


# Germany

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
<b>85.0</b>	<b>82.5</b>	<b>85.6</b>

*Women, Business and the Law 2024* (WBL 2024) identifies barriers for women's economic empowerment in three areas: women's legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Germany, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Berlin). The scores for Germany are shown in the table below.

## Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0 Legal frameworks score	25.0	100.0	75.0	100.0	100.0	100.0	75.0	75.0	100.0	100.0
WBL 2.0 Supportive frameworks score	25.0	66.7	100.0	100.0	100.0	100.0	100.0	66.7	66.7	100.0
WBL 2.0 Expert opinions score	75.0	100.0	81.3	62.5	93.8	100.0	75.0	93.8	100.0	75.0

In summary, the **WBL 2.0 legal frameworks score** for Germany (85.0 out of 100.0) is higher than the global average (64.2) and higher than the High income: OECD regional average (84.9). When it comes to constraints on freedom of movement, laws affecting women's pay, constraints related to marriage, laws affecting women's work after having children, laws affecting women's property and inheritance and laws affecting the size of a woman's pension, Germany obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Germany is on the indicator measuring laws affecting women's safety. To improve on the Safety indicator, Germany may wish to consider putting in place legislation on domestic violence, introducing legislation on femicide and introducing legislation on child marriage.

The **WBL 2.0 supportive frameworks score** for Germany (82.5 out of 100.0) is higher than the global average (39.5) and higher than the High income: OECD regional average (68.1). When it comes to supportive frameworks affecting women's decisions to work, supportive frameworks affecting women's pay, supportive frameworks related to marriage, supportive frameworks affecting women's work after having children, supportive frameworks affecting childcare and supportive

frameworks affecting the size of a woman's pension, Germany obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Germany is on the indicator measuring supportive frameworks affecting women's safety. To improve on the Safety indicator, Germany may wish to consider developing comprehensive mechanisms to address violence against women, putting in place special procedures for cases of sexual harassment, providing an annual budgetary allocation towards violence against women risk mitigation and prevention and response programs.

The **WBL 2.0 expert opinions score** for Germany (85.6 out of 100.0) is higher than the global average (65.7) and higher than the High income: OECD regional average (82.9). When it comes to expert opinions on freedom of movement, expert opinions on women's work after having children and expert opinions on women's property and inheritance, Germany obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Germany is on the indicator measuring expert opinions on women's pay.

## WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
<b>Safety</b>		
Does the law address child marriage?	No	No applicable provisions could be located
Does the law address sexual harassment?	Yes	General Equal Treatment Act, Secs. 2, 3(4) and 15; Criminal Code, Sec. 238
Does the law address domestic violence?	No	No applicable provisions could be located
Does the law address femicide?	No	No applicable provisions could be located
<b>Mobility</b>		
Can a woman choose where to live in the same way as a man?	Yes	Civil Code, Art. 7
Can a woman travel internationally in the same way as a man?	Yes	Passport Act, Arts. 4 and 6
Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
Do a woman and a man have equal rights to confer citizenship on their spouses and their children?	Yes	Nationality Act, Arts. 2 and 9
<b>Workplace</b>		
Can a woman get a job in the same way as a man?	Yes	Civil Code, Art. 1356(2)
Does the law explicitly prohibit discrimination in recruitment based on marital status, parental status, and age?	No	No applicable provisions could be located
Does the law prohibit discrimination in employment based on gender?	Yes	General Equal Treatment Act, Secs. 1, 2 and 7
Does the law allow employees to request flexible work?	Yes	Part-Time and Fixed-term Employment Act, Sec. 8
<b>Pay</b>		
Does the law mandate equal remuneration for work of equal value?	Yes	Transparency in Wage Structures Act, Secs. 1-4 and 7
Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
<b>Marriage</b>		
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	No applicable provisions could be located
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	Civil Code, Art. 1356(1)
Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Civil Code, Arts. 1564-1566
Does a woman have the same rights to remarry as a man?	Yes	Civil Code, Arts. 1306-1308 and 1493
<b>Parenthood</b>		

Is paid leave of at least 14 weeks available to mothers?	Yes	Maternity Protection Act, Sec. 3; Parental Allowances and Parental Leave Act, Sec. 4
Are leave benefits for mothers paid solely by the government?	Yes	Maternity Protection Act, Secs. 18, 19 and 20; Expense Compensation Act, Art. 1(2)
Is paid leave available to fathers?	Yes	Parental Allowances and Parental Leave Act, Sec. 4
Is dismissal of pregnant workers prohibited?	Yes	Maternity Protection Act, Sec. 17
<b>Childcare</b>		
Does the law establish the provision of center-based childcare services?	Yes	Child and Youth Welfare of the Social Code (SGB), Eighth Book (VIII), Secs. 22 and 24
Does the law establish any form of support for families for childcare services?	Yes	Child Day Care Support Act of 2005, Secs. 1, 4 and 5; Child and Youth Welfare of the Social Code (SGB), Eighth Book (VIII), Secs. 23-24; Income Tax Act, Sec. 10(1), No. 5
Does the law establish any form of support for nonstate childcare providers?	Yes	Child Day Care Support Act of 2005, Secs. 21-23; Income Tax Act, Secs. 3(33) and 4(4)
Does the law establish quality standards for the provision of center-based childcare services?	No	No applicable provisions could be located
<b>Entrepreneurship</b>		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Civil Code, Arts. 1, 2 and 104 -107
Does the law prohibit discrimination in access to credit based on gender?	Yes	General Act on Equal Treatment, Arts. 2(1) No. 8 and 19(1)
Does the law prescribe a gender quota for corporate boards?	Yes	First Leadership Positions Act, Art. 4; Second Leadership Position Act, Art. 19
Does the law include gender-sensitive procurement provisions for public procurement processes?	No	No applicable provisions could be located
<b>Assets</b>		
Do a woman and a man have equal administrative power and ownership rights to immovable property, including land?	Yes	Civil Code, Arts. 1, 2, 873, 903, 905 and 1363-1369
Do sons and daughters have equal rights to inherit assets?	Yes	Civil Code, Art. 1924
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Civil Code, Art. 1931
Does the law provide for the valuation of nonmonetary contributions?	Yes	Civil Code, Arts. 1363, 1373-1375 and 1378
<b>Pension</b>		
Are the ages at which a woman and a man can retire with full pension benefits the same?	Yes	Pension Reform Act 1992, Secs. 35 and 235
Are the ages at which a woman and a man can retire with partial pension benefits the same?	Yes	Pension Reform Act 1992, Secs. 36 and 77(2)(1)
Is the mandatory retirement age for a woman and a man the same?	Yes	No applicable provisions could be located
Are periods of absence due to childcare accounted for in pension benefits?	Yes	Pension Reform Act 1992, Secs. 56(1) and 56(5)

## WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
<b>Safety</b>		
Has the government developed comprehensive mechanisms to address violence against women?	No	Insufficient evidence located
Are special procedures in place for cases of sexual harassment?	No	Insufficient evidence located
Is a government entity responsible for monitoring and implementing national services, plans and programs addressing violence against women?	Yes	Federal Ministry for Family Affairs, Senior Citizens, Women and Youth

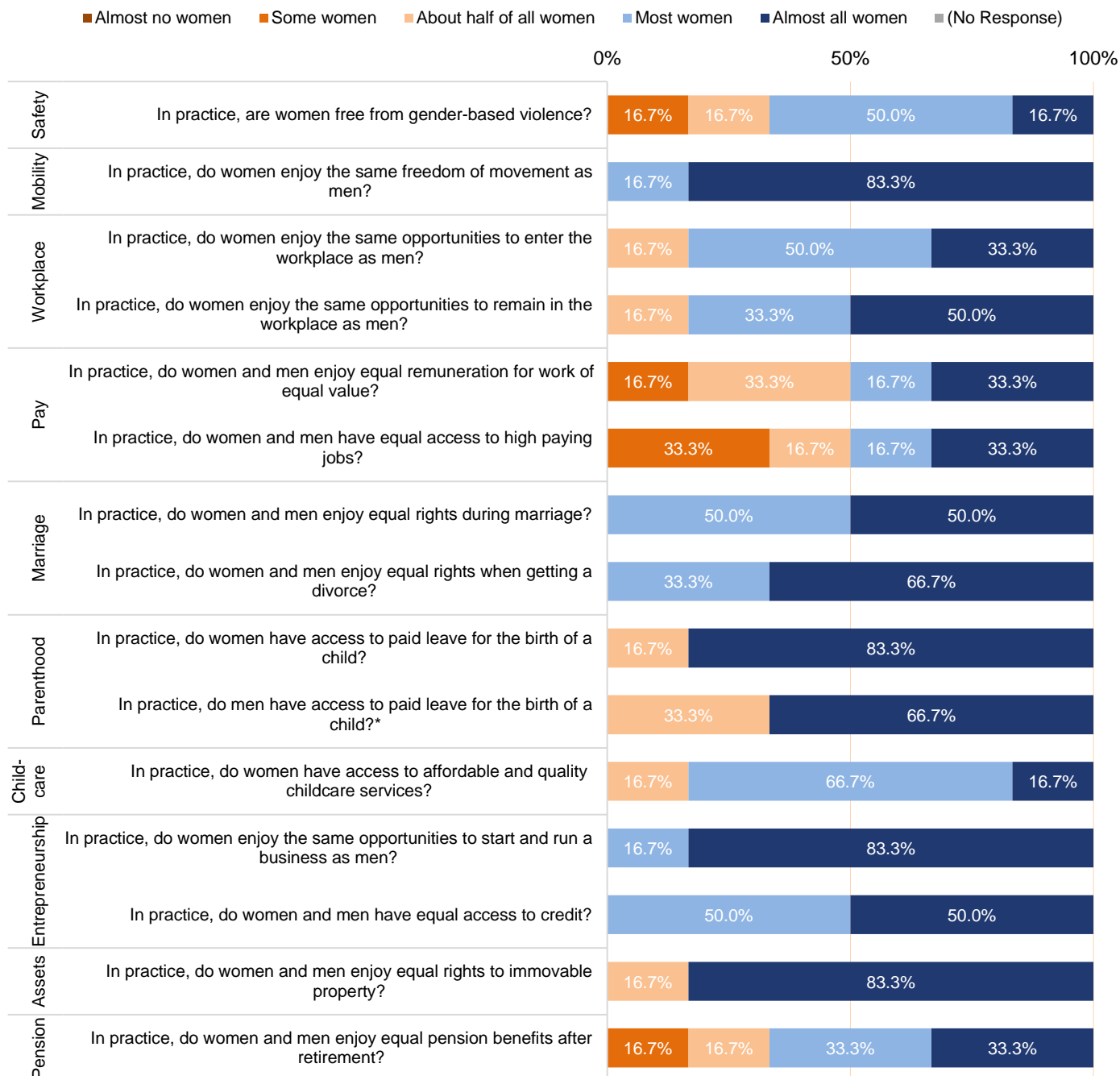
Is an annual budgetary allocation devoted to violence against women risk mitigation, prevention, and response programs?	No	Insufficient evidence located
<b>Mobility</b>		
Are passport application processes the same for a woman and a man?	Yes	Passport application procedures
Are the application processes for official identity documents the same for a woman and a man?	Yes	ID application procedures
Does a current policy or plan explicitly consider the specific mobility needs of women in public transportation?	No	Insufficient evidence located
<b>Workplace</b>		
Does a specialized body receive complaints about gender discrimination in employment?	Yes	General Act on Equal Treatment, Secs. 1, 2 and 27
Has the government published guidelines on nondiscrimination based on gender in recruitment?	Yes	Federal Anti-Discrimination Agency: Fair job! - Guide to Non-Discriminatory Hiring Practices
Has the government published guidelines on flexible work arrangements?	Yes	Federal Ministry of Labor and Social Affairs: Part-Time and Flexible Working Hours; Federal Ministry for Family Affairs, Senior Citizens, Women and Youth: Family-Friendly Working hours
<b>Pay</b>		
Are pay transparency measures or enforcement mechanisms in place to address the pay gap?	Yes	Transparency in Wage Structures Act, Secs. 10, 12 and 21
Have sex-disaggregated data on employment in different industries or sectors been published?	Yes	Federal Employment Agency: The Labor Market Situation of Women and Men 2022
<b>Marriage</b>		
Is there a fast-track process or procedure for family law disputes?	Yes	Act on Proceedings in Family Matters, Arts. 129 and 155
Are there specialized family courts?	Yes	Judicature Act, Art. 23b; Family Courts
Is legal aid available for family law disputes?	Yes	Legal Aid (Verfahrenskostenhilfe)
<b>Parenthood</b>		
Is it possible to apply for maternity benefits through a single government application process?	Yes	Maternity Protection Act, Sec. 19
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	Yes	Parental Allowances and Parental Leave Act, Sec. 4
Have sex-disaggregated data on unpaid care work been published?	Yes	Insufficient evidence located
<b>Childcare</b>		
Is there a publicly available registry or database of childcare providers?	Yes	Official Website of the City of Berlin
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	Yes	Child Day Care Support Ordinance of 2005, Sec. 2; Official Website of the City of Berlin, Page "Kita-Gutschein"
Is there a clearly outlined application procedure to request financial support from the government for childcare services by nonstate childcare providers?	Yes	Child Day Care Support Ordinance of 2005, Secs. 8-9
Has the government published any reports on the quality of childcare services?	Yes	Monitoring Report 2022 of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth
<b>Entrepreneurship</b>		
Have sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses been published?	Yes	Federal Statistical Office of Germany
Are government-led programs supporting female entrepreneurs providing access to finance and training, coaching, or business development?	Yes	Micromezzanine Fund Germany; National Agency for Women Start-ups Activities and Services; FRAUEN unternehmen
Does a current national government plan or strategy focus on women's access to financial services?	No	Insufficient evidence located
<b>Assets</b>		
Are mechanisms or incentives in place to encourage women to register immovable property (including joint titling)?	Yes	Civil Code, Art. 873; Land Registry Regulations, Art. 47
Are awareness measures in place to improve women's access to information about marital and inheritance rights?	Yes	Federal Ministry of Justice



Have anonymized sex-disaggregated data on property ownership been published?	No	Insufficient evidence located
<b>Pension</b>		
Are incentives in place to increase women's retirement benefits?	Yes	Pension Reform Act 1992
Is a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	Yes	Social Court Act, Secs. 78, 83 and 84

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## WBL 2.0 distribution of expert opinion responses



\*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.