



Federal Constitutional Court

- Annual Statistics 2017 -

Number of proceedings remains at high level

In 2017 nearly 6,000 new proceedings were recorded, which is an increase of 200 from the year before. The entries in the General Register stayed at previous year's level (8.744).

There has been a noticeable increase in constitutional complaints against court decisions concerning asylum proceedings. While the numbers in the last years ranged between 67 and up to 123 proceedings, the number of constitutional complaints increased to 399 in 2017. A further sharp increase in new proceedings is to be expected in this area in the future.

152 decisions on applications for preliminary injunctions (§ 32 of the Federal Constitutional Court Act) was by far the highest number of the last decades. In this respect it must not be ignored that many of these decisions constitute a particular strain on the Court because of the time pressure involved.

Finally, 2017 brought a true novelty for the Court - a new type of proceedings. Following the judgment on the prohibition of the National Democratic Party of January 2017, Art. 21 of the Basic Law and the Federal Constitutional Court Act were amended.

Under the prerequisites stipulated therein, political parties can now be excluded from state funding. The Federal Constitutional Court decides on applications filed by the *Bundestag*, the *Bundesrat* or the Federal Government. The new proceedings are governed in particular by §§ 13 no. 2a, 43 and 46a of the Federal Constitutional Court Act.

The newly worded Art. 21 of the Basic Law is being challenged by the National Democratic Party of Germany in *Organstreit* proceedings (dispute between constitutional organs) brought against the German *Bundestag* which are presently pending before the Court.

Karlsruhe, February 2018



Prof. Dr. Andreas Voßkuhle

President of the Federal Constitutional Court

A. Statistics

for the Judicial Year 2017

	<u>Page</u>
I. <u>General Overviews since 1951</u>	
1. Numbers of Proceedings	1
2. New Proceedings Brought Per Year and Senate	2 - 4
3. Chart: New Proceedings	5
4. New Proceedings Listed According to Types of Proceedings	6, 7
5. Decisions Issued by the Plenary, the Senates, and the Chambers (Listed According to Types of Proceedings)	8, 9
6. Proceedings Terminated in Other Ways than by a Decision (Listed According to Types of Proceedings)	10, 11
7. Chart: Decisions With/Without Separate Opinion(s) Issued Since 1971	12
II. <u>Overviews Covering Several Years</u>	
1. Chart: New Proceedings and Proceedings Terminated Since 2003	13
2. Total Numbers of New Proceedings Brought in the Last Five Judicial Years	14
3. Applications Forwarded to the Respondent and the Other Parties Pursuant to § 23(2) of the Federal Constitutional Court Act (<i>Bundesverfassungsgerichtsgesetz</i> - BVerfGG) in the Last Five Judicial Years	15
4. Oral Hearings and Pronouncement of Judgments since 1990	16
III. <u>Judicial Year 2017</u>	
Caseload and Proceedings Terminated in the Judicial Years 2016 und 2017	17, 18
IV. <u>Constitutional Complaints</u>	
1. Proceedings terminated in the Last Five Judicial Years	19
2. Share of the Constitutional Complaints Granted of the Total Constitutional Complaints Decided per Year since 1987	20, 21
3. Chart: Length of Proceedings	22
4. Constitutional Complaints Lodged Against Judicial Decisions Since 1991	23
5. Judicial Decisions Reversed Since 1991	24
6. Constitutional Complaints Lodged Against Decisions by Federal Courts Since 1991	25
7. Decisions by Federal Courts Reversed Since 1991	25
8. Constitutional Complaints Lodged Against Judicial Decisions/Statutes/ Sovereign Acts of Federal / <i>Land</i> (State) and European Union Authorities in the Judicial Year 2017	26
9. Chart	27
V. <u>Specific Judicial Review Proceedings</u>	
1. Proceedings Since 1980	28, 29
2. Referring Jurisdictions Since 1991	30
VI. Statutes Objected to Since 1951	31
VII. Legal Provisions Reviewed in the Judicial Year 2017	32

	<u>Seite</u>
VIII. <u>Abuse Fees</u>	
1. Abuse Fees Imposed Since 1962	33, 34
2. Abuse Fees Imposed in the Judicial Years 2016 und 2017	35
IX. Formal Complaints Against Judicial Delay (<i>Verzögerungsbeschwerden</i>)	36
B. Overview of the Matters Dealt with by the <u>First</u> Senate for the Judicial Year 2017	
	37
I. General Overview	38
II. <u>New Proceedings in the Judicial Year</u>	
1. Specific Judicial Review Proceedings	39
2. Constitutional Complaints	40
III. <u>Proceedings Terminated in the Judicial Year</u>	
1. Final Decisions	41
2. Proceedings Terminated in Other Ways	41
3. Incidental Decisions	42
4. Constitutional Complaints (Listed by the Year in Which They Were Lodged)	43
5. Judicial Review Proceedings and Preliminary Injunctions (Listed by the Year in Which They Were Lodged)	44
C. Overview of the Matter Dealt With by the <u>Second</u> Senate for the Judicial Year 2017	
	45
I. General Overview	46
II. <u>New Proceedings in the Judicial Year</u>	
1. Specific Judicial Review Proceedings	47
2. Constitutional Complaints	48
III. <u>Proceedings Terminated in the Judicial Year</u>	
1. Final Decisions	49
2. Proceedings Terminated in Other Ways	49
3. Incidental Decisions	50
4. Constitutional Complaints (Listed by the Year in Which they Were Lodged)	51
5. Judicial Review Proceedings, Preliminary Injunctions, Proceedings of the Senate in its Function as Court for State Matters, and Other Proceedings (Listed by the Year in Which They Were Lodged)	52, 53
D. Overview of the Matters Dealt With in the <u>General</u> Register (GR) for the Judicial Years 2007 to 2017	
	54, 55

Proceedings Brought

From 7 September 1951 to 31 December 2017

<u>Proceedings brought</u> (total)	232,089	of these,	
	224,221	(96.61%)	constitutional complaints,
	3,836	(1.65%)	abstract ¹ and specific ²
	9	(0.01%)	judicial review proceedings,
			proceedings concerning the
	9	(0.01%)	prohibition of political parties
	3,998	(1.72%)	other types of proceedings, e.g.
			disputes between the Federation and
			the <i>Laender</i> (states), disputes between
			highest federal organs and other
			constitutional disputes at the federal
			and <i>Laender</i> level
	25	(0.01%)	former types of proceedings
			conducted until 1960 ³
<u>Proceedings terminated</u> (total)	228,581	of these,	
	220,816	(96.60%)	constitutional complaints; of these
			5,088 were successful = 2.3%
	3,755	(1.64%)	abstract and specific
			judicial review proceedings,
	9	(0.01%)	proceedings concerning the
			prohibition of political parties
	3,976	(1.74%)	other types of proceedings
	25	(0.01%)	former types of proceedings
			conducted until 1960
<u>Proceedings still pending</u>	3,508	of these,	
	3,405	(97.06%)	constitutional complaints,
	81	(2.31%)	abstract and specific
			judicial review proceedings,
	22	(0.63%)	other types of proceedings
of these,			
	1,417	(40.39%)	are dealt with by the First Senate, and
	2,091	(59.61%)	are dealt with by the Second Senate

¹ Art. 93(1) no. 2 of the Basic Law (*Grundgesetz* - GG)

² Art. 100(1) GG

³ File numbers: BvT and PBvV see page 7

New Proceedings Brought Since 7 September 1951

Year	First Senate	Second Senate	Total
1951	476* (473+3 ^{1u.4})	5	481
1952	1008* (1.005+3 ^{2u.4})	9	1,017
1953	736* (735+1 ²)	7	743
1954	571* (567+4 ²)	6	577
1955	587* (585+2 ²)	7	594
1956	734* (732+2 ²)	74* (73+1 ¹)	808
1957	807	37* (34+3 ¹)	844
1958	1114* (1.110+4 ^{2u.3})	96* (95+1 ¹)	1,210
1959	1,190	28	1,218
1960	635* (634+1 ²)	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
 proceedings (see p. 7) on: ¹ Senate jurisdiction
² legal aid
³ plenary decisions
⁴ legal opinions

New Proceedings Brought Since 7 September 1951 (Continued)

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)

New Proceedings Brought Since 7 September 1951 (Continued)

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
2014	3,561	3,250	6,811 ³
2015	3,320	2,571	5,891
2016	2,980	2,774	5,754
2017	3,001	2,981	5,982 ⁴

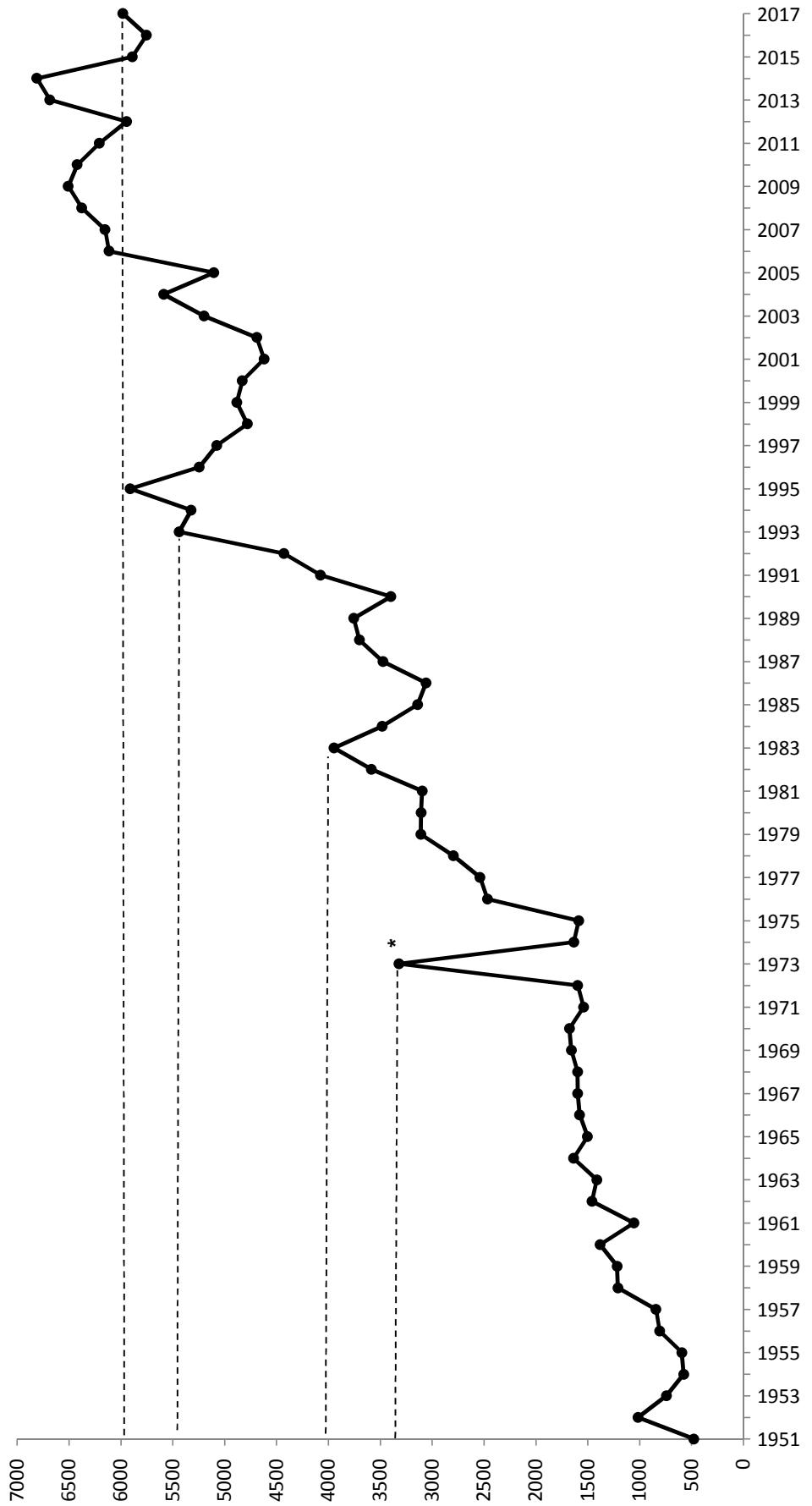
¹ 163 of these were parallel proceedings (concerning banking law, stock exchange law and the law on securities)

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

³ 116 of these were parallel proceedings (concerning the general right of personality) and 230 parallel proceedings (concerning international law)

⁴ 170 of these were parallel proceedings (concerning the law on non-tax levies)

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 2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total
Forfeiture of fundamental rights (Art. 18 GG)	BvA	4	-	-	-	-	-	-	-	-	-	-	4
Rulings on the unconstitutionality/exclusion from state funding of political parties (Art. 21(2)(3) GG) - from 2017 -	BvB	8	-	-	-	-	-	1	-	-	-	-	9
Complaints in proceedings involving the scrutiny of elections (Art. 41(2) GG)	BvC	183	1	1	16	17	-	12	70	20	-	7	327
Impeachment of the Federal President (Art. 61 GG)	BvD	-	-	-	-	-	-	-	-	-	-	-	-
Constitutional disputes between federal organs (Art. 93(1) no. 1 GG)	BvE	160	6	2	3	9	14	14	4	7	6	1	226
Review of statutes upon application by a constitutional organ (Art. 93(1) no. 2 GG)	BvF	163	-	2	-	7	3	3	-	2	-	-	180
Constitutional disputes between the Federation and the <i>Laender</i> (Art. 93(1) no. 3 and Art. 84(4) second sentence GG)	BvG	44	-	-	1	-	-	-	1	-	-	-	46
Public-law disputes (Art. 93(1) no. 4 GG)	BvH	74	-	-	-	-	-	-	-	-	-	-	74
Impeachment of judges (Art. 98(2) and (5) GG)	BvJ	-	-	-	-	-	-	-	-	-	-	-	-
Constitutional disputes within a <i>Land</i> (state) assigned to the Federal Constitutional Court for decision by virtue of <i>Land</i> law (Art. 99 GG)	BvK	26	-	-	-	-	-	-	-	-	-	-	26
Review of statutes upon judicial referral (Art. 100(1) GG)	BvL	3,377	33	47	19	35	28	18	41	12	17	29	3,656
Status of a provision of public international law as part of federal law (Art. 100(2) GG)	BvM	28	-	-	-	-	-	-	-	-	-	-	28
Interpretation of the Basic Law upon application of a <i>Land</i> constitutional court (Art. 100(3) GG)	BvN	8	-	-	-	-	-	-	-	-	-	-	8
Disagreements on whether law continues to be valid as federal law (Art. 126 GG)	BvO	151	-	-	-	-	-	-	-	-	-	-	151

New Proceedings (Continued)

Type of Proceedings	File no.	until 2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total
Proceedings in other cases assigned to the Federal Constitutional Court by federal law (Art. 93(3) GG) - from 1971 onwards -	BVP	6	-	-	-	-	-	-	-	1	-	-	7
Preliminary injunctions (§ 32 BVerfGG) and - until 1970 - other proceedings	BvQ	1,894	93	148	132	103	84	161	89	110	121	161	3,096
Constitutional complaints (Art. 93(1) nos. 4a and 4b GG)	BvR	163,347	6,245	6,308	6,251	6,036	5,818	6,477	6,606	5,739	5,610	5,784	224,221
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	-	-	-	-	-	-	-	-	-	-	22
Disagreements on whether a law meets the requirements of Art. 72(2) and Art. 93(1) no. 2a GG - from 1998 onwards -	BvW	-	-	-	-	-	-	-	-	-	-	-	-
Referrals by the Federal Court of Justice (<i>Bundesgerichtshof</i>) pursuant to § 36(2) of the Committees of Inquiry Act - from 2001 onwards -	BvX	-	-	-	-	-	-	-	-	-	-	-	-
Applications pursuant to Art. 93(2) GG - from 2006 onwards -	BvY	-	-	-	-	-	-	-	-	-	-	-	-
Retirement of a Justice of the Federal Constitutional Court due to incapacity for office or for other reasons (§ 105 BVerfGG)	PBvS	-	-	-	-	-	-	-	-	-	-	-	-
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:		169,502	6,378	6,508	6,422	6,208	5,947	6,686	6,811	5,891	5,754	5,982	232,089

* former types of proceedings which were conducted until 1960

Decisions Issued by the Plenary, the Senates and the Chambers

Type of Proceedings	File no.	until 2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total
Forfeiture of fundamental rights (Art. 18 GG)	BvA	3	-	-	-	-	-	-	-	-	-	-	3
Rulings on the unconstitutionality/exclusion from state funding of political parties (Art. 21(2)(3) GG) - from 2017 -	BvB	5	-	-	-	-	-	-	-	-	-	1	6
Complaints in proceedings involving the scrutiny of elections (Art. 41(2) GG)	BvC	138	6	10	4	13	12	13	3	18	46	17	280
Impeachment of the Federal President (Art. 61 GG)	BvD	-	-	-	-	-	-	-	-	-	-	-	-
Constitutional disputes between federal organs (Art. 93(1) no. 1 GG)	BvE	87	2	4	2	2	5	2	12	8	5	4	133
Review of statutes upon application by a constitutional organ (Art. 93(1) no. 2 GG)	BvF	101	3	1	3	1	2	1	3	1	-	1	117
Constitutional disputes between the Federation and the <i>Laender</i> (Art. 93(1) no. 3 and Art. 84(4) second sentence GG)	BvG	26	-	-	-	1	-	-	-	-	-	1	28
Public-law disputes (Art. 93(1) no. 4 GG)	BvH	38	-	-	-	-	-	-	-	-	-	-	38
Impeachment of judges (Art. 98(2) and (5) GG)	BvJ	-	-	-	-	-	-	-	-	-	-	-	-
Constitutional disputes within a <i>Land</i> assigned to the Federal Constitutional Court for decision by virtue of <i>Land</i> law (Art. 99 GG)	BvK	20	1	-	-	-	-	-	-	-	-	-	21
Review of statutes upon judicial referral (Art. 100(1) GG) - Senates - - Chambers (since 11 August 1993) -	BvL	1,016 177	10 8	5 16	11 10	1 7	13 10	4 5	11 10	3 3	6 5	6 5	1,086 256
Status of a provision of public international law as part of federal law (Art. 100(2) GG)	BvM	12	1	-	-	-	-	-	-	-	-	-	13
Interpretation of the Basic Law at the request of a <i>Land</i> constitutional court (Art. 100(3) GG)	BvN	5	-	-	-	-	-	-	-	-	-	-	5
Disagreements on whether law continues to be valid as federal law (Art. 126 GG)	BvO	19	-	-	-	-	-	-	-	-	-	-	19

Decisions Issued by the Plenary, the Senates and the Chambers (Continued)

Type of Proceedings	File no.	until 2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total
Proceedings in other cases assigned to the Federal Constitutional Court by federal law (Art. 93(3) GG) - from 1971 onwards -	BvP	5	-	-	-	-	-	-	-	-	-	-	5
Preliminary injunctions (§ 32 BVerfGG) and - until 1970 - other proceedings	BvQ	1,426	85	128	113	95	73	105	83	100	116	152	2,476
Constitutional Complaints (Art. 93(1) nos. 4a and 4b GG) - Senates - - Judges' Committees or Chambers -	BvR	3,980 139,566	10 5,731	14 5,783	14 5,897	16 5,597	8 5,176	12 5,975	10 6,076	12 5,653	13 5,654	8 5,168	4,097 196,276
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*	9	-	-	-	-	-	-	-	-	-	-	9
Disagreements on whether a law meets the requirements of Art. 72(2) and Art. 93(1) no. 2a GG - from 1998 onwards -	BvW	-	-	-	-	-	-	-	-	-	-	-	-
Referrals by the Federal Court of Justice pursuant to § 36(2) of the Committees of Inquiry Act - from 2001 onwards -	BvX	-	-	-	-	-	-	-	-	-	-	-	-
Applications pursuant to Art. 93(2) GG - from 2006 onwards -	BvY	-	-	-	-	-	-	-	-	-	-	-	-
Retirement of a Justice of the Federal Constitutional Court due to incapacity for office or for other reasons (§ 105 BVerfGG)	PBvS	-	-	-	-	-	-	-	-	-	-	-	-
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 Decisions:		146,640	5,857	5,961	6,054	5,733	5,300	6,117	6,208	5,798	5,845	5,363	204,876

* former types of proceedings which were conducted until 1960

Proceedings Terminated in Other Ways than by a Decision, e.g. Proceedings Consolidated with Others for Joint Adjudication, Applications Withdrawn etc.

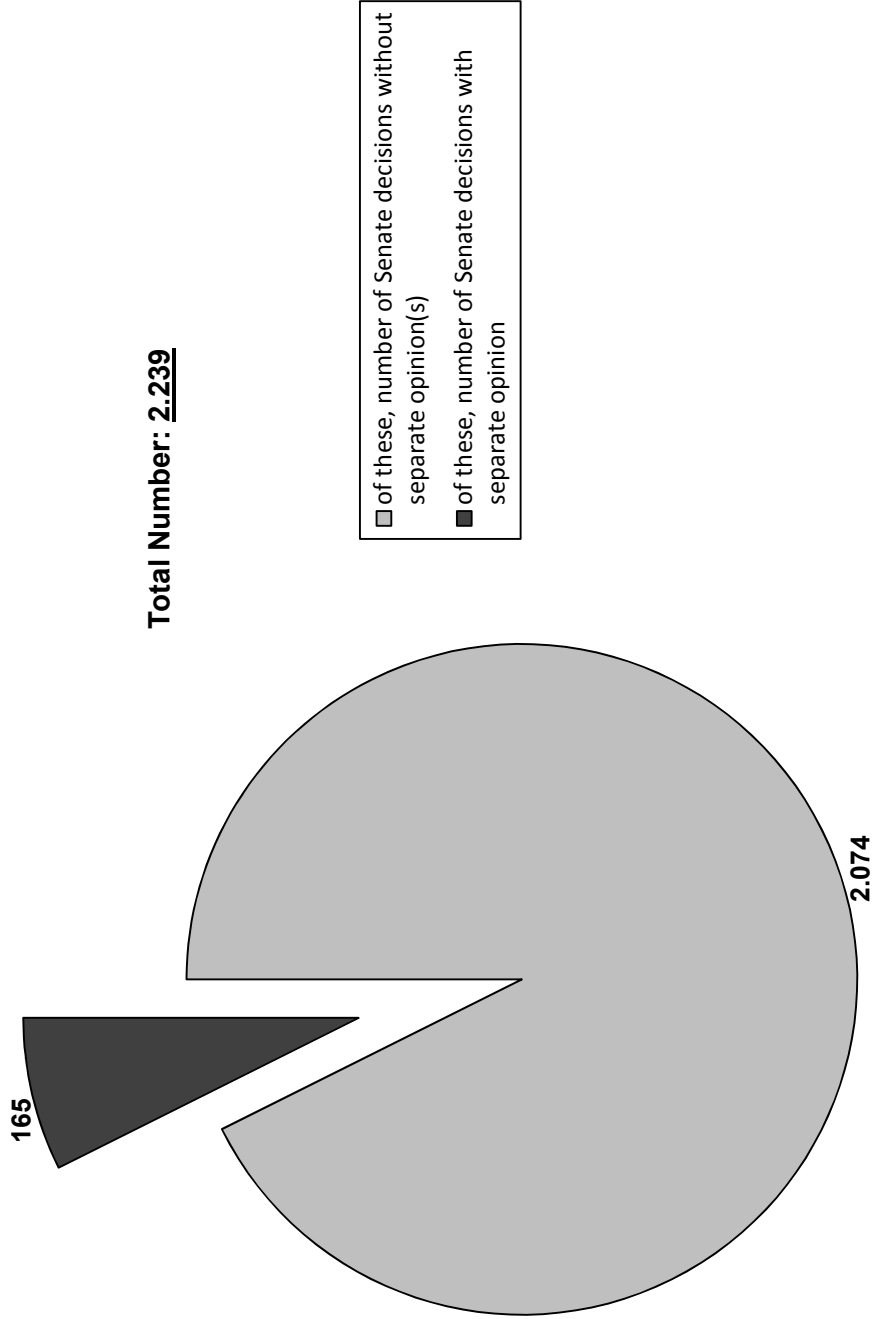
Type of Proceedings	File no.	until 2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total
Forfeiture of fundamental rights (Art. 18 GG)	BvA	1	-	-	-	-	-	-	-	-	-	-	1
Rulings on the unconstitutionality/exclusion from state funding of political parties (Art. 21(2)(3) GG) - from 2017 -	BvB	3	-	-	-	-	-	-	-	-	-	-	3
Complaints in proceedings involving the scrutiny of elections (Art. 41(2) GG)	BvC	26	-	1	3	2	2	-	-	5	2	-	41
Impeachment of the Federal President (Art. 61 GG)	BvD	-	-	-	-	-	-	-	-	-	-	-	-
Constitutional disputes between federal organs (Art. 93(1) no. 1 GG)	BvE	66	1	1	2	1	1	1	10	1	1	-	85
Review of statutes upon application by a constitutional organ (Art. 93(1) no. 2 GG)	BvF	53	-	-	-	1	1	-	2	-	-	1	58
Constitutional disputes between the Federation and the <i>Laender</i> (Art. 93(1) no. 3 and Art. 84(4) second sentence GG)	BvG	16	-	1	-	1	-	-	-	-	-	-	18
Public-law disputes (Art. 93(1) no. 4 GG)	BvH	36	-	-	-	-	-	-	-	-	-	-	36
Impeachment of judges (Art. 98(2) and (5) GG)	BvJ	-	-	-	-	-	-	-	-	-	-	-	-
Constitutional disputes within a <i>Land</i> assigned to the Federal Constitutional Court for decision by virtue of Land law (Art. 99 GG)	BvK	5	-	-	-	-	-	-	-	-	-	-	5
Review of statutes upon judicial referral (Art. 100(1) GG)	BvL	2,113	20	15	21	13	11	9	11	11	8	6	2,238
Status of a provision of public international law as part of federal law (Art. 100(2) GG)	BvM	15	-	-	-	-	-	-	-	-	-	-	15
Interpretation of the Basic Law at the request of a <i>Land</i> constitutional court (Art. 100(3) GG)	BvN	3	-	-	-	-	-	-	-	-	-	-	3
Disagreements on whether law continues to be valid as federal law (Art. 126 GG)	BvO	132	-	-	-	-	-	-	-	-	-	-	132

Proceedings Terminated in Other Ways (Continued)

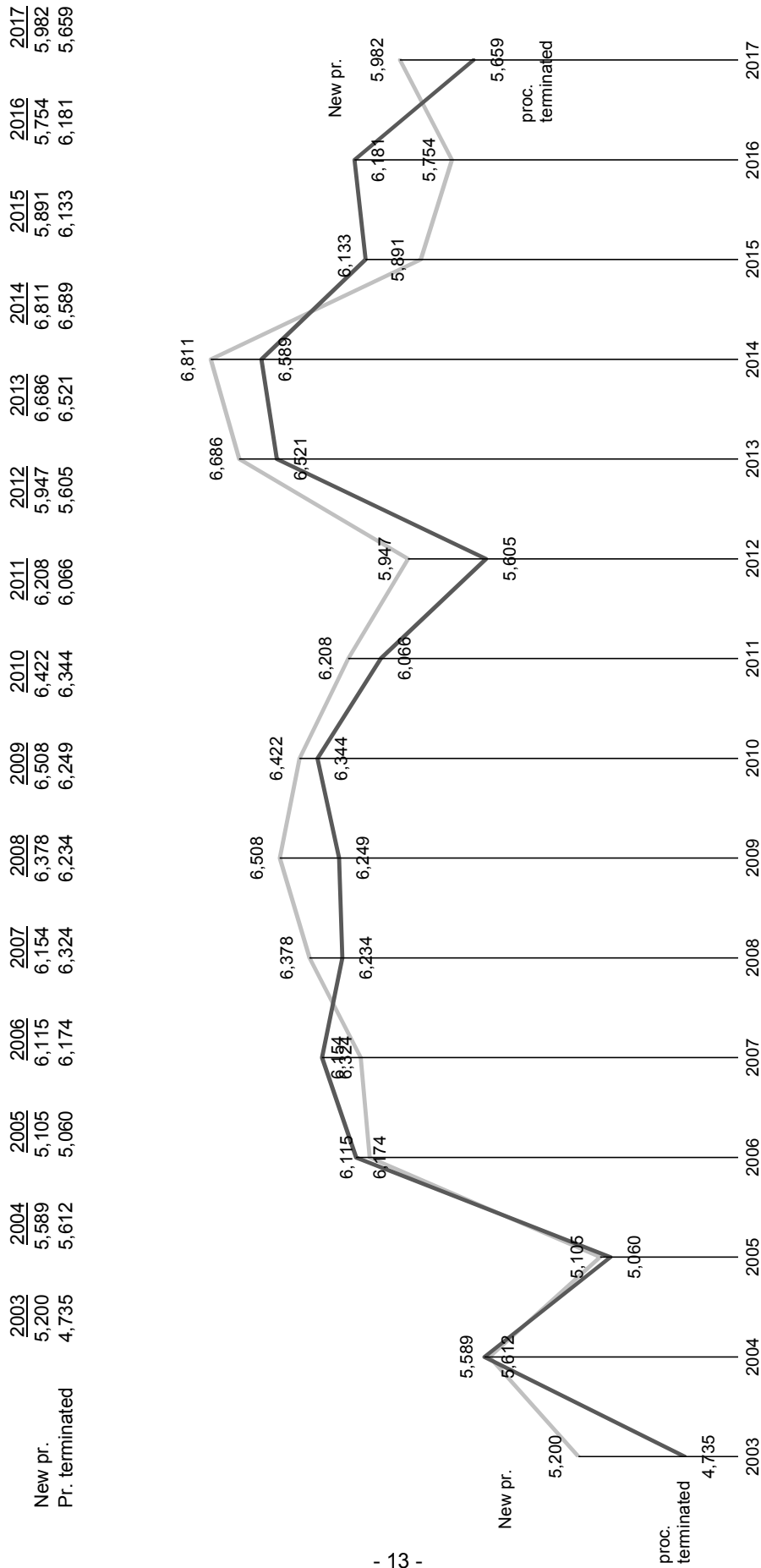
Type of Proceedings	File no.	until 2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total
Proceedings in other cases assigned to the Federal Constitutional Court by federal law (Art. 93(3) GG) - from 1971 onwards -	BvP	1	-	-	-	-	-	-	-	-	-	-	1
Preliminary injunctions (§ 32 BVerfGG) and - until 1970 - other proceedings	BvQ	464	7	16	17	14	12	12	44	12	6	9	613
Constitutional complaints (Art. 93(1) nos. 4a and 4b GG)	BvR	17,413	349	254	247	301	278	382	314	306	319	280	20,443
1. Examination of which Senate has jurisdiction - now: administrative file no. 1004/4 E -	BvT*	13	-	-	-	-	-	-	-	-	-	-	13
2. Grant of legal aid - now: BvR -													
3. Plenary decisions (§ 16 BVerfGG) - now: PBvU - - until 1960 -													
Disagreements on whether a law meets the requirements of Art. 72(2) and Art. 93(1) no. 2a GG - from 1998 onwards -	BvW	-	-	-	-	-	-	-	-	-	-	-	-
Referrals by the Federal Court of Justice pursuant to § 36(2) of the Committees of Inquiry Act - from 2001 onwards -	BvX	-	-	-	-	-	-	-	-	-	-	-	-
Applications pursuant to Art. 93(2) GG - from 2006 onwards -	BvY	-	-	-	-	-	-	-	-	-	-	-	-
Retirement of a Justice of the Federal Constitutional Court due to incapacity for office or for other reasons (§ 105 BVerfGG)	PBvS	-	-	-	-	-	-	-	-	-	-	-	-
Plenary decisions (§ 16 BVerfGG)	BvU / PBvU	-	-	-	-	-	-	-	-	-	-	-	-
Legal opinions issued by the Plenary (§ 97 BVerfGG) - until 1952 -	PBvW	-	-	-	-	-	-	-	-	-	-	-	-
Sum of all Proceedings Terminated:		20,360	377	288	290	333	305	404	381	335	336	296	23,705

* 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 144 (1971 to 2017)



New Proceedings and Proceedings Terminated * Since 2003



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

**Total Numbers of New Proceedings
Brought in the Last Five Judicial Years**

	2013	2014	2015	2016	2017
<u>First Senate</u>					
Constitutional complaints (BvR)	3,636	3,516	3,253	2,922	2,920
Specific judicial review (BvL)	10	12	9	7	7
Abstract judicial review (BvF)	2	--	--	--	--
Preliminary injunctions (BvQ)	62	33	58	51	74
Plenary matters (PBvU)	--	--	--	--	--
	3,710	3,561	3,320	2,980	3,001
<u>Second Senate</u>					
Constitutional complaints (BvR)	2,841	3,090	2,486	2,688	2,864
Specific judicial review (BvL)	8	29	3	10	22
Abstract judicial review (BvF)	1	--	2	--	--
Preliminary injunctions (BvQ)	99	56	52	70	87
Unconstitutionality/exclusion from state funding of political parties (BvB)	1	--	--	--	--
Scrutiny of elections and of the status of a member of the <i>Bundestag</i> (BvC)	12	70	20	--	7
<i>Organstreit</i> proceedings (BvE)	14	4	7	6	1
Disputes between the Federation and the <i>Laender</i> (BvG)	--	1	--	--	--
Public-law disputes (BvH)	--	--	--	--	--
Constitutional disputes within a <i>Land</i> (BvK)	--	--	--	--	--
Review of public international law (BvM)	--	--	--	--	--
Other cases assigned by federal law (BvP)	--	--	1	--	--
Plenary matters (PBvU)	--	--	--	--	--
	2,976	3,250	2,571	2,774	2,981
Total	6,686	6,811	5,891	5,754	5,982

**Applications Served on the Respondent and the other Parties
Pursuant to § 23(2) BVerfGG
in the Last Five Judicial Years**

	2013	2014	2015	2016	2017
<u>First Senate</u>					
Constitutional complaints (BvR)	53	85	135	56	50
Specific judicial review (BvL)	4	7	9	1	1
Abstract judicial review (BvF)	1	1	--	--	--
Preliminary injunctions (BvQ)	--	--	--	--	--
Plenary matters (PBvU)	--	--	--	--	--
	58	93	144	57	51
<u>Second Senate</u>					
Constitutional complaints (BvR)	91	76	75	89	100
Specific judicial review (BvL)	9	6	9	6	13
Abstract judicial review (BvF)	1	--	1	2	--
Preliminary injunctions (BvQ)	--	--	--	--	1
Unconstitutionality/exclusion from state funding of political parties (BvB)	1	--	--	--	--
Scrutiny of elections and of the status of a member of the <i>Bundestag</i> (BvC)	12	--	--	1	--
<i>Organstreit</i> proceedings (BvE)	9	3	2	4	--
Disputes between the Federation and the <i>Laender</i> (BvG)	--	--	--	--	--
Public-law disputes (BvH)	--	--	--	--	--
Constitutional disputes within a <i>Land</i> (BvK)	--	--	--	--	--
Review of public international law (BvM)	--	--	--	--	--
Other cases assigned by federal law (BvP)	--	--	--	--	--
Plenary matters (PBvU)	--	--	--	--	--
	123	85	87	102	114
Total	181	178	231	159	165

Oral Hearings and Pronouncements of Judgments

Since 1990

Year	Number of oral hearings conducted		Number of judgments pronounced		Total number		Total
	First Senate	Second Senate	First Senate	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
2014	2	6	3	8	5	14	19
2015	4	3	1	4	5	7	12
2016	1	4	4	3	5	7	12
2017	3	4	2	3	5	7	12

Caseload and Proceedings Terminated

Proceedings from the previous years pending on:						
	1/1/2016	1/1/2017				
First Senate	1,710	1,342				
Second Senate	1,902	1,843				
	3,612	3,185				
New Proceedings:						
	2016	2017				
First Senate	2,980	3,001	of these	2,920 CC, ¹	7 JR, ²	74 PI, ³
Second Senate	2,774	2,981	of these	2,864 CC,	22 JR,	87 PI, 1 CSM, ⁴ 7 other ⁵
	5,754	5,982	of these	5,784 CC,	29 JR,	161 PI, 1 CSM, 7 other
Proceedings terminated:						
	2016	2017				
First Senate	3,348	2,926	of these	2,847 CC,	6 JR,	73 PI,
Second Senate	2,833	2,733	of these	2,609 CC,	13 JR,	88 PI, 5 CSM, 18 other
	6,181	5,659	of these	5,456 CC,	19 JR,	161 PI, 5 CSM, 18 other
Proceedings pending on:						
	31/12/2016	31/12/2017				
First Senate	1,342	1,417	of these	1,397 CC,	17 JR,	3 PI,
Second Senate	1,843	2,091	of these	2,008 CC,	64 JR,	4 PI, 8 CSM, 7 other
	3,185	3,508	of these	3,405 CC,	81 JR,	7 PI, 8 CSM, 7 other

¹ Constitutional complaints

² Abstract and specific judicial review proceedings (Art. 93(1) no. 2, Art. 100(1) GG)

³ Preliminary injunctions (proceedings in their own right)

⁴ *Organstreit* proceedings (disputes between highest federal organs) and disputes between the Federation and the *Laender*; here, the Federal Constitutional Court acts in its function as a "court for state matters"

⁵ Unconstitutionality/exclusion from state funding of political parties, complaints in proceedings involving the scrutiny of elections, other cases assigned to the Federal Constitutional Court by federal law (Art. 93(3) GG),

Proceedings Terminated

	2016	2017	
I. Decisions issued by the <u>Plenary</u>			
First Senate	--	--	
Second Senate	--	--	
II. Decisions issued by a <u>Senate</u>			
1. Decisions in principal proceedings			
First Senate	12	6	of these, 5 CC, 1 JR, -- PI,
Second Senate	58	33	of these, 3 CC, 6 JR, 1 PI, 5 CSM, 18 other
2. Interim/incidental decisions			
First Senate	12	10	of these, -- preliminary injunctions -- exclusion of a justice by virtue of law -- challenge of a justice 10 other
Second Senate	26	18	of these, 5 preliminary injunctions -- exclusion of a justice by virtue of law -- challenge of a justice 13 other
III. Decisions issued by a <u>Chamber</u>			
1. Decisions in the principal proceedings			
a) Constitutional complaints and preliminary injunctions:			
aa) Non-admission for decision/rejection of an application for a preliminary injunction			
First Senate	3,071	2,731	of these, 204 with reasons 319 with reasoning in the operative part of the decision 2,208 without reasons (81%)
Second Senate	2,621	2,519	of these, 70 with reasons 285 with reasoning in the operative part of the decision 2,164 without reasons (86%)
bb) Grant of the relief sought			
First Senate	44	19	
Second Senate	34	50	
b) Proceedings involving specific judicial review (inadmissible referral):			
First Senate	5	2	
Second Senate	--	3	
2. Interim/incidental decisions			
First Senate	43	40	of these, 22 preliminary injunctions -- exclusion of a justice by virtue of law 1 challenge of a justice 17 other
Second Senate	46	73	of these, 29 preliminary injunctions -- exclusion of a justice by virtue of law -- challenge of a justice 44 other
IV. Proceedings terminated in other ways			
1. Withdrawals			
First Senate	16	11	
Second Senate	30	21	
2. Transfers to the other Senate			
First Senate	5	5	
Second Senate	17	9	
3. Proceedings combined with other proceedings, etc.			
First Senate	195	152	
Second Senate	73	98	

Constitutional Complaint Proceedings

(Including Proceedings Combined with Others For Joint Decision)

Terminated in the Last Five Judicial Years

	2013	2014	2015	2016	2017
New Proceedings	6,477	6,606	5,739	5,610	5,784
Proceedings Terminated					
1. by a <u>Chamber</u> :					
Non-admission	6,142	6,155	5,769	5,778	5,268
Grant of relief sought	75	110	98	109	91
2. by a <u>Senate</u> :					
Non-admission	--	--	1	1	--
Rejection	5	16	3	10	8
Grant of relief sought	16	11	13	8	9
3. by withdrawal:	46	46	38	42	28
4. in other ways/ transfers to the other Senate	85	62	49	38	52

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

Since 1987 *

Year	Proceedings decided on their own or combined 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%

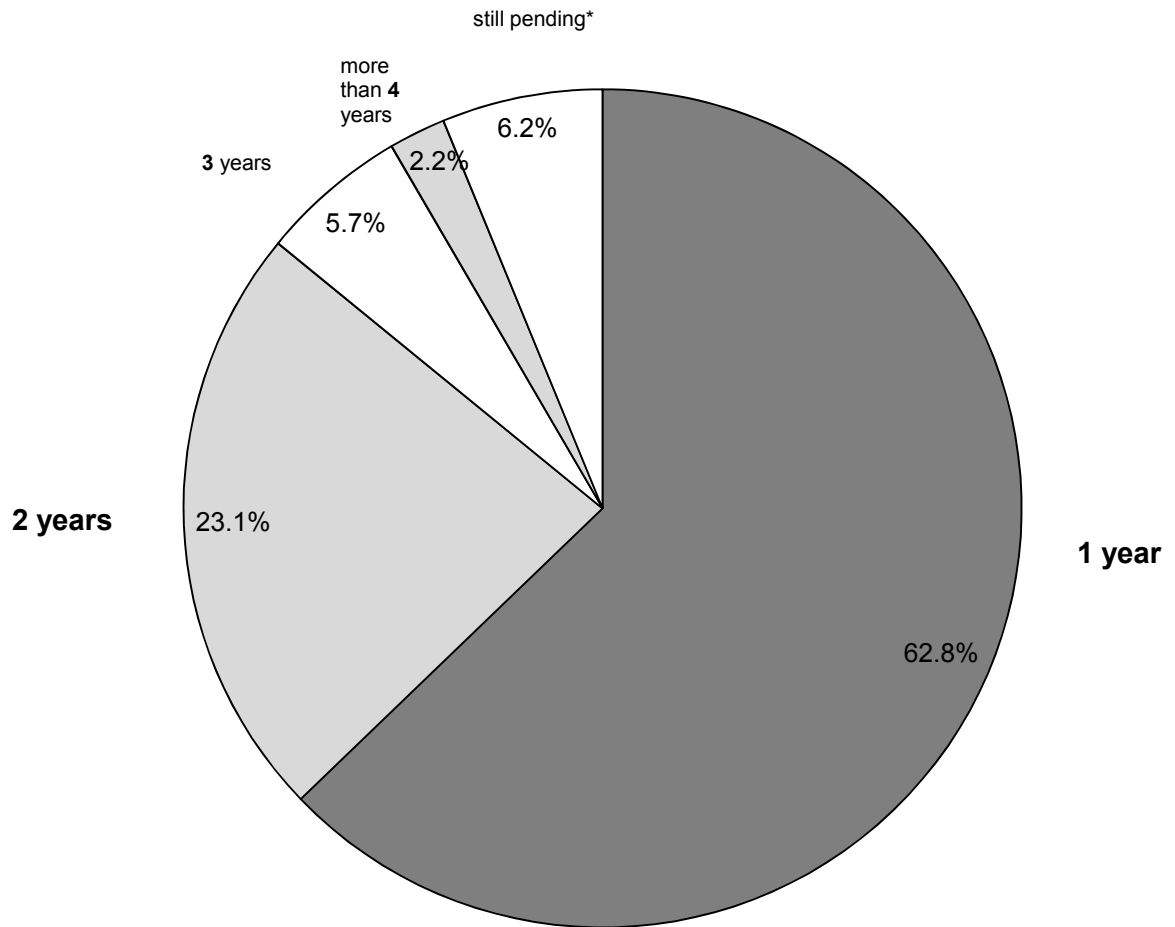
* It is not possible to provide valid figures for the period before 1987 because no separate survey of decisions which terminated several proceedings (combined proceedings) was carried out.

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

Since 1987 (Continued)

Year	Proceedings decided on their own or combined with others	Among these, successful proceedings	Share in %
2011	5,744	93	1.62%
2012	5,327	148	2.78%
2013	6,238	91	1.46%
2014	6,292	121	1.92%
2015	5,884	111	1.89%
2016	5,906	117	1.98%
2017	5,376	100	1.86%

**Average Length of Proceedings of Constitutional Complaints
Lodged in the Years 2009 to 2017**



*from the years 2009 to 2017

**Constitutional Complaints Lodged Against Judicial Decisions
Since 1991**

Type of Jurisdiction	1991 to 2012		2013		2014		2015		2016		2017		Total
	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	
a) Civil courts (incl. non-contentious jurisdiction)	33,024	9,973	1,747	605	1,777	736	1,587	574	1,275	797	1,273	755	54,123
b) Criminal courts	859	27,257	78	1,633	43	1,547	70	1,381	47	1,264	42	1,263	35,484
Administrative courts													
a) General administrative courts	9,216	5,306	466	222	454	176	431	189	451	202	444	163	17,720
b) Asylum proceedings	--	8,622	--	67	--	119	--	80	--	123	--	399	9,410
Social courts	6,024	31	591	2	651	2	553	2	535	3	527	--	8,921
Labour courts	2,685	62	120	2	132	3	127	1	162	3	160	3	3,460
Finance courts	1,369	1,831	106	62	58	63	68	61	70	62	91	60	3,901
Patent courts	48	3	3	--	1	--	3	--	2	--	2	--	62
Disciplinary courts/ Disciplinary courts for the professions	518	86	21	1	15	--	10	2	3	2	4	1	663
Federal Court of Justice in lawyer and notary matters	545	3	16	--	25	--	19	--	8	--	13	--	629
Land constitutional courts	334	159	28	10	19	2	14	8	13	5	25	6	623
Total	54,622	53,333	3,176	2,604	3,175	2,648	2,882	2,298	2,566	2,461	2,581	2,650	134,996

Judicial Decisions Reversed^{1,2,3}

Since 1991⁴

1991 to 2012		2013		2014		2015		2016		2017		Total
First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	
1,301	1,469 (507)	38	53 (1)	50	67 (--)	58	55 (--)	77	34 (1)	19	73 (11)	3,294 (520)

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 the 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 combining 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 2012		2013		2014		2015		2016		2017		Total
	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	
Federal Court of Justice	4,718	3,890	326	276	361	216	319	222	246	259	256	248	11,337
Federal Administrative Court	1,983	1,252	117	22	87	28	85	36	114	27	113	44	3,908
Federal Social Court	3,839	16	278	1	353	3	274	--	262	1	287	--	5,314
Federal Labour Court	1,864	29	74	3	126	2	116	1	148	3	177	23	2,566
Federal Finance Court	1,236	1,523	101	75	64	73	65	66	60	71	91	49	3,474
Total	13,640	6,710	896	377	991	322	859	325	830	361	924	364	26,599

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 bis 2012		2013		2014		2015		2016		2017		Total
	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	
Federal Court of Justice	104	44	--	1	3	3	11	1	2	1	1	4	175
Federal Administrative Court	35	87	--	1	--	--	1	3	--	--	--	2	129
Federal Social Court	32	--	--	--	--	--	--	--	1	--	--	--	33
Federal Labour Court	27	1	--	--	--	3	2	--	2	--	--	--	35
Federal Finance Court	7	25	--	1	--	--	--	--	--	--	--	--	33
Total	205	157	--	3	3	6	14	4	5	1	1	6	405

² also in proceedings brought in previous years

Constitutional Complaints

Lodged Against

Judicial Decisions/Statutes (Legal Provisions) / Sovereign Acts of Federal / Land (state) and European Union Authorities in the Judicial Year 2017

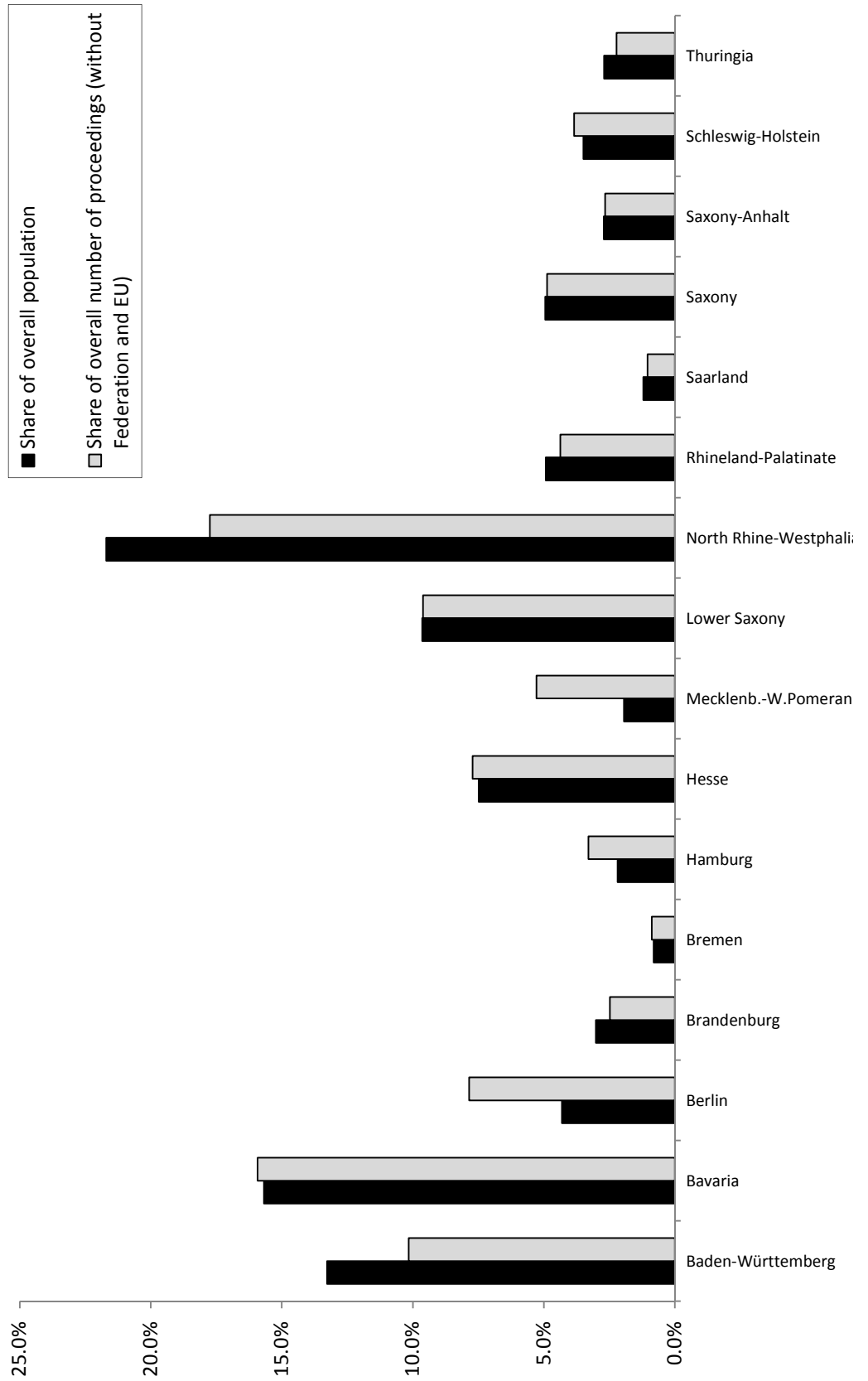
Federation/Laender (states)		Judicial decisions		Statutes/ legal provisions		Sovereign acts of federal / Land and European Union authorities		Total (Share of overall number of proceedings; without Federation and EU)
		Inhabitants (million)	Share of overall population	First Senate	Second Senate	First Senate	Second Senate	
Baden-Württemberg	195	231	--	--	13	7	446	
10.9	13.3%			14*	2*		10.2%	
Bavaria	305	373	3	1	11	6	699	
12.9	15.7%			11*	3*		15.9%	
Berlin	181	150	2	--	11	1	345	
3.6	4.3%			4*	1*		7.9%	
Brandenburg	41	63	1	--	2	2	109	
2.5	3.0%			2*	--*		2.5%	
Bremen	17	18	2	--	2	--	39	
0.7	0.8%			2*	--*		0.9%	
Hamburg	71	74	--	--	--	--	145	
1.8	2.2%			--*	--*		3.3%	
Hesse	158	171	--	--	6	4	339	
6.2	7.5%			1*	1*		7.7%	
Mecklenb.-W.Pomerania	49	176	2	--	3	2	232	
1.6	2.0%			--*	--*		5.3%	
Lower Saxony	179	235	1	--	4	3	422	
8.0	9.6%			4*	--*		9.6%	
North Rhine-Westphalia	365	392	3	1	9	9	779	
17.9	21.7%			9*	1*		17.7%	
Rhineland-Palatinate	83	105	--	--	2	2	192	
4.1	4.9%			3*	1*		4.4%	
Saarland	18	28	--	--	--	--	46	
1.0	1.2%			--*	3*		1.0%	
Saxony	92	115	1	--	5	1	214	
4.1	4.9%			1*	--*		4.9%	
Saxony-Anhalt	45	70	--	--	1	1	117	
2.2	2.7%			2*	2*		2.7%	
Schleswig-Holstein	55	108	1	--	2	3	169	
2.9	3.5%			1*	2*		3.8%	
Thuringia	60	36	--	--	2	--	98	
2.2	2.7%			1*	1*		2.2%	
Sum Laender	1,914	2,345	16	2	73	41	4,391	
			55*	17*				
Federation	667	305	107	20	21	9	1,129	
82.4 rounded	mio inhabit.		164*	74*				
EU	--	--	--	1	--	2	3	
			--*	--*				
Sum Total	2,581	2,650	123	23	94	52	5,523	
			219*	91*				

* 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 2017



Specific Judicial Review Proceedings

(Art. 100(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

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

Specific Judicial Review Proceedings

(Art. 100(1) GG)

Since 1980 (Continued)

Year	First Senate	Second Senate	Total
2011	23	12	35
2012	22	6	28
2013	10	8	18
2014	12	29	41
2015	9	3	12
2016	7	10	17
2017	7	22	29

Jurisdictions Referring the Specific Judicial Review Proceedings
(Art. 100(1) GG)
Since 1991

Referring Jurisdiction	1991 to 2012		2013		2014		2015		2016		2017		Total
	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	
Civil courts	152	95	4	1	1	--	2	--	1	--	--	--	256
Criminal courts	15	144	1	--	1	--	--	1	--	--	--	4	166
Administrative courts	67	138	5	2	6	9	3	2	3	8	6	15	264
Social courts	175	6	--	--	--	--	3	--	3	--	--	--	187
Labour courts	34	2	--	--	2	--	--	--	--	--	1	--	39
Finance courts	33	62	--	5	2	20	1	--	--	2	--	3	128
Other courts	3	93	--	--	--	--	--	--	--	--	--	--	96
Total	479	540	10	8	12	29	9	3	7	10	7	22	1,136

Statistics Objected to by the Federal Constitutional Court as Being Unconstitutional
in the Period Between **1951 and 31 December 2017**
(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
		entirely	in part	entirely	in part			
1951 to 1991	Federation	23	15	89	164	291	188	103
	Laender	12	1	52	63	128	53	75
1992 to 2011**	Federation	6	4	70	90	170	100	70
	Laender	6	1	30	18	55	35	20
2012	Federation	-	-	7	4	11	6	5
	Laender	-	-	1	3	4	2	2
2013	Federation	-	-	1	3	4	2	2
	Laender	-	-	4	1	5	4	1
2014	Federation	-	-	5	3	8	6	2
	Laender	-	16	2	3	21	20	1
2015	Federation	-	-	2	-	2	2	-
	Laender	-	-	4	3	7	2	5
2016	Federation	-	1	3	2	6	5	1
	Laender	-	-	2	-	2	2	-
2017	Federation	1	-	-	4	5	3	2
	Laender	-	-	2	27	29	24	5
Total	Federation	30	20	177	270	497	312	185
	Laender	18	18	97	118	251	142	109

* if a decision affected several provisions of a law (or ordinance), it was only counted once

** corrected

**Legal Provisions Reviewed
in Judicial Review Proceedings and Constitutional Complaint Proceedings
(Judicial Year 2017)**

Provision (Field of Law)	Senate		Proceedings/File no. Publication	Number ¹ of provisions reviewed	Com- patible	Incom- patible	Void
	I.	II.					
<i>Land</i> Civil Servants' Remuneration Act (LBesG) § 6d(1) first sentence, (3) of 12 April 2005 - Law and Regulations Gazette (GVBI) p. 119 - in the version of Art. 5 no. 1 of the Act Adjusting <i>Land</i> Remuneration and Benefits (LBVAnpG) 2007/2008 of 21 December 2007 - GVBI p. 283 - ("Waiting period" in the law on remuneration of civil servants in Rhineland-Palatinate)		X	2 BvL 1/10	1		X	X
Brandenburg Higher Education Act (BbgHG) § 30(1a) first sentence in the version of Art. 2 no. 2 of the Act to Improve the Budget Structure (HStrG) 2000 of 28 June 2000 - Law and Regulations Gazette (GVBI) I p. 90 -, amended by the First Act to Amend the BbgHG of 22 March 2004 - GVBI I p. 51 - (Levying of semester re-enrolment fees)		X	2 BvL 2/14 2 BvL 3/14 2 BvL 4/14 2 BvL 5/14	1		X ²	X
Corporation Tax Act (KStG) § 8c first sentence in the version of the Corporate Tax Reform Act (UntStReformG) 2008 of 14 August 2007 - Federal Law Gazette (BGBl) I p. 1912 - and § 8c(1) first sentence in the version of Act to Modernise the Framework for Capital Interests (MoRaKG) of 12 August 2008 - BGBl I p. 1672 - and the subsequent versions until entry into force of the Act on the Development of the Tax Loss Account of Corporations of 20 December 2016 - BGBl I p. 2998 - (Loss deduction by corporations)		X	2 BvL 6/11	1		X ²	X
Act on Nuclear Fuel Tax (KernbrStG) of 8 December 2010 - Federal Law Gazette (BGBl) I p. 1804 -, last amended by Art. 240 of the Tenth Competence Reassignment Regulation of 31 August 2015 - BGBl I p. 1474 - (Legislative competence with regard to the Nuclear Fuel Tax Act)		X	2 BvL 6/13	1		X	X
Saxony Civil Servants' Remuneration Act (SächsBesG) § 20(3) to (5) and annexes 21, 22, 25, 35, 36 and 39 of the SächsBesG in the version of the Fifth Act to Amend the SächsBesG of 17 January 2008 - Saxony Law and Regulations Gazette (SächsGVBI) p. 3 -; Second Regulation on Transitional Arrangements for Civil Servants' Remuneration Provisions (BesÜV) § 12(2); § 14(3) in conjunction with § 17(1) first sentence and (2) of the SächsBesG and annexes 2, 3, 6, 16, 17 and 20 of the SächsBesG in the version of the Fifth Act to Amend the SächsBesG of 17 January 2008 - SächsGVBI p. 3 - (Delayed remuneration adjustments for Saxon civil servants of remuneration grade A10)		X	2 BvR 883/14 2 BvR 905/14	2		X ²	
Act Regulating the Pensions of Former Members of the Federal Armed Forces (SVG) § 55b(3) in the version published on 5 March 1987 - Federal Law Gazette (BGBl) I p. 843 and in the version of the Act to Amend the Civil Servants' Pensions Act (BeamtVGÄndG) of 18 December 1989 - BGBl I p. 2218 (Taking into account NATO compensation payments for the calculation of pensions paid to members of the Federal Armed Forces)		X	2 BvL 10/11 2 BvL 28/14	1	X		
Act on Collective Agreements (TVG) § 4a in the version of the Act on Uniformity of Collective Agreements of 3 July 2015 - Federal Law Gazette (BGBl) I p. 1130 - (Provisions of the Act on Uniformity of Collective Agreements; supplanting of a collective agreement)	X		1 BvR 1571/15 1 BvR 1588/15 1 BvR 2883/15 1 BvR 1043/16 1 BvR 1477/16	1	X	X ²	
Act on the Assistance and Protective Measures for Mentally Ill Persons of the <i>Land</i> Mecklenburg-Western Pomerania (PsychKG M-V) § 23(2) second sentence alternative 1 in the version published on 13 April 2000 - Mecklenburg-Western Pomerania Law and Regulations Gazette (GVOBI M-V) p. 182 -, last amended by Art. 4 of the Amendment Act of 9 November 2010 - GVOBI M-V p. 649 - (Coercive medical treatment during custody in an institution under public law in Mecklenburg-Western Pomerania)		X	2 BvR 2003/14	1		X	X

**Legal Provision Reviewed
in Judicial Review Proceedings and Constitutional Complaint Proceedings
Judicial Year 2017 - Continued)**

Provision (Field of Law)	Senate		Proceedings/File no. Publication	Number ¹ of provisions reviewed	Com- patible	Incom- patible	Void
	I.	II.					
Civil Status Act (PStG § 21(1) no. 3 in the version of Art. 1 of the Civil Status Law Reform Act (PStRG) of 19 February 2007 - Federal Law Gazette (BGBl) I p. 122 - in conjunction with § 22(3) PStG in the version of Art. 1 no. 6 letter b of the Civil Status Law Amending Act (PStRÄndG) of 7 May 2013 - BGBl I p. 1122 - (Allowing a further positive gender entry)	X		1 BvR 2019/16	1		X ²	
<p>Framework Act for Higher Education (HRG) § 32(3) first sentence nos. 2 und 3, (3) sentences 2 and 4 in the version of 28 August 2004 - Federal Law Gazette (BGBl) I p. 2298 -;</p> <p>Baden-Württemberg Act on the State Treaty on the Establishment of a Joint Centre for University Admissions (HSchulZulEErStVtrG BW) § 1 of 10 November 2009 - Baden-Württemberg Law Gazette (GBl.BW) p. 663 - and § 2a(1) first sentence of the Baden-Württemberg University Admissions Act (HZG BW) in the version of 15 September 2005 - GBl.BW p. 629 - and the Amending Act of 15 June 2010 - GBl.BW pp. 422, 423 -;</p> <p>Decision of the <i>Land</i> (state) parliament of the Free State of Bavaria to Approve the Act on the State Treaty on the Establishment of a Joint Centre for University Admissions (HSchulZulEErStVtrG) of 22 April 2009 - Bavarian Law and Regulations Gazette (BayGVBl) p. 186 - and Art. 7(1) and (2) of the Bavarian University Admissions Act of 9 May 2007 - BayGVBl p. 320 - in the version of the Act of 9 July 2012 - BayGVBl p. 339 -;</p> <p>Berlin Act on the State Treaty on the Establishment of a Joint Centre for University Admissions (HSchulZulEErStVtrG BE) § 1 of 29 October 2008 - Berlin Law and Regulations Gazette (GVBl BE) p. 310 - and § 8(1) no. 2 and (3) first to fifth sentence of the Berlin University Admissions Act (BerlHZG) in the version published on 18 June 2005 - GVBl (BE) p. 393 - and the Act of 26 June 2013 - GVBl (BE) p. 198 -;</p> <p>Hamburg Act on the State Treaty on the Establishment of a Joint Centre for University Admissions (HSchulZulEErStVtrG Hamb) Art. 1(1) of 17 February 2009 - Hamburg Law and Regulations Gazette (HmbGVBl.) p. 36 - and Art. 3(1) second sentence of 17 February 2009 - HmbGVBl. p. 36 - in the version of the Act of 6 March 2012 - HmbGVBl. S. 132 -;</p> <p>Hesse Act on the State Treaty on the Establishment of a Joint Centre for University Admissions (HSchulZulEErStVtrG Hessen) § 1(1) and (2) and § 4(1) no. 2, (3) and (4) second sentence in the version of 5 December 2009 - Law and Regulations Gazette (GVBl) I p. 705 -;</p> <p>Mecklenburg-W. Pomerania Act on the State Treaty on the Establishment of a Joint Centre for University Admissions (HSchulZulEErStVtrG M-V) Art. 1(1) of 11 March 2010 - Mecklenburg-W. Pomerania Law and Regulations Gazette (GVOBl M-V) p. 164 - and § 4(1) no. 2, (3) first and second sentence and (5) second sentence of the Mecklenburg-W. Pomerania University Admissions Act (HZG M-V) of 14 August 2007 - GVOBl M-V p. 286 - in the version of the Act of 16 December 2010 - GVOBl M-V pp. 730, 758 -;</p>	X		1 BvL 3/14 1 BvL 4/14	25		X ²	X

**Legal Provisions Reviewed
in Judicial Review Proceedings and Constitutional Complaint Proceedings
Judicial Year 2017 - Continued)**

Provision (Field of Law)	Senate		Proceedings/File no. Publication	Number ¹ of provisions reviewed	Com- patible	Incom- patible	Void
	I.	II.					
<p>Lower Saxony Act on the State Treaty on the Establishment of a Joint Centre for University Admissions (HSchZulEErStVtrG Nds.) Art. 1(1) and (2) of 17 February 2010 - Law and Regulations Gazette (GVBl) p. 47 - and § 8(1) of the Lower Saxony University Admissions Act (NHZG) of 29 January 1998 GVBl p. 51 - in the version of the Act of 17 February 2010 - GVBl p. 47 -;</p> <p>North Rhine-Westphalia Act on the Ratification of the Act on the State Treaty on the Establishment of a Joint Centre for University Admissions (HSchulZulEErStVtrG NRW) § 1(1) of 5 June 2008, of 18 November 2008 - North Rhine-Westphalia Law and Regulations Gazette (GV.NW) p. 710 - and § 2 of the Third University Admissions Act of North Rhine-Westphalia (3. HZG NRW) of 18 November 2008 - GV.NW p. 710 -;</p> <p>Land Act on the Rhineland-Palatinate Act on the State Treaty on the Establishment of a Joint Centre for University Admissions (HSchulZulEErStVtrG RP) § 1 of 27 October 2009 - Law and Regulations Gazette (GVBl) p. 347 -;</p> <p>Act No. 1666 on the Ratification of the Act on the State Treaty on the Establishment of a Joint Centre for University Admissions (HSchulZulEErStVtrG) § 1 of 5 June 2008, of 9 December 2008 - Official Gazette (ABl) p. 331 -;</p> <p>Saxony Act on the State Treaty on the Establishment of a Joint Centre for University Admissions (HSchulZulEErStVtrG Sachsen) Art. 1 of 16 April 2009 - Saxony Law and Regulations Gazette (SächsGVBl) pp. 155, 259 - and § 3(1) and (2) second sentence of the Saxony University Admissions Act (SächsHZG) of 7 June 1993 - SächsGVBl p. 462 - in the version of the Act of 18 October 2012 - SächsGVBl pp. 568, 575 -;</p> <p>Saxony-Anhalt University Admissions Act (HZuG LSA) § 1(1) and (2) and § 3a second and third sentence in the version published on 24 July 2012 - Saxony-Anhalt Law and Regulations Gazette (GVBl LSA) pp. 297, 298 -;</p> <p>Schleswig-Holstein Act on the State Treaty on the Establishment of a Joint Centre for University Admissions (HSchulZulEErStVtrG Schl.-H.) Art. 1(1) and (2) of 27 June 2008 - Schleswig-Holstein Law and Regulations Gazette (GVOBl Schl.-H.) p. 304 -; § 4(1) first, second and fourth sentence and (2) of the Act on the Approval and Implementation of the State Treaty on the Establishment of a Joint Centre for University Admissions (ZVSZuAG) of 19 June 2007 - GVOBl Schl.-H. p. 293 - in the version of the Act of 19 June 2009 - GVOBl Schl.-H. p. 331 - and § 12(2) first sentence of the University Admissions Act (HZG) in the version of 5 February 2016 - GVOBl Schl.-H. p. 75 -;</p> <p>Thuringia Act on the State Treaty on the Establishment of a Joint Centre for University Admissions (HSchulZulEErStVtrG Thür) § 1 of 16 December 2008 - Law and Regulations Gazette (GVBl) p. 529 - and § 11(1) first sentence and (2) of the Thuringia University Admissions Act (ThürHZG) of 16 December 2008 - GVBl p. 535 -;</p> <p>Berlin University Admissions Act (BerlHZG) § 8a in the version published on 18 June 2005 - Berlin Law and Regulations Gazette (GVBl (BE)) p. 393 - (Legal provisions of the Federation and the <i>Laender</i> relating to the university admissions to medical studies)</p>							
Total	3	7		35	2	3 6²	6

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

² partial incompatibility

Abuse Fees Imposed

Since 1962

Year	First Senate		Second Senate		Total	
	Sum	Number of abuse fees imposed	Sum	Number of abuse fees imposed	Sum	Number of abuse fees imposed
1962 to 2001 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	

Abuse Fees Imposed

Since 1962 (Continued)

Year	First Senate		Second Senate		Total	
	Sum	Number of abuse fees imposed	Sum	Number of abuse fees imposed	Sum	Number of abuse fees imposed
From 2002 in euros						
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
2014	5,550	15	5,050	6	10,600	21
2015	8,950	16	8,000	12	16,950	28
2016*	5,350	9	3,000	2	8,350	11
2017	4,100	5	9,150	10	13,250	15
Total	278,230	1,119	398,336	1,961	676,566	3,080

* corrected

Abuse Fees Imposed Pursuant to § 34(2) BVerfGG

New proceedings

a) Constitutional complaints:

	2016	2017
First Senate	2,922	2,920
Second Senate	2,688	2,864
Total	5,610	5,784

b) Preliminary injunctions:

	2016	2017
First Senate	51	74
Second Senate	70	87
Total	121	161

		Number and share of the total of constitutional complaints/ preliminary injunctions		Total amount in EUR		Smallest amount in EUR		Highest amount in EUR	
		2016*	2017	2016*	2017	2016*	2017	2016	2017
First Senate	Constitutional complaints	7 (0.24%)	5 (0.17%)	4,650	4,100	250	300	1,000	2,300
	Preliminary injunctions	2 (3.92%)	-- (--)	700	--	200	--	500	--
Second Senate	Constitutional complaints	2 (0.07%)	9 (0.31%)	3,000	6,550	500	250	2,500	2,600
	Preliminary injunctions	-- (--)	1 (1.15%)	--	2,600	--	2,600	--	2,600
Total		11 (0.19%)	15 (0.25%)	8,350	13,250				

Amounts Broken Down

2016*				2017						
First Senate		Second Senate		First Senate		Second Senate				
1	x	200 €	1	x	500 €	1	x	250 €		
1	x	250 €	1	x	2,500 €	3	x	500 €		
2	x	500 €				1	x	2,300 €		
1	x	600 €						2	x	600 €
2	x	700 €						2	x	2,600 €
1	x	900 €								
1	x	1.000 €								

*corrected

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

	Complaints pending from the previous years	New complaints 2017	Complaints terminated										Complaints still pending on 31 December 2017					
			Complaints dismissed as inadmissible	Thereby decided as well	Complaints rejected as unfounded	Thereby decided as well	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			
First Senate	--	20	9	11													20	--
Second Senate	2	4	5														5	1
Total	2	24	14	11	--	--	--	--	--	--	--	--	--	--	--	--	25	1

B. Overview

of the Matters Dealt With by the First Senate

in the Judicial Year 2017

General Overview

	Proceedings from previous years pending on 31 December 2016		New proceedings 2017		Total		Terminated		Still pending	
Abstract judicial review proceedings - BvF -	2	(2)	--	(--)	2	(2)	1	(--)	1	
Specific judicial review proceedings - BvL -	14	(24)	7	(7)	21	(31)	5	(17)	16	
Applications for a preliminary injunction - BvQ -	2	(6)	74*	(51*)	76	(57)	73	(55)	3	
Constitutional complaints - BvR -	1,324	(1,678)	2,920*	(2,922*)	4,244	(4,600)	2,847	(3,276)	1,397	
	1,342	(1,710)	3,001	(2,980)	4,343	(4,690)	2,926	(3,348)	1,417	

* of these, transfers from the General Register (§ 64(2) and (3) of the Federal Constitutional Court's Rules of Procedure - GOBVerfG):

BvQ 42 (20)
BvR 1,620 (1,625)

() = figures from the previous year

New Proceedings

1. Specific judicial review proceedings:

a) from the courts of ordinary jurisdiction

Local Courts:	-- (1)	Regional Courts:	-- (--)	Higher Regional Courts:	-- (--)	Federal Court of Justice:	-- (--)	=	-- (1)
------------------	--------	---------------------	---------	-------------------------------	---------	---------------------------------	---------	---	--------

b) from the administrative courts

Admin. Courts:	1 (3)	Higher Admin. Courts:	5 (--)	Federal Admin. Court	-- (--)			=	6 (3)
-------------------	-------	-----------------------------	--------	----------------------------	---------	--	--	---	-------

c) from the social courts

Social Courts:	-- (3)	Higher Social Courts:	-- (--)	Federal Social Court	-- (--)			=	-- (3)
-------------------	--------	-----------------------------	---------	----------------------------	---------	--	--	---	--------

d) from the labour courts

Labour Courts:	1 (--)	Higher Labour Courts:	-- (--)	Federal Labour Court	-- (--)			=	1 (--)
-------------------	--------	-----------------------------	---------	----------------------------	---------	--	--	---	--------

e) from the finance courts

Finance Courts:	-- (--)	Federal Finance Court:	-- (--)					=	-- (--)
--------------------	---------	------------------------------	---------	--	--	--	--	---	---------

f) from the disciplinary courts and the disciplinary courts for the professions

= -- (--)

= 7 (7)

() = figures from the previous year

2. Constitutional complaints lodged against

2.1. decisions by the		2016	2017
a) courts of ordinary jurisdiction		1,322	1,315
of these,	2016 2017		
1. decisions in civil matters (including matters of non-contentious jurisdiction)	1,275 1,273		
2. decisions in criminal matters	47 42		
b) administrative courts		451	444
c) social courts		535	527
d) labour courts		162	160
e) finance courts		70	91
f) patent courts		2	2
g) disciplinary courts, disciplinary courts for the professions		3	4
h) Federal Court of Justice in lawyer and notary matters		8	13
i) <i>Land</i> constitutional courts		13	25
2.2. a) laws and regulations (directly)		136	123
b) legislative omission		2	2
2.3. other sovereign acts by:			
a) European authorities		--	--
b) highest federal authorities		24	21
c) <i>Land</i> authorities		44	73
d) local government authorities		6	3
2.4. other general objects of legal challenges		144	117
		<u>2,922</u>	<u>2,920</u>
of these:			
with authorised representatives		1,148	1,186
without authorised representatives		1,774	1,734

Proceedings Terminated

1. Final Decisions

a) <u>Senate:</u>		
aa) judgment	2	(4)
decided jointly in combined proceedings*.....	5	(3)
bb) order	4	(8)
<u>of these</u> pursuant to § 24 BVerfGG.....	--	(--)
pursuant to § 93b second sent. BVerfGG....	--	(--)
decided jointly in combined proceedings*.....	4	(3)
		6 (12)
b) <u>Chambers:</u>		
aa) order pursuant to § 81a BVerfGG	2	(5)
decided jointly in combined proceedings*.....	1	(--)
bb) non-admission/denial of preliminary injunction.....	2,731	(3,071)
decided jointly in combined proceedings*.....	130	(150)
cc) grant of relief sought.....	19	(44)
decided jointly in combined proceedings*.....	--	(30)
		2,752 (3,120)

2. Proceedings Terminated in Other Ways:

* a) decided jointly in combined proceedings (see above).....	140	(186)
b) withdrawal of constitutional complaints	11	(16)
c) transfer to the Second Senate	5	(5)
d) reversal of the order of referral by the submitting court	--	(4)
e) withdrawal of an application.....	--	(--)
f) proceedings having become moot..... (e.g. by the complainant's death, an amendment of the law, the complainant's being deprived of a cause of action, etc.)	12	(5)
g) § 7(3) of the Records Ordinance	--	(--)
(AktO; non-pursuance of the proceedings)		
		168 (216)
		Total <u>2,926 (3,348)</u>

() = figures from the previous year

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

	2016	2017
concerning		
a) a preliminary injunction	12	22
issuance	5 (4)	
repetition	-- (1)	
denial	16 (7)	
reversal	-- (--)	
protest	1 (--)	
b) invocation of the jurisdiction of the plenary	--	--
c) appointment of Justices to the Senate	--	--
d) exclusion of a Justice	--	--
e) challenge of a Justice (also recusal)	1	1
f) grant of legal aid and assignment of an attorney to the assisted party	1	--
g) admission of an adviser (<i>Beistand</i>)	--	1
h) separation of proceedings	--	--
i) setting of a date for the oral hearing	5	5
j) service by public notice	--	--
k) partial non-admission of a constitutional complaint for decision (§ 25(3) of the Federal Constitutional Court Act - BVerfGG)	--	--
l) discontinuation of proceedings	--	--
m) reimbursement of expenses	5	6
n) determination of the amount involved	26	10
o) remonstrance	--	--
p) reinstatement into the former procedural position	--	--
q) correction, amendment, completion etc. of decisions	3	3
r) imposition, amendment and cancellation of abuse fees	--	--
s) legal remedies against orders of the judicial officers fixing lawyers fees/other costs	2	1
t) order regarding the execution of a decision (§ 35 BVerfGG)	--	--
u) other	--	1
	55	50
3.2. Fixing of costs/remuneration by judicial officers		
a) pursuant to § 34a(2) and (3) BVerfGG, § 104 of the Code of Civil Procedure (ZPO) of these, 9 (--) orders	84	30
b) pursuant to § 19 of the Federal Fee Schedule for Lawyers (BRAGO) § 11 of the Lawyers' Remuneration Act (RVG) of these, 1 (7) orders	8	3
c) in the context of legal aid of these, 1 (1) orders	2	1
d) correction, amendment, completion etc. of decisions of these, -- (--) orders	--	--
e) legal remedies against orders fixing lawyers' fees/other costs of these, 2 (1) orders	4	3
f) compensation of witnesses and experts of these, -- (--) orders	--	1
g) service by public notice	--	--
h) other of these, 1 (1) orders	1	2
	99	40

() = figures from the previous year

Total Numbers of Constitutional Complaint Proceedings Terminated

Proceedings pending from the previous years and new proceedings 2017	Decisions issued by the Senate				Decisions issued by the Chambers ¹				Withdrawals ¹	Transfer to the Second Senate ¹	Proceeding in other ways ¹	Proceedings pending from the previous years		
	successful	unsuccessful	inadmissible	§ 93b second sentence § 24 BVerfGG	thereby decided jointly	Non-admission		thereby decided jointly					Grant	thereby decided jointly
						with reasons	with reasoning in the operative parts of the decision							
2009												3	2009	
2010												2	2010	
2011												2	2011	
2012		2			1 (-)							11	2012	
2013			1		3 (-)		175	277	19	128		40	2013	
2014												43	2014	
2015	1				2 (2)							112	2015	
2016	1				2 (2)							230	2016	
2017												954	2017	
Total:	4,244	5 (2²)	8 (4²)	2,660	128	19³	-- (-³)	11⁴	5	11	1,397	Total		
Figures from the previous year	4,600	8 (4 ²)	3 (3 ²)	3,017	150	44 ³	30 (30 ³)	16 ⁴	4	4	1,324	Figures from the previous year		

¹ from all years of entry

² of these, with authorised representatives: 6 [previous year: 7], without authorised representatives : -- [previous year: --]

³ of these, with authorised representatives: 18 [previous year: 70], without authorised representatives: 1 [previous year: 4]

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

() = successful constitutional complaints: Senate decisions and grants by the Chambers (including proceedings decided jointly), combined: 25 [previous year: 81]

Total Numbers of Proceedings Terminated (Without Constitutional Complaints)

Proceedings pursuant to § 13 BVerfGG	Proceedings pending from previous years and new proceedings 2017	Decisions issued by the Senate				Decisions issued by the C h a m b e r s						With-drawals	Transfer to the Second Senate	Proceedings terminated in other ways (reversal of the order of referral, proceedings having become moot etc.)	Proceedings pending from the years		
		successful	unsuccessful	inadmissible	pursuant to § 24 BVerfGG	thereby decided jointly	Rejection	thereby decided jointly	Grant	thereby decided jointly	Order pursuant to § 81a BVerfGG					thereby decided jointly	
No. 6 (BvF)	2013	1														1	2013
	2017	--														--	2017
	Total:	1	--	--	--	--	--	--	--	--	--	--	--	--	--	1	Total
No. 11 (BvL)	2014	7	1				1									4	2014
	2015	3								1						1	2015
	2016	4														4	2016
	2017	7														7	2017
	Total:	21	1	--	--	--	1	--	--	2	--	--	--	--	--	16	Total
§ 32 (BvQ)	2016	2							2							--	2016
	2017	74						69	2							3	2017
	Total:	76	--	--	--	--	--	71	2	--	--	--	--	--	--	3	Total

C. Overview

of the Matters Dealt with by the Second Senate

in the Judicial Year 2017

General Overview

	Proceedings from previous years pending on 31 December 2016		New proceedings 2017		Total		Terminated		Still pending	
Proceedings concerning the prohibition/exclusion from state funding of political parties - BvB -	1	(1)	--	(--)	1	(1)	1	(--)	--	
Scrutiny of elections and of the status as a member of the <i>Bundestag</i> - BvC -	16	(64)	7	(--)	23	(64)	17	(48)	6	
<i>Organstreit</i> proceedings - BvE -	11	(11)	1	(6)	12	(17)	4	(6)	8	
Abstract judicial review - BvF -	5	(5)	--	(--)	5	(5)	1	(--)	4	
Disputes between the Federation and the <i>Laender</i> - BvG -	1	(1)	--	(--)	1	(1)	1	(--)	--	
Other public law-disputes - BvH -	--	(--)	--	(--)	--	(--)	--	(--)	--	
Constitutional disputes within a <i>Land</i> - BvK -	--	(--)	--	(--)	--	(--)	--	(--)	--	
Specific judicial review - BvL -	50	(42)	22	(10)	72	(52)	12	(2)	60	
Review of public international law - BvM -	--	(--)	--	(--)	--	(--)	--	(--)	--	
Other cases assigned to the Federal Constitutional Court by federal law	1	(1)	--	(--)	1	(1)	--	(--)	1	
Preliminary injunctions - BvQ -	5	(2)	87* of these, 9 matters concerning political asylum	(70*) of these, 8 matters concerning political asylum	92	(72)	88	(67)	4	
Constitutional complaints - BvR -	1,753	(1,775)	2,864*	(2,688*)	4,617	(4,463)	2,609	(2,710)	2,008	
Plenary matters - PBvU -	--	(--)	--	(--)	--	(--)	--	(--)	--	
	1,843	(1,902)	2,981	(2,774)	4,824	(4,676)	2,733	(2,833)	2,091	

* of these, transfers from the General Register (§ 64(2) and (3) GOBVerfG):

BvC -- (--)
 BvQ 38 (34)
 BvR 1,466 (1,444)

() = figures from the previous year

New Proceedings

1. Specific Judicial Review Proceedings:

a) from the courts of ordinary jurisdiction

Local Courts:	1	(--)	Regional Courts:	2	(--)	Higher Regional Courts:	1	(--)	Federal Court of Justice:	--	(--)	=	4	(--)
------------------	---	------	---------------------	---	------	-------------------------------	---	------	---------------------------------	----	------	---	---	------

b) from the administrative courts

Admin. Courts:	10	(6)	Higher Admin. Courts:	5	(1)	Federal Admin. Court:	--	(1)				=	15	(8)
-------------------	----	-----	-----------------------------	---	-----	-----------------------------	----	-----	--	--	--	---	----	-----

c) from the social courts

Social Courts:	--	(--)	Higher Social Courts:	--	(--)	Federal Social Court:	--	(--)				=	--	(--)
-------------------	----	------	-----------------------------	----	------	-----------------------------	----	------	--	--	--	---	----	------

d) from the labour courts

Labour Courts:	--	(--)	Higher Labour Courts:	--	(--)	Federal Labour Court:	--	(--)				=	--	(--)
-------------------	----	------	-----------------------------	----	------	-----------------------------	----	------	--	--	--	---	----	------

e) from the finance courts

Finance Courts:	3	(1)	Federal Finance Court:	--	(1)							=	3	(2)
--------------------	---	-----	------------------------------	----	-----	--	--	--	--	--	--	---	---	-----

f) from the disciplinary courts and the disciplinary courts for the professions

= -- (--)

= 22 (10)

() = figures from the previous year

2. Constitutional complaints against:

		2016	2017
2.1. decisions of the			
a) courts of ordinary jurisdiction		2,061	2,018
of these,	2016 2017		
1. decisions in civil matters (including matters of non-contentious jurisdiction)	797 755		
2. decisions in criminal matters	1,264 1,263		
b) administrative courts - of these asylum proceedings: 399 (123) -		325	562
c) social courts		3	--
d) labour courts		3	3
e) finance courts		62	60
f) patent courts		--	--
g) disciplinary courts, disciplinary courts for the professions		2	1
h) Federal Court of Justice in lawyer and notary matters		--	--
i) <i>Land</i> constitutional courts		5	6
2.2. a) laws and regulations (directly)		28	23
b) legislative omission		--	--
2.3. other sovereign acts by:			
a) European authorities		3	2
b) highest federal authorities		17	9
c) <i>Land</i> authorities		28	41
d) local government authorities		--	--
2.4. other general matters of challenge - of these, matters concerning the right of political asylum: 3 (26) -		151	139
		<u>2,688</u>	<u>2,864</u>
of these:			
with authorised representatives		1,074	1,290
without authorised representatives		1,614	1,574

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

	2016	2017
concerning		
a) a temporary injunction	19	31
issuance	11 (7)	
repetition	6 (2)	
denial	14 (10)	
reversal	-- (--)	
protest	-- (--)	
b) invocation of the jurisdiction of the Plenary	--	--
c) appointment of Justices to the Senate	1	--
d) exclusion of a Justice	--	--
e) challenge of a Justice (also recusal)	5	--
f) grant of legal aid and assignment of an attorney to the assisted party	10	6
g) admission of an adviser (<i>Beistand</i>)	--	--
h) separation of proceedings	--	--
i) setting the date for the oral hearing	9	11
j) service by public notice	--	--
k) partial non-admission of a constitutional complaint for decision (§ 25(3) BVerfG)	--	--
l) discontinuation of proceedings	1	--
m) reimbursement of expenses	3	16
n) determination of the amount involved	17	18
o) remonstrance	1	1
p) reinstatement into the former procedural position	--	1
q) correction, amendment, completion, etc. of decisions	1	--
r) imposition, amendment or cancellation of abuse fees	--	1
s) legal remedies against orders of the judicial officers fixing lawyer's fees/other costs	--	1
t) order regarding the execution of a decision (§ 35 BVerfGG)	1	--
u) other	4	5
	72	91
3.2. Fixing of costs/remuneration by the judicial officers		
a) pursuant to § 34a(2) and (3) BVerfGG, § 104 of the Code of Civil Procedure (ZPO) of these, 9 (--) orders	30	46
b) pursuant to § 19 of the Federal Fee Schedule for Lawyers (BRAGO), § 11 of the Lawyers' Remuneration Act (RVG) of these, 2 (3) orders	3	3
c) in the context of legal aid of these, -- (--) orders	--	--
d) correction, amendment, completion etc. of decisions of these, -- (--) orders	--	--
e) legal remedies against orders fixing lawyers' fees/other costs of these, -- (--) orders	--	--
f) compensation of witnesses and experts of these, -- (--) orders	--	--
g) service by public notice	--	--
h) other of these, -- (1) orders	1	--
	34	49

() = figures from the previous year

Total Numbers of Constitutional Complaint Proceedings Terminated

Proceedings pending from previous years and new proceedings 2017	Decisions issued by the Senate				Decisions issued by the Chambers ¹				Withdrawals ¹	Transfer to the First Senate ¹	Proceedings terminated in other ways ¹	Proceedings pending from the previous years		
	successful	unsuccessful	inadmissible	§ 93b second sentence § 24 BVerfGG	thereby decided jointly	Non-admission							Grant	thereby decided jointly
						with reasons	with reasoning in the operative parts of the decision	without reasons						
2009	2											1	2009	
2010	1											1	2010	
2011	4											2	2011	
2012	10											7	2012	
2013	25											14	2013	
2014	120	2										45	2014	
2015	315											131	2015	
2016	1,276	1										381	2016	
2017	2,864											1,426	2017	
Total:	4,617	3 (2²)			1 (1²)	2,441	39	48³	24 (23³)	17⁴	9	27	2,008 Total	
Figures from the previous year	4,463	5 (1 ²)			3 (– ²)	2,559	52	34 ³	1 (1 ³)	26 ⁴	17	13	Figures from the previous year 1,753	

¹ from all years of entry

² of these, with authorised representatives: 2 [previous year: 1], without authorised representatives: 1 [previous year: –]

³ of these, with authorised representatives: 49 [previous year: 30], without authorised representatives: 22 [previous year: 5]

⁴ of these, following a recommendation from the reporting Justice for the complainant to withdraw the constitutional complaint: – [previous year: –]

() = successful constitutional complaints: Senate decisions and grants by the Chambers (including proceedings decided jointly), combined: 74 [previous year: 36]

Total Numbers of Proceedings Terminated (Without Constitutional Complaints)

Proceedings pursuant to § 13 BVerfGG	Proceedings pending from previous years and new proceedings 2017	Decisions issued by the Senate				Decisions issued by the Chambers						Withdrawals	Transfer to the First Senate	Proceedings terminated in other ways (reversal of the order of referral, proceedings having become moot etc.)	Proceedings pending from the years			
		successful	unsuccessful	inadmissible	pursuant to § 24 BVerfGG	thereby decided jointly	Rejection	thereby decided jointly	Grant	thereby decided jointly	Order pursuant to § 81a BVerfGG					thereby decided jointly		
No. 2, 2a (BvB)	2013		1													--	2013	
	2017																--	2017
	Insges.:	1	1	--	--	--	--	--	--	--	--	--	--	--	--	--	Total	
No. 3 (BvC)	2014				6											1	2014	
	2015				4											5	2015	
	2017		1	6												--	2017	
	Insges.:	23	1	6	10	--	--	--	--	--	--	--	--	--	--	6	Total	
No. 5 (BvE)	2011	1														--	2011	
	2015	4	1													3	2015	
	2016	6			2											4	2016	
	2017	1														1	2017	
Insges.:	12	2	--	2	--	--	--	--	--	--	--	--	--	--	8	Total		
No. 6 (BvF)	2011	2														2	2011	
	2013	1	1													--	2013	
	2015	2														2	2015	
	2017	--														--	2017	
Insges.:	5	--	1	--	--	--	--	--	--	--	--	--	--	--	4	Total		
No. 7 (BvG)	2014	1	1													--	2014	
	2017	--														--	2017	
	Insges.:	1	1	--	--	--	--	--	--	--	--	--	--	--	--	--	Total	

Total Numbers of Proceedings Terminated (Without Constitutional Complaints - Continued)

Proceedings pursuant to § 13 BVerfGG	Proceedings pending from previous years and new proceedings 2017	Decisions issued by the Senate				Decisions issued by the Chambers						Withdrawals	Transfer to the First Senate	Proceedings terminated in other ways (reversal of the order of referral, proceedings having become moot etc.)	Proceedings pending from the years	
		successful	unsuccessful	inadmissible	pursuant to § 24 BVerfGG	thereby decided jointly	Rejection	thereby decided jointly	Grant	thereby decided jointly	Order pursuant to § 81a BVerfGG					thereby decided jointly
	2009 1															1 2009
	2010 1	1														-- 2010
	2011 6	1	1													4 2011
	2013 5	1														4 2013
No. 11 (BvL)	2014 25	1			4											20 2014
	2015 2															2 2015
	2016 10															10 2016
	2017 22															19 2017
	Total: 72	4	1	--	--	4	--	--	--	3	--	--	--	--	60	Total
No. 15 (BvP)	2015 1															1 2015
	2017 --															-- 2017
	Total: 1	--	--	--	--	--	--	--	--	--	--	--	--	--	1	Total
§ 32 (BvQ)	2016 5						4	1								-- 2016
	2017 87				1	74			2			4		2	4	2017
	Total: 92	--	--	--	1	78	1	2	--	4	2	4	2	4	4	Total

D. Overview

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

for the Judicial Years 2007 to 2017

**Matters Dealt With in the General Register (GR)
Since 2007**

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Total number of entries	8,450	8,547	9,187	9,240	9,128	10,138	9,052	10,116	8,826	8,804	8,744
1. a) enquiries (§ 63(1a) GOBVerfG)	1,139	1,208	1,198	1,208	899	843	788	720	844	755	742
b) general letters/expressions of opinion (§ 63(1b) GOBVerfG)	1,678	2,098	2,452	2,746	2,246	3,238	2,591	3,284	2,254	2,638	2,707
2. submissions and constitutional complaints (§ 63(2a) and (2b) GOBVerfG)	5,633	5,241	5,537	5,286	5,983	6,057	5,673	6,112	5,728	5,411	5,295
transferred to the registers of proceedings (§ 64(2) GOBVerfG)	1,065	955	900	760	861	755	1,041	1,362	1,287	1,161	1,154
- also proceedings from previous years -	591	574	685	653	688	799	796	970	872	981	1,042
a) after previous instruction of the complainant	1,656	1,529	1,585	1,413	1,549	1,554	1,837	2,332	2,159	2,142	2,196
Percentage:	29%	29%	29%	27%	26%	26%	32%	38%	38%	40%	41%
First Senate	659	544	487	555	836	689	848	538	632	484	508
Second Senate	305	262	373	362	592	687	623	489	482	497	481
Sum	964	806	860	917	1,428	1,376	1,471	1,027	1,114	981	989
Percentage:	17%	15%	16%	17%	24%	23%	26%	17%	19%	18%	19%
b) without previous instruction	2,620	2,335	2,445	2,330	2,977	2,930	3,308	3,359	3,273	3,123	3,185
Sum	47%	45%	44%	44%	50%	48%	58%	55%	57%	58%	60%
Percentage:	53%	55%	56%	56%	50%	52%	42%	45%	43%	42%	40%
Total:	3,013	2,906	3,092	2,956	3,006	3,127	2,365	2,753	2,455	2,288	2,110
Percentage:	53%	55%	56%	56%	50%	52%	42%	45%	43%	42%	40%
c) thus, remaining in the General Register (GR)											
Percentage:											

Please note that the proceedings remaining in the General Register are not terminated but can principally be called up again at any time within the time frame stipulated in § 35b(7) BVerfGG.