2024 (6 K 1387/20), in which it has declared **actions in similar cases admissible** (and, in the first two cases, found that the identity checks in question were unlawful). In particular, the Dresden Administrative Court provided the following reasoning:

---

[1] Under German administrative procedural law, an action against an administrative act (e.g. the demand to present documents to establish one's identity) that has already lost its effect (e.g. because the person showed the document) is only admissible if the applicant has a legitimate interest in a declaratory judgment.
[2] Higher Administrative Court of Baden-Württemberg, Judgment of 13.02.2018, 1 S 1468/17 [Administrative Court Stuttgart, Judgment of 25.09.2014, 1 K 1879/13]; Administrative Court Stuttgart, Judgment of 22.10.2015, 1 K 5060/13; Administrative Court Munich, Judgment of 27.07.2016, M 7 K 14.1468; Higher Administrative Court of Hamburg, Judgment of 31.01.2022, 4 Bf 10/21 [Administrative Court Hamburg, Judgment of 10.11.2020, 20 K 1515/17]; Administrative Court Frankfurt, Judgment of 11.07.2023, 5 K 2545/19.F; Higher Administrative Court of Lower Saxony, Judgment of 14.01.2020, 11 LB 464/18; Higher Administrative Court of North-Rhine-Westphalia, Judgment of 07.08.2018, 5 A 294/16; Higher Administrative Court of Rhineland-Palatinate, Judgment of 21.04.2016, 7 A 11198/14; Higher Administrative Court of Saarland, Judgment of 21.02.2019, 2 A 806/17; Higher Administrative Court of Saarland, Judgment of 22.02.2022, 2 A 60/20; Bavarian Higher Administrative Court, Decision of 23.08.2024, 10 ZB 22.2522 [Administrative Court Munich, Decision of 29.06.2022, M 23 K 19.6319, not published], Rn 6.
[3] Federal Administrative Court, Judgment of 24.04.2024, 6 C 2/22.
[4] See Federal Administrative Court, Judgment of 24.04.2024, 6 C 2/22, paragraph 31.

> *"**The plaintiff has an interest in establishing the unlawfulness of the measure** […].* [A]*n interest in a continuation of the proceedings pursuant to Article 19 (4) of the Basic Law* [i.e. the constitutional right to an effective legal remedy][5] *is to be affirmed if otherwise no effective legal protection against such interventions could be obtained. This is only to be assumed in the case of measures that are typically settled in such a short time that they could not regularly be reviewed in the main proceedings without the assumption of an interest in continuation. The decisive factor is whether the short-term settlement, which precludes an action for annulment or an action for a declaration of obligation, results from the nature of the administrative act itself. […]* ***This is the case of the control measure at issue here.*** *During the measure, the plaintiff could not move away from the place where it was carried out, so that,* ***in addition to a violation of Article 3 of the Basic Law at issue*** [i.e. the constitutional prohibition of discriminations on the basis of e.g. race][6]*, his fundamental right of general freedom of action (Article 2 (1) of the Basic Law) may also have been violated."*[7]

17 The same reasoning is used by the vast majority of the courts that affirmed the existence of a legitimate interest in cases regarding identity checks and alleged racial profiling.[8] It follows that – from today's perspective – the **inadmissibility-decision** in the *Basu* case has to be seen as **a singular outstanding and outdated court decision** whereas **today the admissibility of such actions can be considered as the rule**. Similar lines of reasoning have not been used by courts in the last eight years and are not to be expected in the future. The Court's judgment in the case at hand will continue to reaffirm the legal reasoning for the principle of admissibility of claims of alleged racial profiling. The Federal Government has translated the judgment into German and disseminated it through the regular channels (*see 3*). Thus, it already has been taken into account (s. above) and further will be in future decisions.

18 As a result, the implementation of the Court's judgment does not require legislative changes to the regulatory framework for the administrative courts and its proceedings.

3. Publication and dissemination of the judgment

19 The courts and authorities that were involved in the proceedings, whose decisions formed the basis of the application, have been notified of the judgment. Furthermore, a German translation

---

[5] The relevant part of Article 19 (4) of the Basic Law reads: "Should any person's rights be violated by public authority, he may have recourse to the courts."
[6] Addition made by the Government; Article 3 (3) sentence one of the Basic Law reads "No person shall be favoured or disfavoured because of sex, parentage, race, language, homeland and origin, faith or religious or political opinions".
[7] Dresden Administrative Court, Judgment of 18.01.2022, 6 K 438/19, paragraph 28. Cf. also Dresden Administrative Court, Judgment of 14.02.2024, 6 K 1387/20, paragraph 14, which explicitly refers to the Court's *Basu* decision.
[8] See footnote 2.

of the judgment has been sent to all the ministries of justice of the Länder for notification within their remit.

20 In addition to this, a German translation of the judgment was published in anonymous form in the Court's database (https://hudoc.echr.coe.int/eng?i=001-223395). Furthermore, the translation was sent to several important publishing houses that bring out legal periodicals.

21 Moreover, the judgment was included in the report drawn up in the Federal Ministry of Justice, entitled "Bericht über die Rechtsprechung des Europäischen Gerichtshofs für Menschenrechte und die Umsetzung seiner Urteile in Verfahren gegen die Bundesrepublik Deutschland im Jahr 2022 ("Report on the Case-Law of the European Court of Human Rights and on the Execution of its Judgments in Cases against the Federal Republic of Germany in 2022"). This report was widely disseminated and published on the Federal Ministry of Justice website at www.bmj.de.

4. Further developments regarding the issue of racial profiling

22 In light of the complexity of the issue of racial profiling, the Government would like to take this opportunity to highlight relevant developments in this field that have and will contribute to preventing and effectively investigating incidents of alleged racial profiling in the future.

23 First, it should be noted that the developments in the national courts' **case law** are not limited to the question of admissibility (*see 2, above*) but also concern the **manner in which allegations of racial profiling are dealt with on the merits**. Since 2015, several administrative courts have dealt with such cases and have examined in detail the facts and circumstances of each case and the justification for the police measures raised in particular. In a number of cases, the analysis led to the finding that the identity checks were unlawful.[9] Among them are the two judgments mentioned above of the Dresden Administrative Court, i.e. the same court whose decision led to the *Basu* judgment.

24 Second, the Federal Government would like to address the **criticism expressed** by the European Commission against Racism and Intolerance (**ECRI**)[10] regarding section 23 (1) no. 3 of the Federal Police Act (FPA), which was the legal basis of the identity check in the case at hand. ECRI is concerned by the broad discretion granted to police forces by section 23 FPA to carry out identity checks and refers to criticism expressed by the Court of Justice of the European Union Court (CJEU) in its judgment of 21.06.2018 in case C-9/16, as well as the

[9] See e.g. Higher Administrative Court of North-Rhine-Westphalia, Judgment of 07.08.2018, 5 A 294/16; Higher Administrative Court of Rhineland-Palatinate, Judgement of 21.04.2016, 7 A 11198/14; Dresden Administrative Court, Judgments 02.11.2016, 6 K 438/19, and of 18.01.2022, 2 A 806.
[10] ECRI Report on Germany (sixth monitoring cycle, adopted on 10.12.2019, paragraphs 105, 106.

findings in two judgments by the Higher Regional Courts of Baden-Wurttemberg and North-Rhine-Westphalia[11], arguing that section 23 FPA did not provide a sufficient legal basis for identity checks.

25 From the outset, the Federal Government would like to underline that the Court has already rejected this argument invoked by the applicant in the context of an alleged violation of Article 2 of Protocol No. 4 to the Convention as manifestly ill-founded (paragraphs 43, 44 of the judgment). Moreover, the CJEU held in case C-9/16 only that EU law on the Schengen area precludes national legislation, such as section 23 FPA, that allows for controls irrespective of the behaviour of the person concerned and of the existence of specific circumstances, unless such legislation lays down the necessary framework for that power ensuring that the practical exercise of it cannot have an effect equivalent to that of border checks. But the CJEU stated that it is for the national courts (and not the CJEU) to decide whether such provisions are in force and to provide a framework for checks carried out under the FPA as required by the case-law of the Court. In addition, the CJEU has since clarified its position on this matter in its decision of 04.06.2020 in case C-554/19 where it held that – while the final assessment remains with the national courts – there are certain indications that an administrative decree from 2016, in fact lays down the necessary framework for the power conferred to the authorities by virtue of section 23 FPA. What is more, after the judgment in case C-9/16, Germany's Federal Administrative Court has ruled – in decisions postdating the judgments by the Higher Administrative Courts mentioned by ECRI – that this decree of 2016 does in fact enable identity checks on the basis of section 23 (1) no. 3 FPA to be carried out in conformity with EU law.[12] Lastly, it is undisputed that the discretionary power derived from the wording of the provision in question is, in any case, limited by the Basic Law including Article 3 (3), i.e. the constitutional prohibition of discrimination on the basis of e.g. race. Hence, the Federal Government respectfully rejects the criticism expressed regarding the legality of section 23 (1) no. 3 FPA itself.

26 Third, it is noteworthy that a **comprehensive reform of the Federal Police Act** is under way. On 20 December 2023, the Federal Government has agreed on a draft law (FPA-D that proposes amendments relevant to the issue of racial profiling.[13] Section 1 (1) FPA-D clarifies that as a general principle the Federal Police shall act respectfully and without discrimination. More importantly, section 23 (2) FPA-D expressly affirms that the selection of a person for

[11] Higher Administrative Court of Baden-Württemberg, Judgment of 13.02.2018, 1 S 1468/17; Higher Administrative Court of North-Rhine-Westphalia, Judgment of 07.08.2018, 5 A 294/16.
[12] Federal Administrative Court, Decisions of 13.12.2019, 6 B 30/19, and of 26.09.2022, 6 B 10/22.
[13] *Entwurf eines Gesetzes zur Neustrukturierung des Bundespolizeigesetzes*, available at: https://dserver.bundestag.de/brd/2023/0672-23.pdf.

questioning and examination of identity/border crossing documents on the basis of a characteristic within the meaning of Article 3 (3) of the Basic Law (e.g. race) is inadmissible if it is carried out without an objective reason justified by the purpose of the measure. In addition, section 23 (2) FPA-D provides that the person concerned has the right to request a certificate on the measure and its reason and must be informed of this right. As outlined in the explanatory memorandum of the draft, this is intended to ensure compliance with the legal requirements, to improve the possibility of a legal review, to increase transparency and to strengthen the acceptance of police measures.[14] In accordance with section 106 (3) FPA-D, the issuance of these certificates shall be evaluated after five years. In February 2024, the draft has been considered by the plenary of the *Bundesrat*[15] which has proposed some adjustments to be considered during the further legislative process.[16] In March 2024, the draft was debated in the *German Bundestag*, i.e. the German federal parliament. After the first debate, the draft has been referred to the committee on Home Affairs and Regional Policy (*Ausschuss für Inneres und Heimat*), which held an expert hearing on the draft in April 2024.[17] Changes to the draft may be made in the course of the legislative procedure.

26a Fourth, on 18 January 2024, the German Bundestag adopted new legislation to create the office of the **Parliamentary Commissioner for the Federal Police Authorities Federal Police Commissioner to the German Bundestag** (Die oder der *Polizeibeauftragte/r des Bundes beim Deutschen Bundestag*).[18] The aim of the *Polizeibeauftragtengesetz* (PCoFPAA) is to establish a body without any institutional or hierarchical connections to the federal police authorities, a body which is fully independent and not bound by any instructions in the exercise of its duties (section 10 (1) PCoFPAA). Both citizens and employees of these police authorities have the right to address themselves to the Parliamentary Commissioner to report alleged individual misconduct or possible structural irregularities and to have them investigated and evaluated by this independent body (sections 1, 2 PCoFPAA). The Parliamentary Commissioner can also act on his/her own initiative (section 2 (3) PCoFPAA) and may conduct his/her investigations in parallel with possible disciplinary, criminal and other proceedings (section 6 PCoFPAA). The Parliamentary Commissioner has a range of investigatory powers, including the right to access files (sections 4 (5), 6 (7), 7 PCoFPAA) and the right to access

[14] FPA-D, p. 113, 114.
[15] The Bundesrat is the constitutional body through which the federal states (Länder) participate in the legislation at federal level.
[16] The proposed adjustments do not concern sections 1 (1), 23 (2) or 106 (3) FPA-D, s. *Stellungnahme des Bundesrates zum Entwurf eines Gesetzes zur Neustrukturierung des Bundespolizeigesetzes vom 2.2.2024, BR-Drucksache 672/23 (Beschluss),* available at: https://dserver.bundestag.de/brd/2023/0672-23B.pdf.
[17] Recording of the expert hearing on 22 April 2024 available at: thhttps://www.bundestag.de/ausschuesse/a04_inneres/anhoerungen/998548-998548.
[18] *Entwurf eines Gesetzes über die Polizeibeauftragte oder den Polizeibeauftragten des Bundes beim Deutschen Bundestag (Polizeibeauftragtengesetz – PolBeauftrG)*, available at: https://www.bundestag.de/dokumente/textarchiv/2023/kw45-de-polizeibeauftragter-975804.

offices and premises of the federal police authorities at any time without prior notification (section 4 (7) PCoFPAA). The Parliamentary Commissioner is elected by the Bundestag for a five-year term of office and can be re-elected once (sections 9, 10 (3) PCoFPAA). The PCoFPAA entered into force on 5 March 2024.[19]

26b On 14 March 2024, Uli Grötsch was elected the first Parliamentary Commissioner for the Federal Police Authorities.[20] He took up his office on 15 March 2024[21] and, on 26 June 2024, submitted his first report to the German Bundestag, covering his first 100 days in office.[22] In his report, the Commissioner reiterated his independence and took a clear stance against discrimination, firmly stressing in the introduction to his report that "[i]*n a diverse country, in which everybody can find their place, there must be no racial profiling*".[23] To further underline this, the Commissioner has already participated in several panel discussions on racial profiling and on alleged structural deficiencies and misconduct within the police.[24] Moreover, he has discussed the objective to further raise awareness within the police against racial profiling, in particular, with the Independent Federal Anti-Discrimination Commissioner (*Unabhängige Bundesbeauftragte für Antidiskriminierung*) and the Federal Government's Commissioner against Antiziganism and for the life of Sinti and Roma in Germany (*Beauftragter der Bundesregierung gegen Antiziganismus und für das Leben der Sinti und Roma in Deutschland*), with whom he is now developing a practical collaborative cooperation towards more awareness.[25] During the reporting period, the Commissioner has received 133 submissions in total, 109 by citizens concerning alleged inappropriate behaviour of police officers – including also allegations of racial profiling in the context of identity checks – and 24 by police officers. The Commissioner has asked the federal police departments concerned to comment on the allegations or respectively to provide further information on the facts.[26]

27 Fifth, it should be pointed out that the aim of avoiding discrimination and in particular racial profiling plays an important role in the vocational training to become a police officer of the Federal Police as well as in the regular police trainings taking place during the career of a

---

[19] See BGBl. I 2024, no. 72 of 4 March 2024, available at: https://www.recht.bund.de/bgbl/1/2024/72/VO.
[20] See information of the Bundestag on the election of Uli Grötsch under: https://www.bundestag.de/dokumente/textarchiv/2024/kw11-de-wahlen-991104.
[21] https://www.bundestag.de/parlament/polizeibeauftragter/groetsch-990360.
[22] See Unterrichtung durch den Polizeibeauftragten des Bundes beim Deutschen Bundestag, Tätigkeitsbericht des Polizeibeauftragten über den Zeitraum vom 14. März 2024 bis zum 30. Juni 2024, BT-Drs. 20/11990, available at: https://dserver.bundestag.de/btd/20/119/2011990.pdf
[23] See Unterrichtung durch den Polizeibeauftragten des Bundes beim Deutschen Bundestag, Tätigkeitsbericht des Polizeibeauftragten über den Zeitraum vom 14. März 2024 bis zum 30. Juni 2024, BT-Drs. 20/11990, p. 3.
[24] See Unterrichtung durch den Polizeibeauftragten des Bundes beim Deutschen Bundestag, Tätigkeitsbericht des Polizeibeauftragten über den Zeitraum vom 14. März 2024 bis zum 30. Juni 2024, BT-Drs. 20/11990, p. 9.
[25] See Unterrichtung durch den Polizeibeauftragten des Bundes beim Deutschen Bundestag, Tätigkeitsbericht des Polizeibeauftragten über den Zeitraum vom 14. März 2024 bis zum 30. Juni 2024, BT-Drs. 20/11990, p. 7.
[26] See Unterrichtung durch den Polizeibeauftragten des Bundes beim Deutschen Bundestag, Tätigkeitsbericht des Polizeibeauftragten über den Zeitraum vom 14. März 2024 bis zum 30. Juni 2024, BT-Drs. 20/11990, p. 13.

police officer at the Federal Police. The topics of human rights, prevention of racism and racial discrimination, as well as the legality of police measures, are an essential part of the vocational training and police training of all career groups of the Federal Police and are taught in an interdisciplinary manner in theoretical and practical form (e.g. operational training). To maintain and expand the knowledge acquired, regular and ad hoc training courses and seminars on these topics are provided, also including seminars involving lecturers from civil society organizations. The new legal provisions in the Federal Police Act, especially the need to issue certificates on demand justifying the need for a specific police measure, will require adapted and/or specific new trainings and guidelines for police practice which will also deal with the principle of non-discrimination.

D. Conclusion

28 Against the backdrop of the isolated nature of the violation and the developments in the national case law described above, the Federal Government considers that the implementation of the judgment does not call for general measures going beyond the publication and dissemination of the judgment.