

GERMANY
Advance written questions to States under review (SuR)
Session 1 of the UPR (7 to 18 April 2008)

SuR	ISSUE	QUESTION
Bahrain	National Human Rights Institutions	Germany welcomes the decision of the GoB, in November 2007, to create a National Human Rights Commission. When does the GoB intend to implement this decision and when will the Commission become operational?
	Discrimination	Does the GoB intend to change the provisions of the 1963 citizenship law which stipulate that children of Bahraini mothers and non-Bahraini fathers do not have Bahraini citizenship?
	Ratification of the Rome Statute	Does the GoB intend to ratify the Rome Statute of the ICC?
Ecuador	Detention conditions	What measures does the GoE undertake in order to rapidly improve the alarming prison conditions – characterized by overcrowding, lack of medical care, scarce food and physical assaults – in accordance with the UN-Standard Minimum Rules for the Treatment of detainees?
	Social discrimination	How does the GoE intend to act against the social discrimination of Afro-Ecuadorians who live up to 70% in poverty and who are largely excluded from the labor market?
	Rights of the child	What action does the GoE take in order to ensure full respect of the rights of the child, in particular with regard to abolishing the persisting problems of child labor, malnutrition of children and their sexual exploitation?
	Torture	What measures does the GoE envisage in order to implement the recommendations of the UN-Committee against Torture regarding a) excessive use of violence by security forces and mistreatment of detainees by police officers, b) the definition of psychological torture, and c) the prosecution of torture by independent and impartial courts?
Tunisia	Torture	Germany is concerned about repeated reports of torture and other forms of ill- treatment against suspects which are held in the custody of the security forces. How does the GoT address these concerns?
Morocco	National legislation	Does the GoM intend to implement the recommendation of the /Instance Equité et Reconciliation/ (IER) to give greater prominence to human rights in the constitution and in other laws?
	Press Code	What are the plans of the GoM to accelerate the adoption of the announced press law (“Code de la Presse”)?
Indonesia	Rights of detainees	Which concrete measures does the Gol envisage to take in order to guarantee effective Habeas Corpus, especially to grant detainees access to legal counsels and medical care?
	Torture	How does the Gol intend to ensure that the crime of torture will be punished?
	Impunity	How will the Indonesian National Action Plan on Human Rights contribute to ending impunity and guarantee effective prosecution of human rights violations?

	Human rights situation in Papua	According to several UN Special Procedure mandate holders the human rights situation in Papua gives reason for concern: Which measures are envisaged to protect human rights defenders who are threatened? Are there any plans to install a special contact person for human rights defenders within the provincial government?
Finland		NONE
UK		NONE
India	Caste-based discrimination	What is India doing in law and in practice to ensure equal treatment of Dalits and other scheduled casts, in particular regarding the access to land, education and medical services as well as the allocation of derogative and harmful work and in how far are the Concluding Observations of the CERD-Committee taken into account in this respect ?
	Armed Forces Special Power Act	Is India considering resuming the modifications of the Armed Forces Special Power Act (AFSPA) and which modification will be considered to align the stipulations of this law with international human rights standards?
	Child labor	What is India doing in practice to implement respective national laws to abolish child labor?
Brazil	Detention Conditions	Considering that prison conditions in Brazil are highly precarious (overcrowding, violence, lack of facilities for young detainees and females, lack of administrative control over prisons) and taking into account the efforts already made by the Brazilian government in order to bring about a change, we ask the GoB what further measures it envisages in order to accelerate the improvement of the situation.
	Juvenile detention	What are the measures envisaged by the GoB in order to rapidly improve the living conditions in re-educational facilities for young people (which are extremely poor due to overcrowding and lack of hygiene as, for example, in the Espaco Recomeco (Erec) in Pará)?
	Extrajudicial executions	What does the federal government intend to do in order to bring about a change in the strategy and culture of violence of police officers at regional states level? Does the GoB intend to implement the latest recommendations of the UN-Special Rapporteur on extrajudicial executions in order to initiate a profound reform of the penal judiciary system?
	Impunity	Considering that the law of 2004 which allows for human rights violations committed at regional state level to be prosecuted by the federal justice has not been properly applied, what does the GoB intend to do in order to encourage the judiciary at state and local level to end impunity for human rights violations?
Philippines		NONE
Algeria	Visits of Special Procedures	In view of the request of several Special Procedures mandate holders (notably the Rapporteurs on extrajudicial, summary and arbitrary executions, on torture, and the WG on enforced or involuntary disappearances) to visit Algeria, Germany would like to inquire about the GoA's plans to enable these mechanisms to visit Algeria.
	Secret detention and torture	What is the GoA undertaking to effectively ensure that suspects are not held in secret detention and are not subject to torture or other cruel ill-treatment?
Poland		NONE

Netherlands	NONE	
South Africa	Women's health (HIV)	Which measures are envisaged by the GoSA to improve equal access to health care and treatment for women suffering from HIV?
	Right to the security of the person	Regarding the alarmingly high crime rates, which measures are intended to be taken by the GoSA to improve the security of its citizens and to enhance the protection of particularly vulnerable groups such as women and children?
	Access to safe drinking water	South Africa's constitution is considered one of the most progressive with regard to access to safe drinking water given the fact that the right to access to safe drinking water is explicitly mentioned. Contrary to many other states, South Africa was able to substantially increase the number of people with access to water. How could South Africa's example serve as an example of "best practices" and what are the advantages of a human rights based approach to the water issue?
Czech Republic	NONE	
Argentina	Detention conditions	What measures has the GoA planned or already undertaken in order to improve conditions of detention in particular at the provincial level of provinces and in police stations, which are characterized by overcrowding, lack of hygiene and lack of medical care as well as a high potential of violence? What steps are envisaged in order to ensure that suspects are not detained for a longer period than prescribed by the law?
	Child trafficking and child labor	Which measures are envisaged by the GoA in order to effectively combat trafficking in human beings, with particular regard to sexual exploitation of children and forced labor, and to provide adequate support to the victims of trafficking?
	Women's sexual and reproductive rights	What measures has the GoA taken or planned in order to ensure that the national regulations on contraception will be fully implemented at nation-wide level in order to help to reduce female mortality due to illegal abortion and lack of subsequent medical care, and to guarantee respect for sexual and reproductive rights of women?
	Sexual orientation	Which measures is the GoA undertaking in order to guarantee equal treatment of sexual minorities within the legal framework of its antidiscrimination law and in practice?
	Witnesses protection	How does the GoA protect those who are involved in the prosecution of human rights violations committed under the former military regime, in particular with regard to improving the protection of witnesses, judges and prosecutors?