

Federal Constitutional Court

- Annual Statistics 2013 -

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for the Judicial Year 2013

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Proceedings Brought

from 7 September 1951 Until 31 December 2013

Proceedings brought (total)	207.651	; of these, 200.482 3.735 9 3.400	(96,54%) (1,80%) (0,01%) (1,64%)	abstract ¹ and concrete ² judicial review proceedings,
Proceedings terminated (total)	204.019	; of these, 197.003 3.662 8 3.321 25	(96,56%) (1,79%) (0,01%) (1,63%) (0,01%)	4.640 were successful = 2,4% abstract and concrete judicial review proceedings, party ban proceedings,
Proceedings still pending:	3.632	; of these, 3.479 73 1 79	(95,79%) (2,01%) (0,03%) (2,17%)	abstract and concrete judicial review proceedings, party-ban proceedings,
of these,		1.852 1.780	(50,99%) (49,01%)	·

¹ Article 93 sec. 1 no. 2 of the Basic Law (Grundgesetz - GG)

² Article 100 sec. 1 GG

³ File numbers: BvT and PBvV; see page 7

Proceedings Brought Since 7 September 1951

Year	First Senate	Second Senate	Total
1951	476* (473+3 ^{1 and 4})	5	481
1952	1008* (1.005+3 ^{2 and 4})	9	1.017
1953	736* (735+1²)	7	743
1954	571* (567+4²)	6	577
1955	587* (585+2²)	7	594
1956	734* (732+2²)	74* (73+1¹)	808
1957	807	37* (34+3¹)	844
1958	1114* (1.110+4 ^{2 and 3})	96* (95+1¹)	1.210
1959	1.190	28	1.218
1960	635* (634+1²)	747	1.382
1961	544	512	1.056
1962	728	732	1.460
1963	688	726	1.414
1964	808	830	1.638
1965	767	737	1.504
1966	810	770	1.580
1967	786	812	1.598
1968	814	786	1.600
1969	850	809	1.659
1970	845	832	1.677

* corrected figure proceedings (see p. 7) on:

1 Senate jurisdiction legal aid legal aid legal opinions legal opinions

Proceedings Brought Since 7 September 1951

Year	First Senate	Second Senate	Total
1971	494	1.048	1.542
1972	655	943	1.598
1973	2.374	947	3.321 1
1974	506	1.131	1.637
1975	512	1.076	1.588
1976	1.079	1.389	2.468 ²
1977	1.263	1.277	2.540
1978	1.701	1.095	2.796
1979	1.499	1.612	3.111
1980	1.588	1.519	3.107
1981	1.527	1.571	3.098
1982	1.741	1.845	3.586
1983	1.829	2.117	3.946
1984	1.765	1.719	3.484
1985	1.547	1.594	3.141
1986	1.587	1.473	3.060
1987	1.690	1.786	3.476
1988	1.803	1.899	3.702
1989	1.669	2.089	3.758
1990	1.609	1.791	3.400
1991	2.016	2.061	4.077
1992	2.049	2.382	4.431
1993	2.319	3.121	5.440
1994	2.551	2.773	5.324
1995	2.776	3.135	5.911

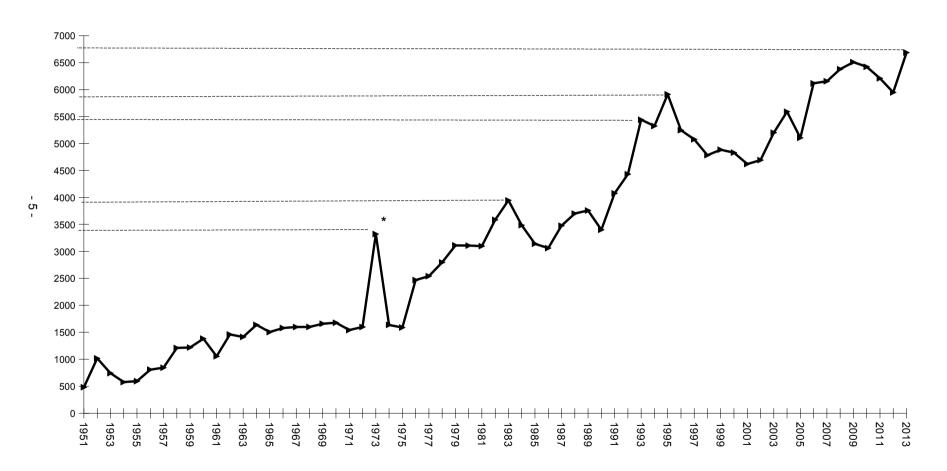
1 1,735 of these were parallel proceedings (concerning the stability supplement)
2 381 of these were parallel proceedings (concerning § 218 of the Criminal Code - StGB)

Year	First Senate	Second Senate	Total
1996	2.599	2.647	5.246
1997	2.636	2.442	5.078
1998	2.419	2.364	4.783
1999	2.303	2.582	4.885
2000	2.402	2.429	4.831
2001	2.328	2.292	4.620
2002	2.496	2.196	4.692
2003	2.738	2.462	5.200
2004	3.006	2.583	5.589
2005	2.786	2.319	5.105
2006	3.288	2.827	6.115
2007	3.367	2.787	6.154
2008	3.677	2.701	6.378 ¹
2009	3.321	3.187	6.508
2010	3.331	3.091	6.422 ²
2011	3.288	2.920	6.208
2012	2.864	3.083	5.947
2013	3.710	2.976	6.686

^{1 163} of these were parallel proceedings (concerning banking law, stock exchange law and the law on securities)

^{2 130} of these were parallel proceedings (concerning banking law, stock exchange law and the law on securities)

New Proceedings Brought Since 7 September 1951



^{* 1,735} of these were parallel proceedings (concerning the stability supplement)

New Proceedings

Type of Proceedings	File no.	Until 2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Forfeiture of fundamental rights (Art. 18 GG)	BvA	4	-	-	-	-	-	-	-	-	-	-	4
Rulings on the unconstitutionality of political parties (Art. 21 sec. 2 GG)	BvB	8	ı	ı	ı	-	ı	-	ı	-	-	1	9
Complaints in proceedings involving the scrutiny of elections (Art. 41 sec. 2 GG)	BvC	151	12	3	6	11	1	1	16	17	ı	12	230
Impeachment of the Federal President (Art. 61 GG)	BvD	-	ı	ı	ı	-	ı	ı	ı	-	ı	-	-
Constitutional disputes between federal bodies (Art. 93 sec. 1 no. 1 GG)	BvE	136	3	10	5	6	6	2	3	9	14	14	208
Review of statutes upon application by a constitutional body (Art. 93 sec. 1 no. 2 GG)	BvF	152	1	8	1	1	-	2	-	7	3	3	178
Constitutional disputes betwen the Federation and the Laender (states) (Art. 93 sec. 1 no. 3 and Art. 84 sec. 4 sent. 2 GG)	BvG	39	2	3	-	-	-	-	1	-	-	-	45
Disputes involving public law (Art. 93 sec. 1 no. 4 GG)	BvH	73	1	-	-	-	-	-	-	-	-	-	74
Impeachment of judges (Art. 98 sec. 2 and sec. 5 GG)	BvJ	1	1	1	1	-	ı	1	1	-	1	-	-
Constitutional disputes within a <i>Land</i> (state) decided by virtue of their assignment by <i>Land</i> law (Art. 99 GG)	BvK	24	1	1	1	1	ı	1	1	-	1	-	26
Review of statutes upon judicial referral (Art. 100 sec. 1 GG)	BvL	3.225	25	26	74	27	33	47	19	35	28	18	3.557
Status of a provision of public international law as part of federal law (Art. 100 sec. 2 GG)	BvM	24	1	1	3	1	ı	1	1	-	1	-	28
Interpretation of the Basic Law upon application of a Land constitutional court (Art. 100 sec. 3 GG)	BvN	8	ı	ı	ı	-	ı	ı	ı	-	ı	-	8
Disagreements concerning the continued applicability of law as federal law (Art. 126 GG)	BvO	151	ı	1	ı	-	-	-	-	-	-	1	151

New Proceedings (Continued)

Type of Proceedings	File no.	Until 2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Proceedings in other cases referred to the Federal Constitutional Court by federal law (Art. 93 sec. 3 GG) - from 1971 onwards -	BvP	6	-	-	-	-	-	-	-	-	-	-	6
Temporary injunctions (§ 32 BVerfGG) and - until 1970 - other proceedings	BvQ	1.486	110	88	108	102	93	148	132	103	84	161	2.615
Constitutional complaints (Art. 93 sec. 1 nos. 4a and 4b GG)	BvR	141.023	5.434	4.967	5.918	6.005	6.245	6.308	6.251	6.036	5.818	6.477	200.482
1. Examination of which Senate has jurisdiction - now: administrative file no. 1004/4 E - 2. Grant of legal aid - now: BvR - 3. Plenary decisions (§ 16 BVerfGG) - now: PBvU until 1960 -	BvT*	22	1	-	1	-	ı	ı	-	-	ı	-	22
Disagreements on whether a law complies with the requirements of Art. 72 sec. 2 and Art. 93 sec. 1 no. 2a GG - from 1998 onwards -	BvW	-	-	-	-	-	1	1	-	-	1	-	1
Referrals by the Federal Court of Justice (Bundesgerichtshof) pursuant to § 36 sec. 2 of the Law Governing the Legal Framework for Committees of Inquiry (Untersuchungsausschussgesetz) - from 2001 onwards -	BvX	-	-	-	-	-	-	-	-	-	-	-	-
Applications pursuant to Art. 93 sec. 2 GG - from 2006 onwards -	BvY	-	-	-	-	-	-	1	-	-	1	-	-
Retirement of a justice of the Federal Constitutional Court due to disability for service or for other reasons (§ 105 BVerfGG)	PBvS	-	ı	ı	ı	-	ı	ı	-	-	ı	-	-
Plenary decisions (§ 16 BVerfGG)	BvU / PBvU	4	-	-	-	-	-	-	-	1	-	-	5
Legal opinions issued by the Plenary(§ 97 BVerfGG) - until 1952 -	PBvV*	3	-	-	-	-	-	-	-	-	-	-	3
Sum of all Proceedings:		146.539	5.589	5.105	6.115	6.154	6.378	6.508	6.422	6.208	5.947	6.686	207.651

^{*} former types of proceedings which were conducted until 1960

Decisions Passed by the Plenary, the Senates and the Chambers

Type of Proceedings	File no.	Until 2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Forfeiture of fundamental rights (Art. 18 GG)	BvA	3	-	-	-	-	-	-	-	-	-	-	3
Rulings on the unconstitutionality of political parties (Art. 21 sec. 2 GG)	BvB	5	-	-	-	-	-	-	1	-	-	-	5
Complaints in proceedings involving the scrutiny of elections (Art. 41 sec. 2 GG)	BvC	120	1	12	-	5	6	10	4	13	12	13	196
Impeachment of the Federal President (Art. 61 GG)	BvD	-	-	-	-	-	-	-	ı	-	-	-	-
Constitutional disputes between federal bodies (Art. 93 sec. 1 no. 1 GG)	BvE	72	4	8	-	3	2	4	2	2	5	2	104
Review of statutes upon application by a constitutional body (Art. 93 sec. 1 no. 2 GG)	BvF	91	2	3	2	3	3	1	3	1	2	1	112
Constitutional disputes betwen the Federation and the Laender (Art. 93 sec. 1 no. 3 and Art. 84 sec. 4 sent. 2 GG)	BvG	25	-	-	1	-	-	-	-	1	-	-	27
Disputes involving public law (Art. 93 sec. 1 no. 4 GG)	BvH	37	1	-	-	-	-	-	-	-	-	-	38
Impeachment of judges (Art. 98 sec. 2 and sec. 5 GG)	BvJ	-	-	-	-	-	-	-	-	-	-	-	-
Constitutional disputes within a <i>Land</i> decided by virtue of their assignment by <i>Land</i> law (Art. 99 GG)	BvK	17	1	1	-	1	1	-	-	-	-	-	21
Review of statutes upon judicial referral (Art. 100 sec. 1 GG)													
- Senates - - Chambers (since 11 August 1993) -	BvL	994 141	6 8	6 8	5 13	5 7	10 8	5 16	11 10	1 7	13 10	4 5	1.060 233
Status of a provision of public international law as part of federal law (Art. 100 sec. 2 GG)	BvM	7	-	-	1	4	1	-	-	-	-	-	13
Interpretation of the Basic Law upon application of a Land constitutional court (Art. 100 sec. 3 GG)	BvN	5	1	-	-	-	-	1	1	1	1	-	5
Disagreements concerning the continued applicability of law as federal law (Art. 126 GG)	BvO	19	-	-	-	-	-	-	-	-	-	-	19

<u>Decisions</u> Passed by the Plenary, the Senates and the Chambers (Continued)

Type of Proceedings	File no.	Until 2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Proceedings in other cases referred to the Federal Constitutional Court by federal law (Art. 93 sec. 3 GG) - from 1971 onwards -	BvP	5	-	-	1	1	-	-	-	-	-	-	5
Temporary injunctions (§ 32 BVerfGG) and - until 1970 - other proceedings	BvQ	1.075	101	69	102	79	85	128	113	95	73	105	2.025
Constitutional complaints (Art. 93 sec. 1 nos. 4a and 4b GG) - Senates Judges' Committees or Chambers -	BvR	3.900 117.994	27 5.213	24 4.687	15 5.767	14 5.905	10 5.731	14 5.783	14 5.897	16 5.597	8 5.176	12 5.975	4.054 173.725
 Examination of which Senate has jurisdiction now: Administrative file no. 1004/4 E - Grant of legal aid - now: BvR - Plenary decisions (§ 16 BVerfGG) - now: PBvU - until 1960 - 	BvT*	9	1	1	1	ı	-	-	-	-	-	-	9
Disagreements on whether a law complies with the requirements of Art. 72 sec. 2 and Art. 93 sec. 1 no. 2a GG - from 1998 onwards -	BvW	-	-	-	1	1	-	-	-	-	-	-	1
Referrals by the Federal Court of Justice pursuant to § 36 sec. 2 of the Law Governing the Legal Framework for Committees of Inquiry - from 2001 onwards -	BvX	-	-	-	-	-	-	-	-	-	-	-	-
Referrals pursuant to Art. 93 sec. 2 GG - from 2006 onwards -	BvY	-	-	-	-	-	-	-	-	-	-	-	-
Retirement of a justice of the Federal Constitutional Court due to disability for service or for other reasons (§ 105 BVerfGG)	PBvS	-	-	-	-	-	-	-	-	-	-	-	-
Plenary decisions (§ 16 BVerfGG)	BvU / PBvU	4	-	-	-	-	-	-	-	-	1	-	5
Legal opinions issued by the Plenum (§ 97 BVerfGG) - until 1952 -	PBvV*	3	-	-	-	-	-	-	-	-	-	-	3
Sum of all Proceedings:		124.526	5.364	4.818	5.906	6.026	5.857	5.961	6.054	5.733	5.300	6.117	181.662

^{*} former types of proceedings which were conducted until 1960

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<u>Proceedings Terminated</u> in Other Ways Than by a Decision, e.g. Proceedings Consolidated With Others for Joint Adjudication, Applications Withdrawn, etc.

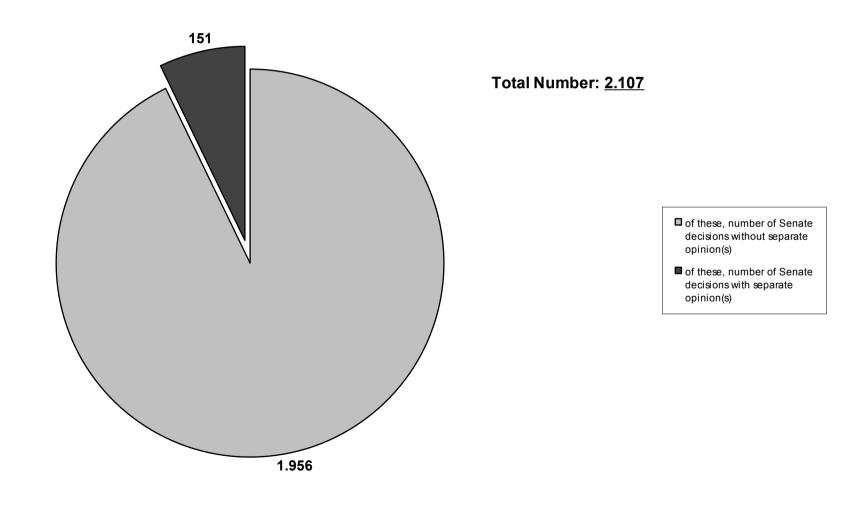
Type of Proceedings	File no.	Until 2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Forfeiture of fundamental rights (Art. 18 GG)	BvA	1	1	1	1	-	-	-	1	-	-	-	1
Rulings on the unconstitutionality of political parties (Art. 21 sec. 2 GG)	BvB	3	-	ı	ı	-	-	-	-	ı	-	-	3
Complaints in proceedings involving the scrutiny of elections (Art. 41 sec. 2 GG)	BvC	24	2	ı	ı	-	-	1	3	2	2	-	34
Impeachment of the Federal President (Art. 61 GG)	BvD	-	ı	ı	ı	-	-	ı	ı	ı	ı	-	-
Constitutional disputes between federal bodies (Art. 93 sec. 1 no. 1 GG)	BvE	60	1	2	ı	3	1	1	2	1	1	1	73
Review of statutes upon application by a constitutional body (Art. 93 sec. 1 no. 2 GG)	BvF	52	ı	1	ı	-	-	ı	ı	1	1	-	55
Constitutional disputes betwen the Federation and the Länder (Art. 93 sec. 1 no. 3 and Art. 84 sec. 4 sent. 2 GG)	BvG	14	ı	ı	2	-	ı	1	ı	1	ı	1	18
Disputes involving public law (Art. 93 sec. 1 no. 4 GG)	BvH	36	ı	ı	ı	-	-	ı	ı	ı	ı	-	36
Impeachment of judges (Art. 98 sec. 2 and sec. 5 GG)	BvJ	-	1	ı	ı	-	-	ı	1	ı	1	-	-
Constitutional disputes within a <i>Land</i> decided by virtue of their assignment by <i>Land</i> law (Art. 99 GG)	BvK	5	-	-	1	-	-	1	-	1	-	1	5
Review of statutes upon judicial referral (Art. 100 sec. 1 GG)	BvL	2.029	6	14	54	10	20	15	21	13	11	9	2.202
Status of a provision of public international law as part of federal law (Art. 100 sec. 2 GG)	BvM	8	-	-	-	7	-	-	-	-	-	-	15
Interpretation of the Basic Law upon application of a <i>Land</i> constitutional court (Art. 100 sec. 3 GG)	BvN	3	-	-	1	-	-	-	-	ı	-	-	3
Disagreements concerning the continued applicability of law as federal law (Art. 126 GG)	BvO	132	-	-	-	-	-	-	-	-	-	-	132

Proceedings Terminated in Other Ways (Continued)

Type of Proceedings	File no.	Until 2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Proceedings in other cases referred to the Federal Constitutional Court by federal law (Art. 93 sec. 3 GG) - from 1971 onwards -	BvP	1	-	-	-	-	-	-	-	-	-	-	1
Temporary injunctions (§ 32 BVerfGG) and - until 1970 - other proceedings	BvQ	406	11	16	9	22	7	16	17	14	12	12	542
Constitutional complaints (Art. 93 sec. 1 nos. 4a and 4b GG)	BvR	16.517	228	209	203	256	349	254	247	301	278	382	19.224
 Examination of which Senate has jurisdiction now: administrative file no. 1004/4 E - Grant of legal aid - now: BvR - Plenary decisions (§ 16 BVerfGG) - now: PBvU - until 1960 - 	BvT*	13	1	-	-	-	-	-	-	-	-	-	13
Disagreements on whether a law complies with the requirements of Art. 72 sec. 2 and Art. 93 sec. 1 no. 2a GG - from 1998 onwards -	BvW	-	-	-	-	-	-	-	-	-	-	-	-
Referrals by the Federal Court of Justice pursuant to § 36 sec. 2 of the Law Governing the Legal Framework for Committees of Inquiry - from 2001 onwards -	BvX	-	-	-	-	-	-	-	-	-	-	-	-
Applications pursuant to Art. 93 sec. 2 GG - from 2006 onwards -	BvY	-	-	-	-	-	-	-	-	-	-	-	-
Retirement of a justice of the Federal Constitutional Court due to disability for service or for other reasons (§ 105 BVerfGG)	PBvS	-	-	-	-	-	-	-	-	-	-	-	-
Plenary decisions (§ 16 BVerfGG)	BvU / PBvU	-	-	-	-	-	-	-	-	-	-	-	-
Legal opinions issued by the Plenary (§ 97 BVerfGG) - until 1952 -	PBvV	-	-	-	-	-	-	-	-	-	-	-	-
Sum of all Proceedings Terminated:		19.304	248	242	268	298	377	288	290	333	305	404	22.357

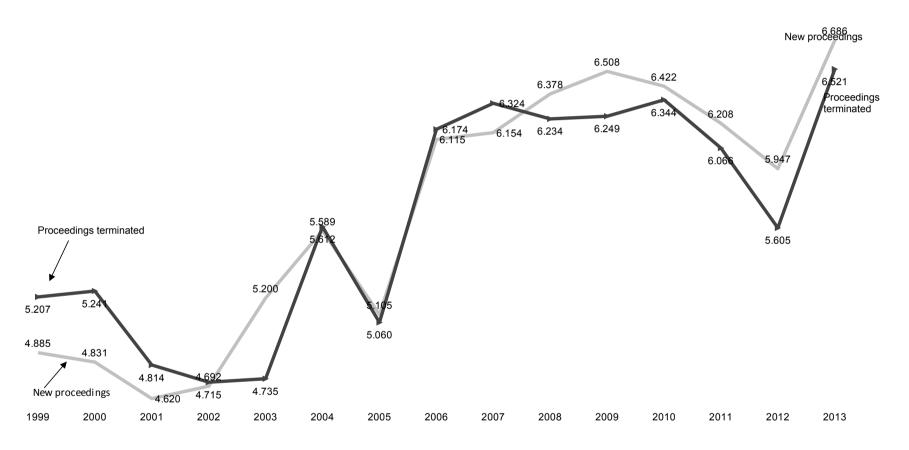
^{*} former types of proceedings which were conducted until 1960

Senate Decisions With/Without Separate Opinion(s) in the Official Collection of Decisions (BVerfGE) - Volumes 30 to 132 (1971 bis 2013)



Senate Decisions With/Without Separate Opinion(s) in the Official Collection of Decisions (BVerfGE) - Volumes 30 to 132 (1971 bis 2013)

New Proceedings and Proceedings Terminated * Since 1999



^{*} Proceedings terminated (decisions and proceedings terminated in other ways), proceedings brought in former years and proceedings brought in the respective year

Total Number of New Proceedings

Brought in the Last Five Judicial Years

	2009	2010	2011	2012	2013
<u>First Senate</u>					
Constitutional complaints (BvR)	3.247	3.270	3.217	2.814	3.636
Concrete judicial review (BvL)	20	14	23	22	10
Abstract judicial review (BvF)	1		4		2
Temporary injunctions (BvQ)	53	47	44	28	62
Plenary matters (PBvU)					
	3.321	3.331	3.288	2.864	3.710
Second Senate					
<u> </u>					
Constitutional complaints (BvR)	3.061	2.981	2.819	3.004	2.841
Concrete judicial review (BvL)	27	5	12	6	8
Abstract judicial review (BvF)	1		3	3	1
Temporary injunctions (BvQ)	95	85	59	56	99
Unconstitutionality of political parties (BvB)					1
Scrutiny of elections and of the status of a member of the <i>Bundestag</i> (BvC)	1	16	17		12
Organstreit proceedings (BvE)	2	3	9	14	14
Disputes between the Federation and the Laender (BvG)		1			
Disputes involving public law (BvH)					
Constitutional disputes within a <i>Land</i> (BvK)					
Review of public international law (BvM)					
Plenary matters (PBvU)			1		
	3.187	3.091	2.920	3.083	2.976
Total	6.508	6.422	6.208	5.947	6.686

Applications Forwarded to the Respondent and the Other Parties Pursuant to § 23 sec. 2 BVerfGG in the Last Five Judicial Years

	2009	2010	2011	2012	2013
First Senate					
	404	00	440		5 0
Constitutional complaints (BvR)	101	80	143	57	53
Concrete judicial review (BvL)	13	11	11	1	4
Abstract judicial review (BvF)			3		1
Temporary injunctions (BvQ)					
Plenary matters (PBvU)					
	114	91	157	58	58
Second Senate					
Constitutional complaints (BvR)	67	75	90	94	91
Concrete judicial review (BvL)	4	4	9		9
Abstract judicial review (BvF)	1		1	2	1
Temporary injunctions (BvQ)	3				
Unconstitutionality of political parties (BvB)					1
Scrutiny of elections and of the status of a member of the <i>Bundestag</i> (BvC)		4	3	1	12
Organstreit proceedings (BvE)	3	2	3	13	9
Disputes between the Federation and the Laender (BvG)		1			
Disputes involving public law (BvH)					
Constitutional disputes within a <i>Land</i> (BvK)					
Review of public international law (BvM)					
Plenary matters (PBvU)					
	78	86	106	110	123
Total	192	177	263	168	181

Oral Hearings and Pronouncements of Judgments

Since 1990

Year	Numl oral hearing	ber of s conducted	Numl judgments	per of	To num	tal nber	Total
	First Senate	Second Senate	First Second Senate		First Senate	Second Senate	
1990	1	4	1	3	2	7	9
1991	4	6	4	4	8	10	18
1992	2	4	4	3	6	7	13
1993	1	3		4	1	7	8
1994	1	2	1	1	2	3	5
1995	1	3	2	1	3	4	7
1996		2		3		5	5
1997	4	3	6	2	10	5	15
1998	5	2	3	3	8	5	13
1999	5	4	9	3	14	7	21
2000	6	6	5	4	11	10	21
2001	5	5	8	4	13	9	22
2002	6	8	5	6	11	14	25
2003	6	7	4	6	10	13	23
2004	1	5	6	7	7	12	19
2005	4	6	4	6	8	12	20
2006	3	5	2	5	5	10	15
2007	4	5	4	5	8	10	18
2008	2	5	4	5	6	10	16
2009	4	1	3	3	7	4	11
2010	2	2	3		5	2	7
2011		7	1	3	1	10	11
2012	4	3	2	6	6	9	15
2013	2	3	3	1	5	4	9

Caseload and Proceedings Terminated

Proceedings from the previous years pending on:

	1.1.2012	1.1.2013
First Senate	1.532	1.521
Second Senate	1.593	1.946
	3.125	3.467

New proceedings:

	2012	2013					
First Senate	2.864	3.710	of these,	3.636 CC, ¹ 12 JR, ²	62 TI, ³³		
Second Senate	3.083	2.976	of these,	2.841 CC, 9 JR,	99 TI,	14 CSM, ^⁴	13 other ⁵
	5.947	6.686	of these,	6.477 CC, 21 JR,	161 TI,	14 CSM,	13 other

Proceedings terminated:

	2012	2013	_			
First Senate	2.875	3.379	of these,	3.307 CC, 12 JR,	60 TI,	
Second Senate	2.730	3.142	of these,	3.062 CC, 7 JR,	57 TI,	3 CSM, 13 other
	5.605	6.521	of these.	6.369 CC. 19 JR.	117 TI.	3 CSM. 13 other

Proceedings pending on:

	31.12.2012	31.12.2013				
First Senate	1.521	1.852	of these,	1.810 CC, 39 JR,	3 TI,	
Second Senate	1.946	1.780	of these,	1.669 CC, 34 JR,	45 TI, 31 CSM,	1 other
	3.467	3.632	of these,	3.479 CC, 73 JR,	48 TI, 31 CSM,	1 other

¹ Constitutional complaints

² Abstract and concrete judicial review proceedings (Art. 93 sec. 1 no. 2, Art. 100 sec. 1 GG)
3 Temporary injunctions (proceedings in their own right)
4 Organstreit proceedings (disputes between supreme federal bodies)
5 Unconstitutionality of political parties, complaints in proceedings involving the scrutiny of elections

Proceedings Terminated

_					5 Terrimiateu				
	2	012	2013						
I.	Decisions passed by th	ne <u>Ple</u>	nary						
	First Senate								
	Second Senate	1							
II.	Decisions passed by a	<u>Senat</u>	<u>te</u>						
	1. Decisions in the princ	cipal p	roceedin	gs					
	First Senate	13	I 10	of these,	6CC, 4JR,TI,				
	Second Senate	28	23		6 CC, 1 JR, 1 TI, 2 CSM, 13 other				
	O lustovius/impidovstol do								
	2. Interim/incidental dec First Senate	isions 12	l 9	of these,	temporary injunction				
	i iist Senate	12]	or triese,	temporary injunction exclusion of a justice by virtue of law				
					disqualification of a justice				
					9 other				
	Second Senate	26	18	of these,	2 temporary injunctions				
					 exclusion of a justice by virtue of law disqualifications of a justice				
					16 other				
.	Decisions passed by a	Cham	hor						
'''	1. Decisions in the princ			as					
	a) Constitutional com	-		_	unctions:				
		-			an application for a temporary injunction				
	•	.625		of these,	173 reasoned				
					956 with reasoning in the operative provisions				
	1.958 not reasoned (63%)								
	Second Senate 2.	.533	2.920	of these,	72 reasoned 105 with reasoning in the operative provisions				
					2.743 not reasoned (94%)				
	bb) Grant of the rel	lief sou	ught						
	First Senate	51	33						
	Second Senate	39	39						
	b) Proceedings involv First Senate	_		udicial rev	iew (inadmissible referral):				
	Second Senate	8 2	2 3						
	2. Interim/incidental dec	cisions	•						
	First Senate	47	67	of these,	25 temporary injunctions				
					 exclusion of a justice by virtue of law disqualification of a justice				
					42 other				
	Second Senate	48	47	of these,	25 temporary injunctions				
					exclusion of a justice by virtue of law				
					disqualification of a justice 22 other				
IV.	. Proceedings terminate	d in of	' ther wav	s					
'	1. Withdrawals	u o							
	First Senate	20	26						
	Second Senate	38	23						
	2. Transfers to the other	r Sena	te						
	First Senate Second Senate	24 26	6 60						
	3. Proceedings consolid		'	r nroceedii	nas etc				
	First Senate	134	215	. proceedii	ngo, o.o.				
	Second Senate	63	74						
1									

Constitutional Complaint Proceedings

(Including Proceedings Consolidated With Others For Joint Adjudication)

Terminated in the Last Five Judicial Years

	2009	2010	2011	2012	2013
New proceedings	6.308	6.251	6.036	5.818	6.477
Proceedings terminated					
1. by a <u>Chamber:</u>					
Non-admission	5.783	5.910	5.641	5.173	6.142
Grant of relief sought	104	88	77	143	75
2. by a <u>Senate:</u>					
Non-admission					
Rejection	17	8	10	6	5
Grant of relief sought	7	15	16	5	16
3. by withdrawal:	84	52	74	54	46
4. in other ways/transfers					
to the other Senate:	56	85	96	81	85

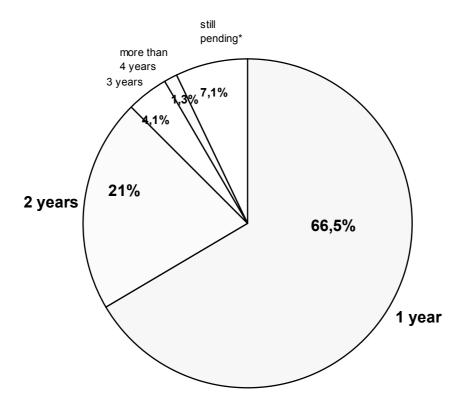
Share of the Constitutional Complaints Granted of the Constitutional Complaints Decided per Year

Since 1987 *

Year	Proceedings decided on their own or consolidated with others	Among these, successful proceedings	Share in %		
1987	2.638	94	3,56%		
1988	2.975	84	2,82%		
1989	3.204	87	2,72%		
1990	3.715	635	17,09%		
1991	3.452	246	7,13%		
1992	3.782	210	5,55%		
1993	4.927	270	5,48%		
1994	4.901	161	3,29%		
1995	4.743	139	2,93%		
1996	4.853	109	2,25%		
1997	4.663	45	0,97%		
1998	4.615	99	2,15%		
1999	4.872	103	2,11%		
2000	4.884	76	1,56%		
2001	4.575	89	1,95%		
2002	4.452	100	2,25%		
2003	4.499	81	1,80%		
2004	5.343	117	2,19%		
2005	4.808	133	2,77%		
2006	5.876	136	2,31%		
2007	6.037	148	2,45%		
2008	5.852	111	1,90%		
2009	5.911	111	1,88%		
2010	6.021	103	1,71%		
2011	5.744	93	1,62%		
2012	5.327	148	2,78%		
2013	6.238	91	1,46%		

^{*} It is not possible to provide valid figures for the period before 1987 because no separate survey of decisions which terminated several proceedings (consolidated proceedings) was carried out.

Average Length of Proceedings of <u>Constitutional Complaints</u> Lodged in the Years 2006 to 2013



*from the years 2007 to 2013

Constitutional Complaints <u>Lodged Against Judicial Decisions</u> Since 1991

	1991 t	1991 to 2008		2009		2010		2011		2012		113	
Type of Jurisdiction	First Senate	Second Senate	Total										
a) Civil courts (incl. non-contentious jurisdiction)	26.614	6.654	1.744	843	1.693	831	1.654	771	1.319	874	1.747	605	45.349
b) Criminal courts	621	21.246	72	1.558	53	1.534	59	1.412	54	1.507	78	1.633	29.827
Administrative courts a) general administrative proceedings	7.408	4.225	401	292	563	277	439	280	405	232	466	222	15.210
b) asylum proceedings		8.372		55		69		72		54		67	8.689
Social courts	4.084	20	463	1	440	5	516	1	521	4	591	2	6.648
Labour courts	2.238	58	103	2	115	1	102		127	1	120	2	2.869
Finance courts	1.004	1.553	110	70	95	62	105	74	55	72	106	62	3.368
Patent courts	40	2	3	1	1	1	-		4	1	3		54
Disciplinary courts/	445	67	23	4	28	4	14	3	8	8	21	1	626
disciplinary courts for the professions													
Federal Court of Justice in laywer and notary matters	451	1	18	1	27		28	1	21		16		564
Land constitutional courts	262	114	6	12	28	6	16	6	22	21	28	10	531
Total	43.167	42.312	2.943	2.839	3.043	2.789	2.933	2.620	2.536	2.773	3.176	2.604	113.735

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Judicial Decisions Reversed^{1,2,3}

Since 1991⁴

1991 to 2008 20		2009 2010		10	2011		2012		2013			
First Senate	Second Senate	Total										
Ochate	Condic	Coriate	Ochate	Coriate	Coriate	Ochate	Ochate	Ochate	Coriate	Coriate	Coriate	
1.024	1.275	68	63	55	37	52	38	102	56	38	53	2.861
	(501)		(4)		()		(1)		(1)		(1)	(508)

¹ if several judicial decisions from successive stages of appeal in a given type of jurisdiction were reversed in a single set of proceedings, only the last stage of appeal was counted

² if several judicial decisions from successive stages of appeal in various types of jurisdiction were reversed in a single set of proceedings, only the last stage of appeal was counted in each type of jurisdiction

³ if after consolidating several proceedings, the same judicial decision challenged was reversed, it was only counted once

⁴ also in proceedings brought in previous years

^{() =} of these, asylum proceedings

Constitutional Complaints Lodged Against Decisions by Federal Courts

Since 1991¹

	1991 to 2008		2009		2010		2011		2012		2013		
	First Senate	Second Senate	Total										
Federal Court of Justice	3.724	2.818	257	283	255	278	276	221	206	290	326	276	9.210
Federal Administrative Court	1.609	1.082	82	44	96	30	103	45	93	51	117	22	3.374
Federal Social Court	2.925	14	217		230	2	219		248		278	1	4.134
Federal Labour Court	1.501	24	91	1	114	2	73	1	85	1	74	3	1.970
Federal Finance Court	894	1.240	122	79	88	68	89	65	43	71	101	75	2.935
Total	10.653	5.178	769	407	783	380	760	332	675	413	896	377	21.623

¹ if several decisions of the respective federal court were challenged in a single set of proceedings, they were counted as separate decisions

Decisions by Federal Courts Reversed

Since 1991²

	1991 to 2008		2009		2010		2011		2012		2013		
	First Senate	Second Senate	Total										
Federal Court of Justice	76	35	1		2	2	5	4	20	3		1	149
Federal Administrative Court	32	84	1		1		1	1		2		1	123
Federal Social Court	30				1		1						32
Federal Labour Court	15	1			1		1		10				28
Federal Finance Court	2	21	1		3	4	1					1	33
Total	155	141	3		8	6	9	5	30	5		3	365

² also in proceedings brought in previous years

<u>Constitutional Complaints</u> Lodged Against Judicial Decisions / Statutes (Legal Provisions) / Sovereign Acts of Federal / *Land* (state) and European Union Authorities in the Judicial Year 2013

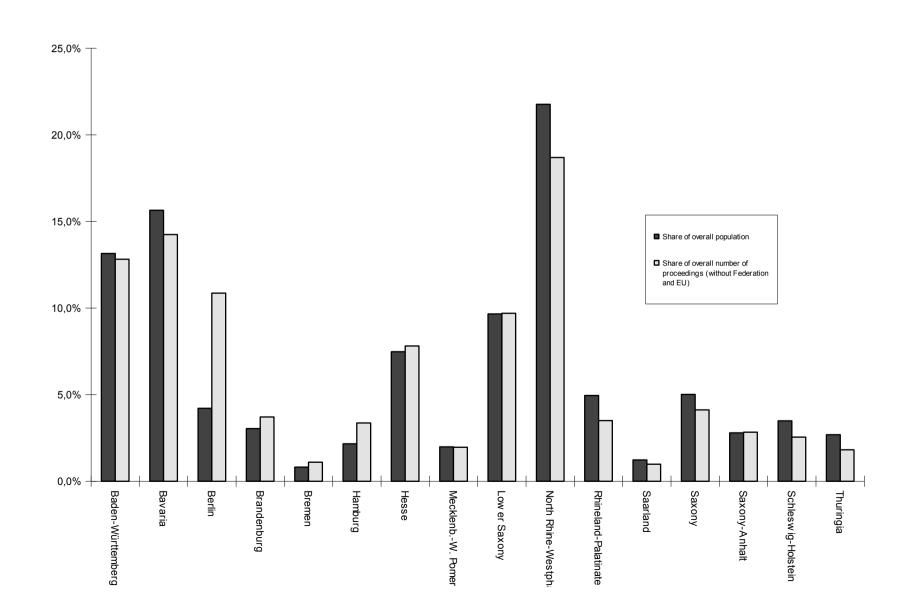
Federation/Laender (states)			icial sions		utes/ ovisions	federal / Europea	n acts of Land and an Union prities	<u>Total</u> (Share of overall number of
Inhabitants (million)	Share of overall population	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	proceedings; without Federation and EU)
Baden-V	Vürttemberg	316	285	5	2	15	6	629
10,6	13,1%			2*	2*			12,8%
Ва	avaria	314	366	2	1	14	2	699
12,6	15,6%			*	*			14,2%
В	Berlin	296	220	2		10	5	533
3,4	4,2%			2*	1*			10,9%
Bran	denburg	81	94	2		5		182
2,4	3,0%			1*	3*			3,7%
Br	remen	22	27			1	1	51
0,7	0,8%			*	*			1,1%
На	mburg	74	87			4		165
1,7	2,2%			*	*			3,4%
He	essen	202	172	2		6	1	383
6,0	7,5%			*	2*			7,8%
Mecklenb	·W. Pomerania	47	46	1		1	1	96
1,6	2,0%			1*	*			2,0%
Lowe	r Saxony	228	247			1		476
7,8	9,7%			1*	1*			9,7%
North Rhin	ne-Westphalia	492	405	11	1	3	5	917
17,5	21,8%			1*	1*			18,7%
Rhinelan	nd-Palatinate	92	76			2	2	172
4,0	4,9%			*	*			3,5%
Sa	arland	27	19	2				48
1,0	1,2%			*	*			1,0%
Sa	axony	110	88	2		1	1	202
4,0	5,0%			2*	*			4,1%
Saxor	ny-Anhalt	70	69					139
2,3	2,8%			*	*			2,8%
Schlesw	vig-Holstein	71	53			1		125
2,8	3,5%			*	*			2,5%
Thu	uringia	53	36					89
2,2	2,7%			1*	1*			1,8%
Sum	<u>Laender</u>	2.495	2.290	29 11*	4 11*	64	24	4.906
Fede	eration	681	314	141	25	26	14	1.201
80,6 mio inhabit.		551	V 17	123*	75*		1-7	1.201
	EU				4		1	5
Sun	n T <u>otal</u>	3.176	2.604	170 134*	33 86*	90	39	6.112

^{*} indirect subject-matter of the challenge

Constitutional Complaints

Lodged Against

Judicial Decisions / Statutes (Legal Provisions) / Sovereign Acts of Land (State) Authorities in the Judicial Year 2013



Constitutional Complaints
Lodged Against
Judicial Decisions / Statutes (Legal Provisions) / Sovereign Acts of Land (State) Authorities in the Judicial Year 2013

ania alia

Concrete Judicial Review Proceedings

(Art. 100 sec. 1 GG)

Since 1980

Year	First Senate	Second Senate	Total		
1980	59	22	81		
1981	55	31	86		
1982	33	24	57		
1983	55	20	75		
1984	29	27	56		
1985	26	11	37		
1986	85	15	100		
1987	60	14	74		
1988	35	13	48		
1989	20	10	30		
1990	22	9	31		
1991	21	78 ¹	99		
1992	52	85 ²	137		
1993	26	64 ³	90		
1994	35	20	55		
1995	40	14	54		
1996	29	14	43		
1997	33	12	45		
1998	22	16	38		
1999	22	18	40		
2000	17	9	26		
2001	15	12	27		
2002	17	19	36		
2003	9	6	15		
2004	12	13	25		
2005	12	14	26		
2006	13	61	74		
2007	14	13	27		
2008	11	22	33		
2009	20	27	47		
2010	14	5	19		
2011	23	12	35		
2012	22	6	28		
2013	10	8	18		

of these, parallel proceedings:

¹ a) Schöneberg Local Court (Amtsgericht): 10

b) Judicial Service Court of Saxony (Sächsisches Richterdienstgericht): 51

² a) Schöneberg Local Court: 18

b) Judicial Service Court of Saxony: 35

³ Schöneberg Local Court: 35

<u>Jurisdictions Referring</u> the Concrete Judicial Review Proceedings (Art. 100 sec. 1 GG) Since 1991

	1991 to 2008		2009		2010		2011		2012		2013		
Referring Jurisdiction	First Senate	Second Senate	Total										
Civil courts	130	93	2		4		9	1	7	1	4	1	252
Criminal courts	7	140	5	2				2	3		1		160
Administrative courts	50	110	9	19	3	3	2	2	3	4	5	2	212
Social courts	156	6	4		5		4	1	6	1	-		181
Labour courts	32	2	-		1		1	-	1	1			36
Finance courts	23	49		5	1	2	6	5	3	1		5	100
Other courts	2	90		1			1	2					96
Total	400	490	20	27	14	5	23	12	22	6	10	8	1.037

Statutes Objected to by the Federal Constitutional Court as Being Unconstitutional in the period between 1951 and 31 December 2013

(Void, Incompatible with the Constitution and Void, Only Incompatible - Without Declaration of Nullity)

Period		Law/Ordinance entirely or in part		Provision* entirely in part		Total	First Senate	Second Senate
1051 to 1001	Federation	23	15	89	164	291	188	103
1951 to 1991	Laender	12	1	52	63	128	53	75
1992 to 2007**	Federation	6	2	65	67	140	90	50
1992 10 2007	Laender	6	1	26	7	40	25	15
2008	Federation	-	-	-	8	8	2	6
2006	Laender	-	-	1	6	7	5	2
2009**	Federation	-	2	3	1	6	1	5
2009	Laender	-	-	3	-	3	2	1
2010	Federation	-	-	1	10	11	5	6
2010	Laender	-	-	-	2	2	2	-
2011	Federation	-	-	1	4	5	2	3
2011	Laender	-	-	-	3	3	1	2
2012	Federation	-	-	7	4	11	6	5
2012	Laender	-	-	1	3	4	2	2
2013	Federation	-	-	1	3	4	2	2
2013	Laender	-	-	4	1	5	4	1
Total	Federation	29	19	167	261	476	296	180
Total	Laender	18	2	87	85	192	94	98

 $^{^{\}star}$ if a decision affected several provisions of a law (or ordinance), it was only counted once

** corrected

Geprüfte Rechtsvorschriften in Normenkontroll- und Verfassungsbeschwerdeverfahren (Geschäftsjahr 2013)

				Number ¹ of			
Provision	Ser	nate	Proceedings/File no.	provisions	Com-	Incom-	Void
(field of law)	ı	ш	Publication	reviewed	patible	patible	
Oldenburg State Bank Act (OL-StaatsbankG) § 21 sentence 2 of 22 September 1933 - Law and Ordinance Gazette (GVBI für den Freistaat Oldenburg - Landesteil Oldenburg -) Vol. 48 No. 144; § 16 of the Oldenburg Land Savings Bank Act (OL-LspkG) of 3 July 1933 - GVBI für den Freistaat Oldenburg - Landesteil Oldenburg - Vol. 48 No. 115 - (rights of banks established under public law to issue their own executory titles)	x		1 BvL 8/11 1 BvL 22/11 BVerfGE 132, 372	2		Х	
Act Against Restriction of Competition (GWB) § 81 sec. 6 in the version of the Act to Counteract Pricing Abuses in the Area of Energy Supply and Food Trade of 18 December 2007, Federal Law Gazette (BGBI) I p. 2966 (obligation to charge interest for fines imposed on cartels)	х		1 BvL18/11	1	Х		
Civil Partnership Act (LPartG) § 9 sec. 7 in the version of 16 February 2001 - BGBI I p. 266 - (non-admission of successive adoption by registered civil partners)	x		1 BvL 1/11 1 BvR 3247/09	1		X²	
Saxony Act on Assistance and Committal in Cases of Mental Illness (SächsPsychKG) § 22 sec. 1 sentence 1 of 10 October 2007 - Law and Ordinance Gazette of Saxony (SächsGVBI) p. 422 - (compulsory medical treatment in forensic psychiatric hospitals)		X	2 BvR 228/12	1		X	Х
Bavarian Municipal Charges Act (BayKAG) Art. 13 sec.1 no. 4 letter b double letter cc indent 2 in the version of the Act Amending the Municipal Charges Act of 28 December 1992 - GVBI p. 775- (assessment of charges to compensate a benefit)	x		1 BvR 2457/08	1		х	
Aviation Security Act (LuftSiG) § 13 sec. 3 sentence 2 and 3, §§ 13 to 15, § 16 sec. 2 and 3 sentence 2 and 3 in the version of the Act on the Reorganisation of Aviation Security Task of 11 January 2005 - BGBI. I p. 78 - (provisions of the Aviation Security Act concerning the deployment of the armed forces in an especially grave accident)		x	2 BvF 1/05	1	Х	×	х
Counter-Terrorism Database Act (ATDG) § 1 sec. 2 and § 2 sentence 1 no. 3; § 2 sentence 1 no. 1 letter b and § 2 sentence 1 no. 2; § 5 sec. 1 sentence 2 no. 1a; § no. 1a; § 3 sec. 1 sentence 1 no. 1 letter b and § 10 sec. 1; § 2 sentence 1 no. 2 and § 10 sec. 1; § 2 sentence 1 no. 1 to 3, § 3 sec. 1 no. 1, § 5 sec. 1 and 2 and § 6 sec. 1 and 2 of 22 December 12 2006 - BGBI I p. 3409 - (setting up of a standardised central counter-terrorism database)	x		1 BvR 1215/07	1		X²	
Income Tax Act (EStG) §§ 26, 26b in the version of the revision promulgated on 16 April 1997 - BGBI I p. 821 -; § 32a sec. 5 in the version of the Tax Reduction Act of 23 October 2000 - BGBI I p. 1433 -; subsequent versions of §§ 26, 26b, § 32a sec. 5 since the entry into effect of the Civil Partnership Act of 16 February 2001 - BGBI I p. 266 - (exclusion of registered civil partnerships from income splitting for spouses)		×	2 BvR 909/06 2 BvR 1981/06 2 BvR 288/07	1		X²	

Legal Provisions Reviewed in Judicial Review Proceedings and in Constitutional Complaint Proceedings (Judicial Year 2013)

Provision (field of law)	Sena I	ate II	Proceedings/File no. Publication	Number¹ of provisions reviewed	Com- patible	Incom- patible	Void
Bremen Act on Study Accounts (BremStKG) § 6 sentence 1 in conjunction with § 3 sec. 1 and § 2 sec. 1 of 18 October 2005 - Bremen Law Gazette (BremGBI) p. 550 - ("in-state-residents" provision in former Bremen Act on Study Accounts)	Х		1 BvL 1/08	1		X²	Х
Therapeutic Confinement Act (ThUG) § 1 sec. 1 in the version of the Act to Reform the Law on Preventive Detention and on the Accompanying Provisions of 22 December 2010 - BGBI I p. 2300 - (confinement according to the Therapeutic Confinement Act)		X	2 BvR 2302/11 2 BvR 1279/12	1	Х		
Total	6	4		11	3	4 4 ²	3

¹ if a decision concerned several provisions of a law or ordinance, it was only counted once

² partial incompatibility

Abuse Fees Imposed

Since 1962

	First	Senate	Secon	d Senate	Т	otal
Year	Sum	Number of abuse fees imposed	Sum	Number of abuse fees imposed	Sum	Number of abuse fees imposed
		1962 to 200	01 in German	marks (DM)		
1962	3.510	34	7.040	87	10.550	121
1963	3.610	34	4.580	39	8.190	73
1964	2.965	32	4.400	20	7.365	52
1965	6.230	53	2.000	14	8.230	67
1966	5.720	35	300	3	6.020	38
1967	2.320	19	600	8	2.920	27
1968	2.480	13	3.200	36	5.680	49
1969	3.600	29	2.050	17	5.650	46
1970	6.200	29	4.530	32	10.730	61
1971	780	5	7.340	36	8.120	41
1972	570	7	5.110	30	5.680	37
1973	1.790	12	6.800	31	8.590	43
1974	2.020	15	7.190	29	9.210	44
1975	3.100	15	10.330	43	13.430	58
1976	3.350	19	9.200	32	12.550	51
1977	4.600	28	17.770	64	22.370	92
1978	5.730	34	27.310	115	33.040	149
1979	3.650	22	15.900	69	19.550	91
1980	28.550	114	31.450	216	60.000	330
1981	46.200	121	18.450	73	64.650	194
1982	23.500	59	18.880	97	42.380	156
1983	10.800	33	8.120	98	18.920	131
1984	12.200	22	26.250	119	38.450	141
1985	5.550	12	21.180	82	26.730	94
1986	21.100	24	20.470	41	41.570	65
1987	12.200	6	20.750	34	32.950	40
1988	18.900	10	19.400	21	38.300	31
1989	54.740	24	7.750	10	62.490	34
1990	3.000	2	8.550	12	11.550	14
1991	6.700	4	5.900	7	12.600	11
1992	2.500	1	12.530	11	15.030	12
1993			19.310	13	19.310	13
1994	4.000	2	26.100	31	30.100	33
1995	3.800	3	15.200	18	19.000	21
1996	8.700	11	18.200	20	26.900	31
1997	200	1	14.000	20	14.200	21
1998	4.500	5	10.100	12	14.600	17
1999	5.750	5	46.700	61	52.450	66
2000	3.000	3	27.000	28	30.000	31
2001	9.300	5	7.500	16	16.800	21
Total DM	347.415	902	539.440	1.745	886.855	2.647
=€	177.630		275.811		453.441	

	First	Senate	Secon	d Senate	Т	otal
Year	Sum	Number of abuse fees imposed	Sum	Number of abuse fees imposed	Sum	Number of abuse fees imposed
		Fre	om 2002 in eu	ıros		
Carry-over	177.630	902	275.811	1.745	453.441	2.647
2002	2.500	8	5.950	18	8.450	26
2003	1.650	6	2.400	10	4.050	16
2004	2.970	7	4.400	10	7.370	17
2005	3.500	7	2.950	6	6.450	13
2006	8.000	8	9.490	23	17.490	31
2007	700	2	7.175	13	7.875	15
2008	2.000	3	9.400	9	11.400	12
2009	3.700	7	13.300	30	17.000	37
2010	5.700	13	9.350	22	15.050	35
2011	17.450	45	17.360	26	34.810	71
2012	16.100	38	13.850	16	29.950	54
2013	12.380	28	1.700	3	14.080	31
Total	254.280	1.074	373.136	1.931	627.416	3.005

Abuse Fees Imposed Pursuant to § 34 sec. 2 BVerfGG

New proceedings

Constitutional complaints:		2012	2013
	First Senate	2.814	3.636
	Second Senate	3.004	2.841
	Total	5.818	6.477

			hare of the total of nal complaints	Total ar €	nount in €	Smal amour			hest nt in €
		2012	2013	2012	2013	2012	2013	2012	2013
First Senate	Constitutional complaints	38 (1,35%)	28 (0,77%)	16.100	12.380	50	30	1.500	2.500
Second Senate	Constitutional complaints	16 (0,53%)	3 (0,11%)	13.850	1.700	100	200	2.500	1.000
Total		54 (0,93%)	31 (0,48%)	29.950	14.080				_

Amounts Broken Down

:	2012	2	013
First Senate	Second Senate	First Senate	Second Senate
1 x 50€	1 x 100€	1 x 30€	1 x 200€
4 x 100€	1 x 200€	10 x 200€	1 x 500€
1 x 150€	4 x 500€	1 x 250€	1 x 1.000€
6 x 200€	3 x 750€	2 x 300€	
7 x 300€	1 x 800€	5 x 400€	
4 x 400€	3 x 1.000€	5 x 500€	
9 x 500€	2 x 1.500€	1 x 700€	
2 x 800€	1 x 2.500€	1 x 800€	
3 x 1.000€		1 x 1.000€	
1 x 1.500€		1 x 2.500€	

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Formal Complaints Against a Procedural Delay (Verzögerungsbeschwerden) Lodged Pursuant to § 97a et seq. BVerfGG

	Complaints	New					Complair	ts terminated						Complaints still
	pending from the previous years	complaints 2013	Complaints dismissed as inadmissible	Thereby decided as well	Complaints rejected as unfounded	Grant of relief sought, without compensation	Thereby decided as well	Grant of relief sought, with compensation	Thereby decided as well	Amount of compensation	Withdrawal	Other	Total	pending on 31 December 2013
First Senate	2	5	6										6	1
Second Senate		4	4										4	
Total	2	9	10			 							10	1

B. Overview

of the Matters Dealt With by the First Senate

in the Judicial Year 2013

General Overview

	previo pendir	ings from us years ng on 31 ber 2012	New pr	oceedings 012	Т	otal	Term	inated	Still pending
Abstract judicial review proceedings - BvF -	4	(5)	2*	()	6	(5)	1	(1)	6
Concrete judicial review proceedings - BvL -	35	(33)	10	(22)	45	(55)	12	(20)	33
Motions for a temporary injunction - BvQ -	1	(1)	62*	(28*)	63	(29)	60	(28)	3
Constitutional complaints - BvR -	1.481	(1.493)	3.636*	(2.814*)	5.117	(4.307)	3.307	(2.826)	1.810
	1.521	(1.532)	3.710	(2.864)	5.231	(4.396)	3.379	(2.875)	1.852

BvF 1 (--) BvQ 23 (13) BvR 1.865 (1.431)

()= figures from the previous year

^{*} of these, transfers from the General Register (§ 61 sec. 2 and sec. 3 of the Federal Constitutional Court's Rules of Procedure - GOBVerfG):

New Proceedings

1. Concrete judicial review proceedings:

a)	from the	coı	ırts of ord	inary juris	sdict	ion							
	Local Courts:	3	(5)	Regional Courts:	1	(1)	Higher Regional Courts:		Federal Court of Justice:	1 (2)	=	5	(10)
b)	from the	adr	ninistrativ	e courts									
	Admin. Courts:	1		Higher Admin. Courts:	4		Federal Admin. Court:	 ()			=	5	(3)
c)	from the	soc	ial courts										
	Social Courts:			Higher Social Courts:			Federal Social Court:	 (1)			=		(6)
d)	from the	lab	our courts	S									
	Labour Courts:			Higher Labour Courts:			Federal Labour Court:	 ()			=		()
e)	from the	fina	ance court	ts									

f) from the disciplinary courts and the disciplinary courts for the professions = -- (--)

Federal -- (1)

Finance

Court:

= 10 (22)

(3)

() = figures from the previous year

Finance -- (2)

Courts:

2. Constitutional complaints lodged against

2.1.	decisions by the			2012	2013
	a) courts of ordinary jurisdiction			1.373	1.825
	of these,	2012	2013		
	1. decisions in civil matters (including matters of non-contentious jurisdiction)	1.319	1.747		
	2. decisions in criminal matters	54	78		
	b) administrative courts			405	466
	c) social courts			521	591
	d) labour courts			127	120
	e) finance courts			55	106
	f) patent courts			4	3
	g) lawyers' disciplinary courts			8	21
	h) disciplinary courts, disciplinary courts for the profession	S		21	16
	i) Federal Court of Justice in lawyer and notary matters			22	28
2.2.	a) laws and ordinances (directly)			88	170
	b) legislative omission			2	5
2.3.	other sovereign acts by:				
	a) European authorities				
	b) supreme federal authorities			38	26
	c) Land authorities			42	64
	d) local government authorities			12	9
2.4.	other general matters of challenge			96	186
				<u>2.814</u>	<u>3.636</u>
	of these: with counsel without counsel			1.192 1.622	1.508 2.128

Proceedings Terminated

1. Final Decisions

aa) judgment				
	3	(2)		
decided jointly in consolidated proceedings* 2 (2)				
bb) order	7	(11)		
of these, pursuant to § 24 BVerfGG () p. to § 93b sent. 2 BVerfGG ()				
decided jointly in consolidated proceedings* 2 (4)				
			10	(13)
b) <u>Chambers:</u>				
aa) order pursuant to § 81a BVerfGG	2	(8)		
decided jointly in consolidated proceedings* ()				
bb) non-admission/denial of temporary injunction	3.087	(2.625)		
decided jointly in consolidated proceedings* 193 (60)				
cc) grant of relief sought	33	(51)		
decided jointly in consolidated proceedings* 4 (51)				
			3.122	(2.684)
2. Proceedings Terminated in Other Ways:				
•				
*a) decided jointly in consolidated proceedings (see above)	201	(117)		
*a) decided jointly in consolidated proceedings (see above) b) withdrawal of constitutional complaints		(117) (20)		
	25	, ,		
b) withdrawal of constitutional complaints	25	(20)		
b) withdrawal of constitutional complaints c) transfer to the Second Senate	25 6	(20)		
b) withdrawal of constitutional complaints c) transfer to the Second Senate d) reversal of submission orders	25 6	(20) (24)		
b) withdrawal of constitutional complaints c) transfer to the Second Senate d) reversal of submission orders by the submitting court e) withdrawal of an application f) proceedings having lost their subject-matter	25 6 4	(20) (24) () ()		
b) withdrawal of constitutional complaints c) transfer to the Second Senate d) reversal of submission orders by the submitting court e) withdrawal of an application	25 6 4	(20) (24) () ()		
b) withdrawal of constitutional complaints c) transfer to the Second Senate d) reversal of submission orders by the submitting court e) withdrawal of an application f) proceedings having lost their subject-matter (e.g. by the complainant's death, an amendment of the law, the complainant's	25 6 4	(20) (24) () ()		
b) withdrawal of constitutional complaints c) transfer to the Second Senate d) reversal of submission orders by the submitting court e) withdrawal of an application f) proceedings having lost their subject-matter (e.g. by the complainant's death, an amendment of the law, the complainant's being deprived of a cause of action, etc.)	25 6 4	(20) (24) () () (17)	247	(178)
b) withdrawal of constitutional complaints c) transfer to the Second Senate d) reversal of submission orders by the submitting court e) withdrawal of an application f) proceedings having lost their subject-matter (e.g. by the complainant's death, an amendment of the law, the complainant's being deprived of a cause of action, etc.) g) § 7 sec. 3 of the Records Ordinance	25 6 4	(20) (24) () () (17)		(178)

() = figures from the previous year

3.1. Interim / Incidental Decisions of the Senate and the Chambers Within Principal Proceedings

concerning	2012	20
a) a temporary injunction	28	2
issuance 4 (7) repetition 5 (6) rejection 16 (15) termination ()	20	
b) invocation of the jurisdiction of the Plenary		-
c) exclusion of a justice		-
d) disqualification of a justice (also self-disqualification)		-
e) grant of legal aid and assignment of counsel to the assisted part	ry 3	
f) setting of a date for the oral proceedings	5	
g) service by public notice		-
h) partial non-acceptance of a constitutional complaint for decisio (§ 25 sec. 3 of the Federal Constitutional Court Act - BVerfGG		-
i)reimbursement of expenses	8	
j) determination of the amount involved	9	3
k)remonstrance	1	
l)restitutio in integrum	2	
m) correction, amendment, completion, etc. of decisions	2	
n) amendment or cancellation of abuse fees		
o) legal remedies against orders of the judicial officer fixing lawyer's fees/other costs	1	
p) order regarding the execution of a decision (§ 35 BVerfGG)		-
q) other		-
	59	7
Fixing of costs/of remuneration by the judicial officer		
a) pursuant to § 34a sec. 2 and sec. 3 BVerfGG, § 104 of the Code of Civil Procedure (ZPO)	5	2
b) pursuant to § 19 of the Federal Fee Schedule for Lawyers (BRA § 11 of the Lawyers' Remuneration Act (RVG)	AGO), 2	
c) in the context of legal aid	3	
d) legal remedies against orders fixing lawyer's fees/other costs	3	
e) compensation to witnesses and experts		-
		-
f) service by public notice		

Total Numbers of Constitutional Complaint Proceedings Terminated

Proceed	-			sions pas e Sen a				b	Decision by the C h	s passed a m b e r	s 1		With-	to the	Proceed- ings termin- ated in other	Procee	٠ ١
pending previous y new proc 201	ears and eedings	success-	unsuc-	inad-	§ 93b sent.	thereby decided		<u>Non-admissio</u>		thereby decided	<u>Grant</u>	thereby decided	drawals ¹	Second Senate ^{ll}	ways ¹	pending f yea	
		ful	cessful	missible	§ 24 BVerfGG	jointly	reasoned	reasoning in the operative provisions	not reasoned	jointly		jointly					
2007 2008 2009 2010 2011 2012 2013	2 11 49 78 313 1028 3.636	1 1	1 1 1			1(1) 1(1) 1()	143	930	1.958	193	32	4(4)	25	6	7	1 4 22 25 148 399 1.211	2007 2008 2009 2010 2011 2012 2013
Total:	5.117		6	(3 ²)		3 (22)		3.031		193	32 ³	4(4 3)	25 ⁴	6	7	1.810	Total
Figures from the previous year	4.307		4	(1 2)		2 (²)		2.599		60	51 ³	51 (51 ³)	20^{4}	24	15		Figures from the previous year

¹ from <u>all</u> years of entry

² of these, with counsel: 5 [previous year: 1], without counsel: -- [previous year: --]

³ of these, with counsel: 1 [previous year: 97], without counsel: 5 [previous year: 5]

⁴ of these, after a letter from the reporting Justice recommending the complainant to withdraw the constitutional complaint: 2 [previous year: 1]

Total Number of Proceedings Terminated (Without Constitutional Complaints)

Proceedings	Proceedi	ngs pend-		Decision by the	_						sions passe C h a m b			With-	Transfer	Proceedings terminated in other ways (reversal of	Proc	reedings
pursuant to § 13 BVerfGG	ing from years a proceedi	-	successful	unsuccessful	inad- mis- sible	pursuant to § 24 BVerfGG	thereby decided jointly	Re- jection	thereby decided jointly	Grant	thereby decided jointly	Order pursuant to § 81a BVerfGG	thereby decided jointly	drawals	Second Senate	the submission order, proceedings having lost their subject-matter, etc.)	the	ing from e years
	2011	4															4	2011
No. 6 (BvF)	2013	2															2	2013
	Total:	6															6	Total
	2008	2	1														1	2008
	2010	4															4	2010
	2011	14	2	1			1					1				3	6	2011
	2012	15										1				2	12	2012
No. 11 (BvL)	2013	10															10	2013
	Total:	45	3	1			1					2				5	33	Total
	2012	1						1										2012
§ 32 (BvQ)	2013	62						55		1				1		2	3	2013
	Total:	63						56		1				1		2	3	Total

C. Overview

of the Matters Dealt with by the **Second Senate**

in the Judicial Year 2013

General Overview

	previou pendin	ings from us years ag on 31 ber 2012	New pro	ceedings 013	To	otal	Term	iinated	Still pending
Party-ban proceedings - BvB -		()	1	()	1	()		()	1
Scrutiny of elections and of the status as a member of the <i>Bundestag</i> - BvC -	1	(15)	12	()	13	(15)	13	(14)	
Organstreit proceedings - BvE -	20	(12)	14*	(14*)	34	(26)	3	(6)	31
Abstract judicial review - BvF -	5	(4)	1	(3*)	6	(7)	1	(2)	5
Disputes between the Federation and the <i>Laender</i> - BvG -		()		()		()		()	-
Other disputes involving public law - BvH -		()		()		()		()	
Constitutional disputes within a <i>Land</i> - BvK -		()	1	()	-	()	1	()	
Concrete judicial review - BvL -	27	(35)	8*	(6)	35	(41)	6	(14)	29
Review of public international law - BvM -		()		()		()		()	
Temporary injunctions - BvQ -	3	(4)	99* -of these, 2 matters concerning political asylum-	(56*) -of these, 15 matters concerning political asylum-	102	(60)	57	(57)	45
Constitutional complaints - BvR -	1.890	(1.522)	2.841*	(3.004*)	4.731	(4.526)	3.062	(2.636)	1.669
Plenary matters - PBvU -		(1)	1	()		(1)	1	(1)	
	1.946	(1.593)	2.976	(3.083)	4.922	(4.676)	3.142	(2.730)	1.780

^{*} of these, transfers from the General Register (§ 61 sec. 2 and sec. 3 GOBVerfG):

BvE	1	(3)
BvF		(1)
BvL	1	()
BvQ	15	(15)
BvR	1.402	(1.467)

^{()=} figures from the previous year

New Proceedings

1. Concrete judicial review proceedings:

a)	from the co	ourts	of ordina	ry jurisdictio	n									
	Local Courts:	1	()	Regional Courts:		(1)	Higher Regional Courts:		()	Federal Court of Justice:	 ()	=	1	(1)
b)	from the a	dmin	istrative c	courts										
	Admin. Courts:	2	(4)	Higher Admin. Courts:		()	Federal Admin. Court:		()			=	2	(4)
c)	from the se	ocial	courts											
	Social Courts:		()	Higher Social Courts:		()	Federal Social Court:		()			=		()
d)	from the la	ıbour	courts											
	Labour Courts:		()	Higher Labour Courts:		()	Federal Labour Court:		()			=		()
e)	from the fi	nanc	e courts											
	Finance Courts:	3	()	Federal Finance Court:	2	(1)						=	5	(1)
f)	from the d	iscipl	linary cou	arts and the d	iscip	linary co	ourts for the	profe	essions			=		()
												= .	8	(6)

() = figures from the previous year

2. Constitutional complaints lodged against

2.1. decisions of the	2012	2013
a) courts of ordinary jurisdiction	2.381	2.238
of these, 2012 2013		
1. decisions in civil matters 874 (including matters of non-contentious jurisdiction)		
2. decisions in criminal matters 1.507 1.633		
b) administrative courts - of these, asylum proceedings: 54 (72) -	286	289
c) social courts	4	2
d) labour courts	1	2
e) finance courts	72	62
f) patent courts		
g) disciplinary courts, disciplinary courts for the professions	8	1
h) Federal Court of Justice in Lawyer and Notary Matters		
i) Land constitutional courts	21	10
2.2. a) laws and ordinances (directly)	92	33
b) legislative omission	1	
2.3. other sovereign acts by:		
a) European authorities	1	1
b) supreme federal authorities	8	14
c) Land authorities	43	24
d) local government authorities	4	
2.4. other general matters of challenge	82	165
	3.004	<u>2.841</u>
of these:		
with counsel without counsel	1.272 1.732	1.139 1.702

Proceedings Terminated

1. Final Decisions

a) <u>Plenary:</u>		(1)	
b) Senate:			
aa) judgment	1	(5)	
decided jointly in consolidated proceedings* 2 (2)			
bb) order	22	(23)	
of these, pursuant to § 24 BVerfGG 3 (14)			
p. to § 93b sent. 2 BVerfGG () decided jointly in consolidated proceedings* 5 (5)			
decided jointly in consolidated proceedings* 5 (5)			23
c) <u>Chambers:</u>			
aa) order pursuant to § 81a BVerfGG	3	(2)	
decided jointly in consolidated proceedings* 1 (1)			
bb) non-admission/denial of temporary injunction	2.920	(2.533)	
decided jointly in consolidated proceedings* 46 (27)			
cc) grant of relief sought	39	(39)	
decided jointly in consolidated proceedings*(2)			
			2.962
2. Proceedings Terminated in Other Ways:			
*a) decided jointly in consolidated proceedings (see above)	54	(37)	
b) withdrawal of constitutional complaints	21	(34)	
c) transfer to the First Senate	60	(26)	
d) reversal of submission orders			
by the submitting court	- 2	()	
e) withdrawal of an application	2	(4)	
f) proceedings having lost their subject-matter	17	(23)	
(e.g. by the complainant's death, an amendment of the law, the complainant's			
being deprived of a cause of action, etc.)			
g) § 7 sec. 3 of the Records Ordinance	1	(3)	
(AktO; non-pursuance of the proceedings)			
			157
·			3 142
			J.1 14

(1)

(28)

(2.574)

(127)

(2.730)

3.1. Interim / Incidental Decisions of the Senate and the Chambers Within Principal Proceedings

concerning	2012	201
a) a temporary injunction	22	28
issuance 10 (3) repetition (3)		
rejection 17 (16) termination 1 ()		
b) invocation of the jurisdiction of the Plenary		
c) exclusion of a justice		
d) disqualification of a justice (also self-disqualification)	2	
e) grant of legal aid and assignment of counsel to the assiste	ed party 3	2
f) setting of a date for the oral proceedings	6	8
g) service by public notice		
h)partial non-acceptance of a constitutional complaint for d (§ 25 sec. 3 BVerfGG)	decision 3	
i)reimbursement of expenses	5	2
j) determination of the amount involved	29	19
k)remonstrance	1	1
l)restitutio in integrum	1	
m) correction, amendment, completion, etc. of decisions		2
n) amendment or cancellation of abuse fees		1
o) legal remedies against orders of the judicial officer fixing lawyer's fees/other costs	1	1
p) order regarding the execution of a decision (§ 35 BVerfG	GG) 1	
q) other		1
	74	65
. Fixing of costs/of remuneration by the judicial officer		
a) pursuant to § 34a sec. 2 and sec. 3 BVerfGG, § 104 of the Code of Civil Procedure (ZPO)	3	1
b) pursuant to § 19 of the Federal Fee Schedule for Lawyers § 11 of the Lawyers' Remuneration Act (RVG)	s (BRAGO),	
); d	1	
c) in the context of legal aid		
d) legal remedies against orders fixing lawyer's fees/other co	osts 2	
,	osts 2 2	10
d) legal remedies against orders fixing lawyer's fees/other co		10

Total Number of Constitutional Complaints Terminated

Procee	dings			sions pass e S e n a						Decisions the C h a	passed	1 1 S		1 With-	Transfer to the	Proceed- ings 1 termin-ated in other		eedings
pending previous and r proceeding	years new	success- ful	unsuc- cessful	inad- missible	§ 93b sentence 2, § 24 BVerfGG	dec	reby ided ntly	reasoned	reasoning in the operative provisions		thereby decided jointly	<u>Grant</u>	thereby decided jointly	drawals ¹	First Senate ¹	ways		from the ears
2006 2007 2008 2009 2010 2011 2012 2013	3 4 14 45 373 1.448 2.841	2 1 1	1			1 1 1 2 1	(1) (1) (1) (2) (1)	59	71	2.743	45	39	()	21	60	12	1 2 12 22 137 436 1.059	2006 2007 2008 2009 2010 2011 2012 2013
Total:	4.731		6	(5 ²)		6	(6 ²)		2.873		45	393	(3)	21 4	60	12	1.669	Total
Figures from the previous year	4.526		4	(32)		1	(1 ²)		2.487		27	39³	2 (2³)	344	26	16	1.890	Figures from the previous year

¹ from <u>all</u> years of entry

² of these, with counsel: 10 [previous year: 4], without counsel: 1 [previous year: --]

³ of these, with counsel: 29 [previous year: 31], without counsel: 10 [previous year: 10]

⁴ of these, after a letter from the reporting Justice recommending the complainant to withdraw the constitutional complaint: 3 [previous year:--]

Total Numbers of Proceedings Terminated (Without Constitutional Complaints)

		Proceedi	ngs			cisions pass the Sena						ons passed h a m b e r	s			Transfer	Proceedings terminated in other		
Proceedings to § 1 BVerf	13	pending f previous yea new procee 2013	ars and edings	success- ful	unsuc- sessful	inad- missible	pursuant to § 24 BVerfGG	thereby decided jointly	Re- jection	thereby decided jointly	Grant	thereby decided jointly	Order pursuant to § 81a BVerfGG	thereby decided jointly	With- drawals	to the	ways (reversal of the submission order, proceedings having lost their subject- matter, etc.)		igs pending he years
No. 2	(BvB)	2013	1															1	2013
NO. 2	(BVB)	Total:	1															1	Total:
		2010	1				1												2010
No. 3	(BvC)	2013	12	2	3	7													2013
		Total:	13	2	3	7	1											-	Total:
		2008	1					1											2008
		2009	1															1	2009
		2010	1															1	2010
No. 5	(BvE)	2011	5															5	2011
		2012	12			1	1											10	2012
		2013	14															14	2013
		Total:	34			1	1	1										31	Total:
`		2005	1	1															2005
		2011	2															2	2011
No. 6	(BvF)	2012	2															2	2012
		2013	1															1	2013
		Total:	6	1														5	Total:
		2008	1										1						2008
		2009	9										1	1				7	2009
		2010	1															1	2010
No. 11	(BvL)	2011	10										1				1	8	2011
		2012	6														1	5	2012
		2013	8															8	2013
		Total:	35										3	1			2	29	Total:
		2012	3															3	2012
§ 32	(BvQ)	2013	99				1		47	1					2		6	42	2013
		Total:	102				1		47	1					2		6	45	Total:

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D. Overview

of the Matters Dealt With in the **General Register** (GR)

in the Judicial Years 2003 to 2013

Matters Dealt With in the General Register (GR) Since 2003

		2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Total number of entries		7.783	7.945	9.014	8.536	8.450	8.547	9.187	9.240	9.128	10.138	9.052
 a) enquiries (§ 60 sec. 1a GOBVe b) general letters/expressions of c (§ 60 sec. 1b GOBVerfG) 	1.486 1.999	1.319 1.915	1.334 2.188	1.296 1.906	1.139 1.678	1.208 2.098	1.198 2.452	1.208 2.746	899 2.246	843 3.238	788 2.591	
2. submissions and constitutional (§ 60 sec. 2a and sec. 2b GOBVer	4.298	4.711	5.492	5.334	5.633	5.241	5.537	5.286	5.983	6.057	5.673	
transferred to the registers of pro-	· ·											
- also proceedings from previous	years -											
 a) after previous instruction 	First Senate	1.014	839	879	1.086	1.065	955	900	760	861	755	1.041
of the complainant	Second Senate	621	533	503	575	591	574	685	653	688	799	796
	Sum	1.635	1.372	1.382	1.661	1.656	1.529	1.585	1.413	1.549	1.554	1.837
	Percentage:	38%	29%	25%	31%	29%	29%	29%	27%	26%	26%	32%
b) without previous instruction	First Senate	102	264	410	521	659	544	487	555	836	689	848
	Second Senate	49	156	190	277	305	262	373	362	592	687	623
	Sum	151	420	600	798	964	806	860	917	1.428	1.376	1.471
	Percentage:	4%	9%	11%	15%	17%	15%	16%	17%	24%	23%	26%
	Total:	1.786	1.792	1.982	2.459	2.620	2.335	2.445	2.330	2.977	2.930	3.308
	Percentage:	42%	38%	36%	46%	47%	45%	44%	44%	50%	48%	58%
c) thus, remaining in the General	Register (GR)	2.512	2.919	3.510	2.875	3.013	2.906	3.092	2.956	3.006	3.127	2.365
, ,	Percentage:	58%	62%	64%	54%	53%	55%	56%	56%	50%	52%	42%

Please note that the proceedings remaining in the General Register are not terminated but can be called up again at any time.