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Draft report of the Working Group on the Universal Periodic Review*

Germany

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Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its sixteenth session from 22 April to 3 May 2013. The review of the Federal Republic of Germany was held at the 7th meeting on 25 April/May 2013. The delegation of Germany was headed by Mr Markus LÖNING. At its 13th meeting held on 30 April 2013, the Working Group adopted the report on Germany

1. On 14 January 2013, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Germany: The Republic of Congo, Kuwait and United States of America.

2. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Germany:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/16/DEU/1);

(b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/16/DEU/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/16/DEU/3 and A/HRC/WG.6/16/DEU/3/Corr.1).

3. A list of questions prepared in advance by Czech Republic, Mexico, Montenegro, Norway, Slovenia, Spain, Sweden, and United Kingdom of Great Britain and Northern Ireland was transmitted to Germany through the troika. These questions are available on the extranet of the UPR.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The Commissioner for Human Rights Policy and Humanitarian Aid at the Federal Foreign Office (Commissioner) stated that the UPR was one of the key human rights mechanisms at the global level. Germany looked forward to the recommendations and views presented during the review, as well as the opportunity to respond to the questions put forward.

6. The Commissioner stated that, as a member of the Human Rights Council, Germany was particularly committed to spare no efforts to promoting and protecting human rights, in pursuance with the pledges made during its candidature. Human Rights mattered in Germany – for civil society as well as the government and public service at all levels. Germany has a strong institutional framework to protect and promote Human Rights.

7. The Commissioner stated that in preparation of the National Report for the UPR, the government had consulted the German Institute for Human Rights and held a public hearing with major human rights NGOs. In responding to an advance question from Norway in this regard, the Commissioner stated that the public hearing went very well and completed the constant exchange between government and civil society. The Commissioner underscored the civil society organizations' deep understanding of human rights issues, from which the government was fortunate to benefit.

8. The Commissioner stated that Germany was aware of its deficits regarding the realization of human rights, but that all human rights violations and abuses would be subject to inquiry and would be taken up as part of the vibrant human rights debate. He cited, as an example, the failure of institutions to timely identify the perpetrators of a series of racially motivated murders for several years, the measures taken by government, parliaments and the judiciary to address these failures and the very intense debate on discrimination and racism in the German society.

9. The Commissioner underlined efforts taken by Germany to strengthen the human rights environment and to implement recommendations from the first UPR cycle. He pointed to a number of international conventions that have been signed or ratified, which included: the United Nations Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, which entered into force on 26 March 2009. In 2011 a National Action Plan to implement the Convention was adopted and an Advisory Council established; The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography entered into force. The first report due under the Optional protocol has been submitted by the German government two days ago; The withdrawal of the reservations to the Convention on the Rights of the Child; The International Convention for the Protection of all Persons against Enforced Disappearance; The Council of Europe Convention on Cybercrime and the related Additional Protocol, both intended to help fight acts of a racist and xenophobic nature; The Council of Europe Convention on Action against Trafficking in Human Beings and The Council of Europe Convention on preventing and combating violence against women and domestic violence.

10. The Commissioner stated that new legislation has either entered into force or is in motion on issues of forced marriage and the right to “re-immigration”, excessive delays in criminal proceedings and investigations, and the strengthening of rights of victims of sexual abuse.

11. In response to an advance question from Montenegro, the Commissioner stated that the first action plan by the Federal Government “Our Path towards an inclusive society” is to be extended over the next 10 years.

B. Interactive dialogue and responses by the State under review

12. During the interactive dialogue, 96 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

13. Kyrgyzstan commended Germany for the measures taken to strengthen the framework for protecting against discrimination and racism, and supported the National Action Plan against racism. Kyrgyzstan made a one recommendation.

14. Libya noted policies to strengthen international legal principles and the ratification of all human rights instruments. Plans to promote individual rights and combat religious intolerance, discrimination against women, human trafficking, the sexual exploitation of children and racism were applauded.

15. Liechtenstein expressed concern that protection for trafficked children applied only to those under the age of fourteen years. Progress on ratification of amendments to the Rome Statue was noted. Liechtenstein made recommendations.

16. Malaysia noted regional and international measures to promote good practice in addressing racism, xenophobia and hate crimes. However, despite the existing action plan, more could be done. Malaysia made recommendations.

17. Maldives welcomed the steps taken to set up a national preventive mechanism to implement OP-CAT and the withdrawal of all reservations to CRC. It made recommendations.
18. Mexico recognized the leadership of Germany in some areas of human rights and welcomed the incorporation of national standards benefiting migrants. Efforts to guarantee respect for human rights in the fight against terrorism were noted. Mexico made recommendations.
19. Montenegro welcomed gender mainstreaming. It asked about challenges faced by the Federal Agency for the Prevention of Torture and the Joint Commission of the States for Prevention of Torture. Montenegro made a recommendation.
20. Morocco highlighted the XENOS – Integration and Diversity programme for migrant integration and welcomed Government’s dialogue with Muslim communities. It asked for information on the Federal Agency for Civic Education. Morocco made a recommendation.
21. Namibia noted that Germany ratified CRPD, OP-CRPD and OP-CRC-SC. It expressed concern at discrimination against ethnic minorities and migrants, and at their unequal access to employment, housing and education. Namibia made recommendations.
22. Nepal welcomed new the human rights legislation and institutions and action on women’s and children’s rights. The plan to implement CRPD and intentions to increase development aid to 0.7 per cent of gross national income were commendable. Nepal made recommendations.
23. The Netherlands congratulated Germany on the organization in December 2012 of a public meeting on UPR that was broadcast on the Internet and at which human rights organizations were present. It made recommendations.
24. Nicaragua congratulated Germany on the ratification of international conventions. It asked about the causes of the phenomenon of street children and the action taken in this regard. Nicaragua made one recommendation.
25. Norway emphasized the plan to implement CRPD, strengthened rights for victims of sexual abuse and ratification of an optional protocol to CRC. The amendment allowing transsexuals to remain married while undergoing a sex change was welcomed. Norway made recommendations.
26. Pakistan noted migrants’ difficulties accessing employment. It expressed concern that alleged involvement in extraordinary rendition and secret detentions was not investigated. The problems faced by Muslim communities were highlighted. Pakistan made recommendations.
27. The State of Palestine commended Germany for measures to counter discriminatory practices based on religion in the labour market and in social integration. The National Action Plan against racism and other measures to prevent and detect racially motivated crimes were welcomed. It made recommendations.
28. Paraguay commended Germany for the introduction of human rights as an indicator for the provision of cooperation and the recent ratifications of optional protocols and conventions on human rights. Paraguay made recommendations.
29. Peru noted that Germany had ratified CRPD and the protocol thereto. It commended Germany for its national action plan to implement CRPD and for the establishment of the national preventive mechanism on torture. Peru made recommendations.
30. The Philippines noted the adoption of legislation that protected victims of forced marriage and sexual abuse, and the ratification of several international instruments. The

inclusion of the right to education and health care, and the statutory protection for migrants were welcomed. It made recommendations.

31. Poland requested to know about its recommendation made at the first review regarding judicial control over the administrative decisions of the *Jugendamt* and about measures taken to meet the international obligations arising from article 17 of ICCPR. Poland made a recommendation.

32. Portugal welcomed initiatives to integrate migrants and asked about follow-up to on the second indicator report on migrants, as well as the areas identified for further improvement. Ratification of the third protocol to CRC was commended. Portugal made a recommendation.

33. The Republic of Korea noted the ratification of CRPD and also noted its implementation plan, and the Federal Office for the Prevention of Torture. It stated that further attention should be given to concerns over race-based violent crimes and hate speech. It made one recommendation.

34. The Republic of Moldova acknowledged steps to address stereotypes of male and female roles in society and noted measures aimed at achieving gender equality. Efforts to prevent and eliminate domestic violence against women were also noted. It made recommendations.

35. Romania noted ratification of the Convention on human trafficking, and the National Action Plan to implement CRPD. It encouraged Germany to consolidate progress on issues including hate crime and violence against women.

36. The Russian Federation noted discrimination against minority groups, high levels of racism and religious intolerance, the use of racial profiling, and excessive use of force by law enforcement officials. It made recommendations.

37. Rwanda noted the introduction of forced marriage as a separate offence, plans to implement CRPD and improved data on criminal offences committed by police. The work of the German Institute for Human Rights was commended. Rwanda made a recommendation.

38. Saudi Arabia noted new human rights legislation and new independent human rights institutions, in particular the national preventive mechanism on torture, strengthening the institutional and legal framework for human rights. It made recommendations.

39. Senegal noted the national action plan on the rights of persons with disabilities, the national preventive mechanism on torture, and measures to combat racism. The general framework for the rights of migrants was also noteworthy. Senegal made recommendations.

40. Sierra Leone noted progress in the implementation of recommendations from the first UPR cycle, particularly the increase in overseas development aid. It made recommendations.

41. Slovakia noted significant resources dedicated to human rights nationally and internationally and welcomed accession to the third protocol to CRC. The German Institute for Human Rights had been awarded 'A' status under the Paris Principles. Slovakia made recommendations.

42. Slovenia welcomed ratification of international instruments, the withdrawal of reservations to CRC, and strengthened attention to human rights education. Commending that attention be paid to the gender pay gap, it nonetheless noted that women were often expected to choose between career and family. Slovenia It made a one recommendation.

43. South Africa noted the German vision for human rights and the priority given to meeting international human rights obligations. Despite progress in the prevention of racially motivated offences, it remained an area of concern. It made one recommendation.
44. Spain noted human rights work at home and abroad, particularly joint action on rights to water and sanitation. It expressed concern that civil servants were obliged to report migrants' with an irregular status to immigration authorities. Spain made recommendations.
45. Sri Lanka noted human rights legislation and ratification of international conventions. It encouraged efforts to reduce obstacles to housing, health and education for immigrants and minority communities, and noted continuing discourse on the gender pay gap. It made recommendations.
46. Sweden noted continued challenges to gender equality, despite progress. A comprehensive strategy on racial discrimination was lacking and it asked about measures to inform victims of discrimination of their rights and provide effective legal remedies. Sweden made one recommendation.
47. The Commissioner stated that racism and prejudices were still present in some parts of the German society. Actions undertaken by the Federal Government concerning xenophobia, racism and anti-Semitism followed a broad approach in order to reach all levels of society and to fight all forms of this scourge. Germany puts great emphasis on the support of citizens' involvement and the creation of civil society networks in the implementation of the "National Action Plan to Fight Racism, Xenophobia and anti-Semitism". The National Action Plan has been handed over to the Office of the High Commissioner for Human Rights in 2009 in pursuance of the implementation of the Durban Declaration and Plan of Action of 2001.
48. The Commissioner stated that ninety percent of all racially motivated violence was committed against a politically right-wing background. A repressive strategy is applied when combating criminal acts within a xenophobe, racist or anti-Semite context, including criminal prosecution, the prohibition of associations. Racial profiling is prohibited by law.
49. The Commissioner expressed deep appreciation for the immense contribution made by migrants and foreign workers to the economic and social development of Germany. Germany has worked continuously to improve the educational opportunities for children from migrant families. The number of foreign students acquiring a higher education entrance qualification increased by 36 percent between 2005 and 2010. Also, the National Action Plan for Integration from 2012 contains concrete measures and actions regarding the issue of integration. Among others, measures to raise professional qualification, to strengthen counselling opportunities for migrants, to enhance professional expertise and the improvement of language skills. In order to enhance access to the labour market, the action plan "Diversity as a Chance" was brought into being to create a work environment free of negative stereotyping. The recognition of professional qualifications acquired abroad still has to be improved. Furthermore, school attendance has become compulsory in almost all federal states for children whose deportation has been temporarily suspended and for children involved in asylum procedures. National legislation has been amended to the effect that schools are exempt from the obligation to inform authorities if children without legal status were attending school.
50. The Commissioner stated that with regard to cases of discrimination on the basis of religion, a series of concrete measures set out in the National Report are being taken to provide for a better access to the labour market and to enhance social integration. The Commissioner stated that integration of migrants remained a process where both sides have to contribute in order to make it a success and that it was important to keep up the dialogue. Germany will not pursue ratification of the International Convention on the Protection of

the Rights of All Migrant Workers and Members of Their Families. The rights of migrant workers are already protected under existing law.

51. With regard to allegations of the use of excessive force by the police, the Commissioner stated that a fully functional internal complaints procedure accessible to all alleged victims was in place. Secondly, all victims of excessive use of force by the police can take legal action as such conduct was covered by criminal law. The identification of policemen involved in alleged cases of police violence did not cause specific problems. There is no known case of any proceeding regarding police violence that has failed to take place on the grounds of lack of identification of the alleged perpetrator.

52. The Commissioner stated that hate speech was punishable under German law. Any incitement to hatred against a specific group of persons, any call for action against such a group, any act against human dignity is punishable by law with imprisonment from 3 months up to 5 years. The fight against hate speech on the Internet has been intensified as has national and international cooperation in this regard, also with the help of the center to combat right wing violence.

53. Switzerland welcomed significant measures taken to implement recommendations from the first UPR cycle. It supported the Subcommittee on Prevention of Torture regarding the need for additional resources enabling the national preventive mechanism to function effectively. Switzerland made one recommendation.

54. Thailand noted ratifications of CRPD and optional protocols to CRC. It encouraged strengthened measures to prevent child sexual abuse. Action on discrimination against minority groups and the rights of migrant children were welcomed. Thailand made recommendations.

55. The Former Yugoslav Republic of Macedonia commended efforts to fight anti-Semitism and eradicate racism and xenophobia. It welcomed the decision of the Federal Constitutional Court ensuring consideration of international human rights treaties when interpreting constitutionally guaranteed human rights.

56. Togo noted the national action plan to implement CRPD, the national preventive mechanism and the withdrawal of reservations to CRC. It welcomed measures to bring an end to racism, xenophobia and the activities of neo-Nazi groups. Togo made recommendations.

57. Trinidad and Tobago noted strengthened rights for victims of sexual abuse, and ratifications of CRPD and the protocol thereto, and the Council of Europe conventions concerning violence against women and cybercrime, and the additional protocol thereto. It made recommendations.

58. Tunisia highlighted ratification of international instruments, new human rights institutions and legislation, the national preventive mechanism on torture and national plan against racism. It encouraged efforts to allocate 0.7 per cent of gross national income to development aid. Tunisia made recommendations.

59. Turkey noted insecurity caused by growing xenophobia and the killing of 10 persons by the National Socialist Underground. It noted the separation of Turkish children from their families by the *Jugendamt* and criticism of that body's actions. Turkey made recommendations.

60. The Commissioner stated, in response to the concern raised by Turkey on Germany's commitment to solve the cases of homicides committed by the "Nationalsozialistischer Untergrund" (NSU), a right-wing extremist group. Germany took these cases very seriously and has strengthened its efforts to fight all forms of discrimination and racism. The Federal President of Germany invited the families of the

victims to meet with him and has extended an apology for the initial failure of law enforcement agencies to solve these cases. The Commissioner stated that there were ongoing investigations regarding the potential failures of the police as well as investigations regarding structural questions that might have contributed to not identifying the perpetrators, and explained some of the measures taken to prevent future such failures, such as the creation of a database on right-wing extremists as well as a joint centre to fight right-wing extremism and terrorism. The Commissioner took the opportunity to once again apologize for the repulsive crimes committed by the NSU and for unjust suspicions raised against persons close to the victims.

61. Ukraine welcomed the national preventive mechanism and asked, given that it constituted two institutions, how they interacted and how the dual structure impacted on mechanism's efficiency. It commended the National Action Plan against racism. Ukraine made a recommendation.

62. The United Kingdom of Great Britain and Northern Ireland expressed concern that investigations into murders committed by the extremist National Socialist Underground may have been hampered by institutional racism. The development of a comprehensive strategy to combat racial discrimination was urged. It made recommendations.

63. The United States of America noted the commitment by Germany address a broad spectrum of human rights including the prosecution of officials in security services for abuses, efforts to prevent illegal access to personal computers by the police, and the creation of a central data base for violent neo-Nazis. It remained concerned over attacks on ethnic minorities, and noted efforts to promote barrier-free access to persons with disabilities. It made recommendations.

64. Uruguay emphasized institutional and legislative reforms and amendments. It noted, however, continued reports of incidents of right-wing extremism on the Internet. Uruguay made recommendations.

65. Uzbekistan noted concerns about online racism, discrimination against migrants, and refugees and minorities, and the lack of legislation appropriately criminalizing torture. It asked for information about investigations into allegations of torture and ill-treatment committed by police. Uzbekistan made recommendations.

66. Viet Nam commended achievements in socio-economic development, and highlighted progress in the fields of sexual orientation, freedom of religion, combating discrimination and coordinating work with civil society. Nonetheless, further action could certainly be taken. It made one recommendation.

67. Afghanistan noted the establishment of new independent human rights institutions and the ratification of a number of international conventions. It commended the withdrawal of its reservation to the Convention of the Child.

68. Algeria commended recent ratifications of international instruments and noted that the non-ratification of ICRMW was a source of concern for the German Institute for Human Rights. It asked about concrete measures taken to fight "Islamophobia". It made recommendations.

69. Angola noted that Germany has adopted new legislation in order to strengthen its mechanism for promotion and protection of human rights; and has ratified or signed a number of regional and international instruments. It made a recommendation.

70. Argentina congratulated Germany for the ratification of CRPD, and the creation of the National Institute for the Prevention of Torture. It made recommendations.

71. Armenia commended the ratification of international human rights instruments and numerous legislative initiatives. It expressed its appreciation of Germany's policy towards national minority rights protection. Armenia made a recommendation.
72. Austria welcomed the adoption of the General Equal Treatment Act (AGG), in view of reports of violent attacks on minority groups, as well as the ratification of the CRPD and its Optional Protocol. It made recommendations.
73. Australia welcomed improvements to educational outcomes for children at risk of exiting the education system early. It would welcome further information on programmes and policies to promote educational outcomes amongst vulnerable segments of the community. It made a recommendation.
74. The Kingdom of Bahrain commended the adoption of a National Action Plan to implement the CRPD. It made recommendations.
75. Bangladesh commended Germany for ratifying CRPD. It requested to know how Germany planned to address the recommendations made United Nations treaty bodies, particularly those relating to the cultural rights of minorities and the prevention of discrimination against migrants in relation to housing. It made recommendations.
76. Belarus underscored Germany's insufficient cooperation with the Human Rights Council and Special Procedures. It pointed at the excessive use of force by the police and special measures against participants to demonstrations, and their cruel treatment. It made recommendations.
77. Benin encouraged Germany to pursue its fight against racism, discrimination, xenophobia and anti-Semitism by adopting targeted measures that would strengthen social cohesion, and to protect children against violence and sexual exploitation.
78. Bosnia-Herzegovina welcomed the establishment of the institutions implementing the OP-CAT and asked Germany to share their best practices on how to ensure a consistent approach of these two institutions in preventing torture. It made a recommendation.
79. Botswana commended Germany for policy reforms such as the Human Rights Action Plan and the national mechanism for the prevention of torture. It made recommendations.
80. Brazil commended Germany for the ratification of OP-CRC-SC. It acknowledged efforts to create a "welcoming culture" for migrants and welcomed the adoption of legislation against incitement to hatred. Brazil made recommendations.
81. Bulgaria noted Germany's signature and ratification of international conventions within the framework of the UN and the Council of Europe. It made recommendations.
82. Burundi noted the legal measures adopted to combat racism towards Roma, Muslims, Jews, and Germans of foreign origin. Burundi made a recommendation.
83. Cambodia welcomed projects undertaken to address social exclusion and racial discrimination under the "Xenos" programme. It made recommendations.
84. Canada welcomed the steps taken to ensure the full participation of migrant children in education. It commended the establishment of a memorial in Berlin to Sinti and Roma murdered in the Holocaust. It made a recommendation.
85. Chad noted that since its previous UPR review, Germany adopted a number of laws, some of which entered into force. It highlighted the measures taken to improve the human rights situation in Germany. Chad made a recommendation.

86. Chile noted the ratification of a number of conventions, the promulgation of new legislation and the strengthening of its national human rights institutions. It made recommendations.

87. China noted the measures taken to combat racism and guarantee the rights of women and children. It noted with concern that cases of racism and xenophobia were on the rise, and extremist and racist speeches on internet. It made recommendations.

88. On dual citizenship, the Commissioner explained that the government did not see any specific reason to change the current legislation, which provided for dual citizenship in some circumstances, such as children under 18 years, and citizens from EU Member States. He emphasized, however, that there was an on-going debate on this issue.

89. On the existing national preventive mechanism against torture established following the ratification of the Optional Protocol to the Convention against Torture, the Commissioner explained the two level structure of the mechanism with one institution at federal level and a second Commission serving the level of the Länder. Germany was aware of discussions and criticism on whether the two institutions are adequately resourced and funded. This was also an issue raised during the visit of the Subcommittee to the Committee against torture in April 2013. Germany was awaiting the recommendations of the Subcommittee and will respond on the arrival of these recommendations. Germany remained committed to fulfilling its obligations under the Optional Protocol.

90. The Commissioner stated that a new child protection law was put into effect in January 2012, to protect children from violence and abuse. The law encompassed and clarified the roles and responsibilities of all actors and layers of society in this regard, including parents, health officials and personnel, public administration and institutions, competent judicial organs. It provided for better networking and coordination between all actors.

91. The Commissioner stated, with regard to the work of the youth offices (*Jugendamt*), that every citizen has the possibility to complain about its work or specific decisions. Decisions or actions of the *Jugendamt* can be challenged in court.

92. The Commissioner stated that the Convention on the Rights of Persons with Disabilities has entered into force in March 2009 and was currently being implemented. In 2011, the National Action Plan marked the beginning of a long-term process, encompassing more than 200 programs and projects aiming at the social inclusion of all persons with disabilities. One major challenge was inclusive school education. Many efforts were made to enhance the percentage of children with disabilities benefitting from inclusive education. This necessitated interaction with all: children, parents of children with and without disabilities and teachers. The principle of inclusion has become a primary guideline for the implementation of the Convention.

93. Congo noted that Germany strengthened its legal framework for the protection of human rights, particularly by making available crime data committed by law enforcement officials. Congo made recommendations.

94. Costa Rica noted the mainstreaming of human rights in Germany's development policy and bilateral cooperation as a good practice. It was pleased to note measures to improve equality, ratify human rights instruments and the withdrawal of Germany's reservation to the CRC. It made recommendations.

95. Côte d'Ivoire noted the ratification of international conventions and the creation of new independent human rights institutions. It underscored the weaknesses related to national integration policy, and to the fight against discrimination. It made a recommendation.

96. Cuba noted the efforts made to implement the 2009 recommendations. It expressed concern at allegations of widespread discrimination against migrants and minorities, practices of racism, xenophobia and intolerance, and allegations of police violence. It made recommendations. Cyprus welcomed Germany's "Human Rights Action Plan" aiming at fighting racism and xenophobia through targeted measures, which strengthen social cohesion, democratic participation and a democratic community culture. It made recommendations.

97. The Democratic Republic of Korea expressed concern about continued violations of the right to peaceful assembly and freedom of expression, torture and other ill-treatment, racial discrimination and xenophobia. It was also concerned about counter-terrorism policy and its execution. It made recommendations.

98. Djibouti commended Germany for the enormous progress made since the last UPR which included ratification of human rights treaties and strengthening of the legal and institution framework. It made recommendations.

99. Ecuador made recommendations.

100. Egypt welcomed the accession to CRPD, withdrawal of reservations to CRC, and commended the prosecution of hate crimes. It raised concerns at incidents of police malpractices based on racial profiling, and at adoption of discriminatory laws in some Landers. Egypt made recommendations.

101. Estonia highlighted the withdrawal of all reservations to the CRC, and the entering into force of the Optional Protocol to the CRC on sale of children, child prostitution and child pornography. Estonia made recommendations.

102. Finland requested to hear about the measures taken to raise awareness of access to justice in case of discrimination, especially among the most vulnerable. It noted that certain policies and practices served as obstacles to women's participation in the labour market. It made recommendations.

103. France noted the establishment of a National Office for the Prevention of Torture and CAT's recommendations to provide it with resources and access to all place of detention at the federal and state levels. It welcomed Germany's support and promotion of international criminal justice. It made recommendations.

104. Gabon valued Germany's full cooperation with the international procedures and mechanisms for the promotion and protection of human rights. It recognised efforts to combat racism, racially motivated acts and related intolerance. It made recommendations.

105. Greece requested to know about measures taken in the area of human trafficking, particularly with regard to the protection of victims. It also requested the sharing of best practices in combating hate crimes. It made recommendations.

106. Guatemala highlighted the improved availability of data on crimes committed by law enforcement officials. It shared CAT's concern for regulating the use of force in prisons, psychiatric hospitals, detention centres for minors and foreigners. It made a recommendation.

107. Holy See praised Germany for its accomplishments in areas such as the rights of persons with disabilities, the fight against racism and xenophobia, and the ratification of international conventions. It made recommendations.

108. Honduras took note of the law which strengthened the rights of victims of sexual abuse. It expressed concern at the high level of violence against women of foreign origin and the high number of foreigners and Germans of foreign origin in place of detention. It made a recommendation.

109. Hungary asked for more information about the dialogue between Government and Muslim representatives within the framework of the German Islam Conference. It referred to reported concerns of alleged ill-treatment or excessive use of force by the police and on the system of preventive detention. Hungary made recommendations.

110. India expressed appreciation for the constructive comments made by Germany on the observations of the Human Rights Committee regarding certain racially motivated incidents, and urged a similar approach to the concerns on gender equality in the work place expressed by the Human Rights Committee and the Committee on Economic, Social and Cultural Rights. India made recommendations.

111. Indonesia welcomed the commitment, as outlined in the Human Rights Action Plan, on combating racism, discrimination, xenophobia, anti-Semitism and on the promotion of equal opportunity for people with a migration background in social, economic and cultural life. It made recommendations.

112. Iran (Islamic Republic of) expressed concern at reported violation of human rights, particularly regarding racism, "Islamophobia", xenophobia and religious intolerance. It made recommendations.

113. Iraq asked about awareness raising measures regarding the concept of prevention of discrimination, the right to freedom of religion and belief, as well as cultural rights of migrants and minorities. Iraq made a recommendation.

114. Ireland welcomed the steps taken with regard to human rights education. It noted the Human Rights Committee's concerns with regard to post-conviction preventive detention. Ireland made recommendations.

115. Italy requested Germany to elaborate on the specific measures it intended to take for migrant children to overcome possible obstacles encountered in accessing higher education. It referred to concerns about the work of the *Jugendamt*.

116. Jordan commended Germany for the ratification of the CRPD and the Optional Protocol to the CRC-SC. Jordan made recommendations.

117. Kazakhstan noted the establishment of the National Office for the Prevention of Torture and the German Institute for Human Rights. It called on Germany to adhere to the principle of cooperation and dialogue with United Nations human rights mechanisms. It made recommendations.

118. Kuwait highlighted the adoption of the Action Plan to implement the CRPD and the convening of the German Islamic Conference. It asked about the latest developments in examining racially motivated crimes, including by the Investigating Commission. It made a recommendation.

119. Nigeria commended Germany for the progress made in promoting and protecting human rights. It made recommendations.

120. In concluding, the Commissioner stated that racial profiling was prohibited by law. This has been recently confirmed by a court decision. There was no need for any additional legislation in this regard. Awareness must be raised and maintained through specific training of police officers.

121. The Commissioner stated that there was no prohibition on wearing religious symbols in Germany. However, public schools, given their neutrality, can ask their teaching personnel to appear in class without visible symbols of their religion or belief. If such a demand existed, it applied to all religions without any difference.

122. The Commissioner stated that Germany combated human trafficking decisively on the national and international level. Many bilateral agreements have been signed in order to

strengthen cooperation in this regard. Victims of trafficking have a right to remedies and to pursue the perpetrators in court. Regarding the right to residence, regulations have been adapted to permit residence on humanitarian grounds. The number of victims of trafficking in human beings has been decreasing over the last years.

II. Conclusions and/or recommendations

123. Responses to the following recommendations will be provided by Germany in due time, but no later than the 24th session of the Human Rights Council in September 2013:

123.1. Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and members of their families (Morocco);

123.2. Study the possibility of ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Paraguay);

123.3. Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Guatemala);

123.4. Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Cuba);

123.5. Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Egypt);

123.6. Continue to take steps towards ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Member of Their Families (Philippines);

123.7. Ratify the International Convention on the Rights of Migrant Workers and Members of their Families, to supplement the rights of this vulnerable category (Algeria);

123.8. Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Sri Lanka);

123.9. Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Trinidad and Tobago);

123.10. Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia);

123.11. Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Ecuador);

123.12. Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and Protocol 12 of the European Convention on Human Rights (Sierra Leone);

123.13. Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and ratify the Council of Europe

Convention on preventing and combating violence against women and domestic violence (Portugal);

123.14. Withdraw all reservations to human rights instruments to which Germany is a party, first of all, to the International Covenant on Civil and Political Rights (Russian Federation);

123.15. Ratify the UN Convention against Corruption and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Rwanda);

123.16. Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Belarus);

123.17. Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Congo);

123.18. Proceed to the ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Spain);

123.19. Expedite the process of signing and ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Uruguay);

123.20. Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Bosnia and Herzegovina);

123.21. Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (France);

123.22. Ratify the United Nations Convention against Corruption (Austria);

123.23. Ratify the United Nations Convention against Corruption (Kazakhstan);

123.24. Ratify the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Liechtenstein);

123.25. Amend the Federal Anti-Discrimination Law to explicitly provide protection against discrimination in public schooling and to establish independent body to deal with the complaints received in this regard (Egypt);

123.26. Consider ratifying UNESCO's Convention for the Safeguarding of Intangible Cultural Heritage adopted in 2003 (Bulgaria);

123.27. Include specific provisions adequately criminalizing acts of torture in the German Code of Crimes against Criminal Law (CCAIL) as required by CAT (Maldives);

123.28. Bring legislation and law enforcement practice on migrants and asylum-seekers in conformity with human rights international norms and standards (Russian Federation);

123.29. Review the General Equal Treatment Act of 2006 to ensure that it covers all fields of the labour market and to ensure that women are not discriminated against in some professions, and setting up of concrete goals to be achieved in its implementation (Sierra Leone);

123.30. Accelerate the ratification of the United Nations Convention against Corruption, by speeding up the necessary reforms of the Criminal Code to make it compatible with this Convention (Spain);

- 123.31. Remove the obligation of healthcare public servants to inform the Office of Immigration about the identity of their patients, as set forth in section 87, paragraph 2 of the Residence Act (Spain);
- 123.32. Bring its legislation in compliance with the Convention on the Rights of the Child (Togo);
- 123.33. Adopt a law expressly providing that racist motivation should be considered as an aggravating circumstance with a view to condemning the authors of such infractions (Tunisia);
- 123.34. Adjust its internal legislation to the standards of the International Convention for the Protection of All Persons from Enforced Disappearance, including the obligation to define the offence of enforced disappearance (Uruguay);
- 123.35. Revise its current legislation regarding distribution of property upon divorce in order to correct their inconsistencies with the CEDAW Convention, and in particular the law on alimony so as to take into account the situation of divorced women with children (Uruguay);
- 123.36. Ensure that Germany's law and policies are consistent with CEDAW and ICERD by revising or revoking laws and regulations that hinder access to equal opportunities (Bahrain);
- 123.37. Bring its domestic legislation in line with international standards on the sexual exploitation of children and establish a clear definition of child pornography (Costa Rica);
- 123.38. Harmonize the immigration legislation in accordance with the Convention on the Rights of the Child (Estonia);
- 123.39. Consider withdrawing legislation that prohibits the wearing of religious symbols (Bangladesh);
- 123.40. Review the existing legislation that prohibited the wearing of religious symbols by public school teachers (Jordan);
- 123.41. Pass a law with an explicit provision that racist motivation should be taken into account as a specific aggravating circumstance for the purpose of sentencing in relevant crimes (Iran (Islamic Republic of));
- 123.42. Align its national legislation with international human rights standards (Iraq);
- 123.43. Ensure full implementation of its obligations under the Optional Protocol against Torture by equipping its National Preventive Mechanism (NPM) with sufficient resources to fulfil its role (United Kingdom of Great Britain and Northern Ireland);
- 123.44. Study the option of extending the competencies of the German Institute for Human Rights to receive complaints (Bulgaria);
- 123.45. Extend the mandate of the Federal Anti-Discrimination Agency with adequate resources, as part of strengthening the anti-discrimination structures (Finland);
- 123.46. Expand the mandate of the German Institute for Human Rights to receiving complaints of human rights violations (India);

- 123.47. Continue with its international cooperation through its assistance in capacity building for human rights protection in different parts of the world (Montenegro);
- 123.48. Take concrete measures to deliver on its international development commitments (Nepal);
- 123.49. Secure proper follow-up to the accepted recommendation from the first UPR cycle and introduce tools that will improve the effective judicial control over the administrative decisions of the Office of Youth called *Jugendamt* (Poland);
- 123.50. Operationalize the “human rights action plan” that was issued by “Federal Government in October 2012” which includes many issues, among them, the commitment to protect the right to freedom of religion and belief, and measures to combat religious bias and discrimination based on religion and belief (Saudi Arabia);
- 123.51. Continue to fervently implement the “Human Rights Action Plan” (Cyprus);
- 123.52. Further secure the full implementation of the National Action Plan against Racism (Kazakhstan);
- 123.53. Continue efforts to increase its Official Development Assistance to developing countries, which now stands at 0.4 per-cent of GNI as compared to the agreed 0.7, to assist them to provide for the basic economic, social and cultural rights of their populations (Sierra Leone);
- 123.54. Strengthen its efforts to achieve a level of ODA up to 0.7% of GNI (Bangladesh);
- 123.55. Recognize the possibility of dual citizenship, a possibility which is already offered to people from more than 50 countries, to Turks legally residing in Germany, instead of forcing them to choose between their two nationalities (Turkey);
- 123.56. Work closely with Turkey regarding the situation of the Turkish community in Germany (Turkey);
- 123.57. Continue the efforts in strengthening the programme and policy of social inclusion and cohesion of all citizens, in particular with respect to the protection of the rights and legitimate interests of the vulnerable and minority groups (Cambodia);
- 123.58. Continue enhancing and promoting human rights through expanding and broadening human rights education and awareness-raising programmes in the country (Armenia);
- 123.59. Continue to develop comprehensive human rights training and education programmes for various sectors of society, including assessment measures (Chile);
- 123.60. Adopt measures to recognize in practice the indivisibility, equality, interdependence and universality of all human rights so that legislation and judicial practice adequately ensures the enjoyment of economic, social and cultural rights and not just civil and political rights (Ecuador);
- 123.61. Continue policies aimed at intensifying the fight against all forms of corruption (Kazakhstan);

- 123.62. Continue to work in the field of human rights worldwide (Chad);
- 123.63. Invite the Special Rapporteur on the human rights of migrants, the Special Rapporteur on torture, the Special Rapporteur on human trafficking, and the Special Rapporteur on the sale of children, child prostitution and child pornography (Belarus);
- 123.64. Take all necessary measures to submit a report for the eighth consultation on the measures taken to implement the Convention against Discrimination in Education (Iran (Islamic Republic of));
- 123.65. Develop a comprehensive strategy to combat all forms of discrimination (Algeria);
- 123.66. Intensify its raising awareness actions and take necessary measures to ensure that the most exposed persons to discrimination are aware of existing remedies and procedures (Togo);
- 123.67. Strengthen its social integration policy and take vigorous measures to combat all discriminatory practices proven in the territory (Cote d'Ivoire);
- 123.68. Pursue initiatives at increasing public awareness of the existence and purpose of the German General Equal Treatment Act (2006), particularly among potential victims of gender discrimination (Maldives);
- 123.69. Intensify measures to raise public awareness of the General Equal Treatment Act (Ireland);
- 123.70. Raise awareness among potential victims of racism and discrimination on the existence and scope of the General Equal Treatment Act (AGG) and of the mechanisms for invoking their rights before the courts (Austria);
- 123.71. Take measures to further improve the situation of gender equality (Norway);
- 123.72. Establish concrete goals to accelerate the achievement of substantive equality between women and men and ensure effective elimination of discrimination against women (Republic of Moldova);
- 123.73. Further eliminate stereotypical attitudes about the roles and responsibilities of women and men (Republic of Moldova);
- 123.74. Intensify the promotion of gender equality and encourage the presence of women in high-level positions (Djibouti);
- 123.75. Continue its efforts in combatting discrimination of women , particularly in its public policies for immigrant women and refugee women as well as those belonging to minorities, which CEDAW pointed out may be subject to multiple forms of discrimination in respect of education, health, employment and social and political participation (Paraguay);
- 123.76. Remain on course as regards the fight against xenophobia and racism, inter alia, by providing appropriate education to people about the dangers of extremist and racist ideology, and by working to prevent radicalization of individuals drifting towards extremist groups (Cyprus);
- 123.77. Develop a comprehensive strategy to combat racial discrimination from a broader perspective, not limited to right wing ideologies, and that takes into account indirect, structural and institutional discrimination. Prohibit policies of ethnic discriminatory profiling by the police (Ecuador);

- 123.78. Continue efforts aimed at combating racism, racial discrimination and xenophobia through measures that would lead to harmony (Saudi Arabia);
- 123.79. Step up the efforts contributing to combating discrimination and hate crimes, including by penalizing and introducing a ban on forms of speech that constitute religious and racial hatred, especially in the context of campaigning for elections (Egypt);
- 123.80. Enhance the scope and effectiveness of measures to combat and prevent racism so as to effectively guarantee all rights of migrants and minorities (China);
- 123.81. Continue the efforts in the fight against racism, racial discrimination, xenophobia and related forms of intolerance, including mild and underlying forms of racism (Brazil);
- 123.82. Continue its efforts in fighting racism, including by strengthening institutional capacities to systematically document and investigate racially motivated crimes (Canada);
- 123.83. Adopt further legal and practical measures to counter race-based hatred and crime, support social integration and harmony and provide equal opportunities for minority groups and migrants so as to ensure their dignity, decent work, education, health care and social welfare (Viet Nam);
- 123.84. Strengthen the fight against racially motivated violence and crimes (China);
- 123.85. Take effective measures to prohibit any manifestations of discrimination and racism (Uzbekistan);
- 123.86. Take all necessary measures to prevent the reappearance of Nazism in order to eradicate the root cause of all racially motivated criminal acts (Democratic People's Republic of Korea);
- 123.87. Fight racial discrimination by adopting a comprehensive strategy that includes indirect structural and institutional discrimination (Djibouti);
- 123.88. Take effective measures to prevent the dissemination of racist and xenophobic speeches on Internet and through the media (China);
- 123.89. Strengthen measures against acts of racism and discrimination experienced in recent years on German soil (Congo);
- 123.90. Put in place a comprehensive strategy for dealing with issues of racism and racial discrimination (Botswana);
- 123.91. Extend the notion of racism to bring it in line with the International Convention on the Elimination of All Forms of Racial Discrimination (Gabon);
- 123.92. Take all necessary measures to prevent xenophobic activities of far-right groups and to combat prejudices and negative stereotyping, in the context of eliminating all kinds of discrimination against the immigrants (Turkey);
- 123.93. Reinforce measures to combat xenophobia and other related crimes (Angola);

- 123.94. Continue undertaking measures to increase the effectiveness of its legislation and to investigate all allegations of racially motivated violations of human rights for bringing those responsible to account (Ukraine);
- 123.95. Strengthen its efforts to prevent racism and related phenomena (Senegal);
- 123.96. Continue efforts to address racism, discrimination and xenophobia (Trinidad and Tobago);
- 123.97. Intensify its efforts in combating discrimination and intolerance , particularly against Muslims, immigrants and persons of African descent and urges high State officials and politicians to take a clear position against racist or xenophobic hate speech (Tunisia);
- 123.98. Strengthen all necessary measures to effectively prohibit and prevent incitement to hatred and racist propaganda, particularly on the Internet, including by ensuring awareness of the problem at the federal and Länder levels (Uruguay);
- 123.99. Take effective legal measures to prevent and combat the dissemination of racist, xenophobic and Islamophobic propaganda, particularly in the press and on the internet (Iran (Islamic Republic of));
- 123.100. Continue to take measures to prevent and combat racially motivated crimes as well as hate crimes (Nigeria);
- 123.101. Further prioritize the protection of the victims from such racially motivated offences and ensure criminalization of incitement to racial hatred and effective sanctions for these crimes (South Africa);
- 123.102. Investigate allegations of racially motivated incidents against members of minority groups and take punitive and remedial action (Sierra Leone);
- 123.103. Step up its efforts to counter manifestations of racism, xenophobia, racial and religious intolerance (Russian Federation);
- 123.104. Pay attention to the enforcement of laws against racial discrimination in the labour market, the development of a comprehensive anti-discrimination legislation and adoption of a comprehensive policy to ensure effective implementation of the principles of equality and non-discrimination in respect of all (Kyrgyzstan);
- 123.105. Step up its efforts to prohibit and prevent hate speech and racist propaganda including on the internet and to increase public awareness on this issue (Malaysia);
- 123.106. Continue efforts to safeguard the rights of all segments of society, including foreigners by addressing all forms of hatred and discrimination (Nepal);
- 123.107. Further strengthen its overall law enforcement to effectively combat all forms of race-related crimes and hate speech as well as to raise public awareness in this field (Republic of Korea);
- 123.108. Continue to combat all forms of discrimination and racism in sports (Namibia);
- 123.109. Continue the efforts to combat all forms of racial discrimination in particular religious or ethnic discrimination by ensuring penalties that have a

deterrent effect and abolishing discriminatory laws that prohibit Muslim women from wearing veils which is viewed as a way of life that should be respected and considered (Kuwait);

23.110. Put to an end to the use of discriminatory ethnic profiling by inserting the necessary legal safeguards against the abuse and deliberate targeting of certain ethnic and religious groups (Malaysia);

123.111. Legally ban discriminatory ethnic profiling (India);

123.112. Continue taking efficient measures against religion-based discriminatory practices in terms of access to the labour market and social integration (Kazakhstan);

123.113. Continue the efforts made to combat discriminatory practices based on age or religion, and undertake corresponding investigations of acts of domestic violence for social motivations (Argentina);

123.114. Take necessary measures to eradicate the trend and/or the dissemination, through the media and by public officials, of stereotypes that might encourage discrimination against migrants, especially migrant women (Argentina);

123.115. Give consideration to what further action is required to promote greater integration of migrant communities and counteract racial discrimination and racially-motivated violence (Australia);

123.116. Continue and intensify the efforts to eliminate discrimination against migrants and their children and to guarantee their equal opportunities in education and access to work (Djibouti);

123.117. Increase efforts to prevent and punish perpetrators of racially motivated acts of violence against members of the Roma/Sinti, Muslim, Jewish Communities, as well as German nationals of foreign origin (Bahrain);¹

123.118. Take necessary measures to avoid the stigmatization of migrants and minorities, and to ensure that they are not subject to any practice of racism, racial discrimination, xenophobia and other forms of related intolerance (Cuba);

123.119. Take effective legal measures to eliminate all forms of discrimination and violence against women and children, in particular those who belong to ethnic and religious minorities including Muslims who still face multiple forms of discrimination with respect to education, health, employment and social and political participation (Iran (Islamic Republic of));

123.120. Adopt immediate and positive measures to combat all forms of discrimination, xenophobia and related intolerance against the Sinti and Roma communities, regarding their access to housing, education, employment and healthcare (Bahrain);

123.121. Continue its efforts and continue to take initiatives against hate crimes based on sexual orientation or gender identity. Such advances can be

¹ The recommendation made during the interactive dialogue was "Increase efforts to prevent and punish perpetrators of racially motivated acts of violence against members of the minority groups".

achieved by implementing anti-discrimination laws and strengthening financial resources of investigation authorities and the autonomy of the Federal Agency against discrimination (Netherlands);

123.122. Continue its important efforts to combat hate crime based on sexual orientation (Norway);

123.123. Protect the right to life from the conception to natural death (Holy See);

123.124. Commission a study on the insufficiencies in the implementation of the mandate of the National Mechanism on Torture Prevention due to the limitations of financial and human resources, and inform the Parliament at its next discussion of the annual report of the Mechanism (Switzerland);

123.125. Address the concerns and, as necessary, implement recommendations of Treaty Bodies and United Nations agencies by taking any necessary steps to ensure that no individual is exposed to the dangers of torture or cruel, inhuman or degrading treatment or punishment when extradited or deported (Ireland);

123.126. Immediately, thoroughly and unbiasedly investigate all cases of allegations of abuses of authority by law enforcement officials, including while dispersing demonstrations (Russian Federation);

123.127. Have an independent body to promptly and thoroughly investigate all allegations of torture and ill-treatment by the police (Botswana);

123.128. Establish an independent police complaint mechanism to ensure the prompt, impartial, independent and efficient investigation of cases of alleged ill-treatment or excessive use of force by the police (Hungary);

123.129. Undertake all necessary measures to prevent unlawful treatment by law enforcement bodies, in particular against foreigners and German citizens of foreign origin (Uzbekistan);

123.130. Continue to strengthen its efforts against the excessive use of force by law enforcement agents, especially by taking measures allowing the identification of officials, establishing procedures to ensure the independence of investigations, as well as by improving data collection and information (Netherlands);

123.131. Enhance its efforts to prevent racially motivated acts of violence against Muslims and other minorities and to punish the perpetrators of such crimes (Malaysia);

123.132. Adopt all necessary measures to deal with the situation of street children (Nicaragua);

123.133. Take further steps in fighting against domestic violence, including by raising public awareness (Estonia);

123.134. Assess the possibility of making domestic violence an independent crime, and redouble efforts to ensure the effective implementation of the 2007 Action Plan against Violence (Peru);

123.135. Intensify the implementation of the Second Plan of Action combating violence against women, in particular for women in a vulnerable situation (Chile);

Commentaire [NS1]: Troika is requested to check whether the translation of the recommendation is acceptable to the recommending state

- 123.136. Criminalize domestic violence as a distinct criminal offence and ensure the effective implementation of the action plan on violence (Republic of Moldova);
- 123.137. Increase the protection of women against violence particularly those of immigrant background, by, inter alia, strengthening their access to counselling and support services nationwide (Slovakia);
- 123.138. Take appropriate measures to ensure equal protection for all victims of human trafficking for sexual exploitation under the age of eighteen years (Liechtenstein);
- 123.139. Intensify further efforts to prevent and combat human trafficking and to protect its victims (Cambodia);
- 123.140. Continue its efforts against human trafficking (Costa Rica);
- 123.141. Safeguard the rights of victims of human trafficking consistent with its human rights obligations (India);
- 123.142. Take comprehensive measures to combat paedophilia and the rise in child prostitution (Belarus);
- 123.143. Ensure that the trial regarding National Socialist Underground network are easily observed and that all allegations about National Socialist Underground network are investigated (Turkey);
- 123.144. Avoid the practice of preventive detention or use such type of detention as a measure of last resort (Hungary);
- 123.145. Introduce independent and effective legal and professional supervision of the Youth Office (*Jugendamt*) and ensure that the *Jugendamt* decisions be in conformity with binding international norms, including the rulings of the European Court of Human Rights (Turkey);
- 123.146. Respect its commitments to an effective judicial review of the administrative decisions of the Office of Youth (*Jugendamt*) (Congo);
- 123.147. Continue its efforts in the field of human trafficking and most importantly facilitate access to justice for the victims (Greece);
- 123.148. Ensure that perpetrators of violence, including against non-ethnic Germans, are identified and prosecuted to the fullest extent of the law (United States of America);
- 123.149. Enhance efforts to promote the presentation of women at all levels (Greece);
- 123.150. Fully protect the freedom of religion and belief by allowing the conscientious objection clause in all fields (Holy See);
- 123.151. Be more proactive in promoting and protecting freedom of religion and belief, including in preventing hate speech, racist propaganda and ethnic profiling (Indonesia);
- 123.152. Put an end to the violations of the rights to peaceful assembly and freedom of expression, torture and other ill-treatment (Democratic People's Republic of Korea);
- 123.153. Take actions to avoid labour discrimination based on age, particularly against young people and the elderly, as well as promote actions to reduce prejudices based on the life cycle (Mexico);

- 123.154. Take necessary measures to enforce anti-racist laws in the labour market (Pakistan);
- 123.155. Continue addressing gender inequalities in the labour market, in particular with a view to accelerating women's representation in high ranking, decision making posts (Slovakia);
- 123.156. Establish concrete goals to accelerate the achievement of substantive gender equality, including measures to increase women's representation in decision making positions and addressing the long-standing pay gap between women and men (India);
- 123.157. Take further measures to promote equal representation of men and women in decision-making positions (State of Palestine);
- 123.158. Take further measures to provide women and men with equal opportunities in the labour market for example by improving the availability, affordability and quality of childcare (Finland);
- 12.159. Increase public awareness about equal career opportunities and undertake measures to increase the availability of childcare facilities that will enable women to fully participate in the labour market (Slovenia);
- 123.160. Adopt proactive measures to promote equal gender representation in decision-making positions, and implement non-discriminatory policies to ensure equal pay for women (Bahrain);
- 123.161. Strengthen measures to bridge the wage gap between women and men, including in the private sector (Sri Lanka);
- 123.162. Concretize equal pay of women and men as soon as possible (Burundi);
- 123.163. Prioritize measures to minimize and end pay differentials between men and women (Trinidad and Tobago);
- 12.164. Enhance both federal and regional measures to promote equal pay for equal work and to facilitate women's return to their career paths after childbirth (Sweden);
- 123.165. Provide, in accordance with its obligation under international human rights law instruments, effective protection for the family as the fundamental and natural unit of society (Egypt);
- 123.166. Continue to promote the right to access to water (Bangladesh);
- 123.167. Redouble efforts to ensure that girls and boys have an education with equal opportunities in terms of professional career, as well as to eliminate the difference in the remuneration of men and women (Peru);
- 123.168. Fully respect the choices of parents concerning the education of their children in accordance with arts. 14 and 18 of the Convention on the Rights of the Child (Holy See);
- 123.169. Federal and State Governments, in consultation with civil society, broaden and intensify existing human rights training in schools as well as the routine training of police, security, prison and health personnel, and set up a monitoring and evaluation mechanism to assess progress (United Kingdom of Great Britain and Northern Ireland);

- 123.170. Continue to adopt the necessary measures for the school enrolment of migrants' children to be mandatory in all federal states in accordance with national legislation and local commitments (Chile);
- 123.171. Include the promotion of multiculturalism in education curricula, including by sensitizing teachers to work in a multicultural environment (Indonesia);
- 123.172. Take steps to stop prohibition on wearing of religious symbols including the headscarf (Pakistan);
- 123.173. Continue its efforts to lower unemployment rate of persons with disabilities (Peru);
- 12.174. Further strengthen its compliance with the Convention on the Rights of Persons with Disabilities, by implementing the concept of reasonable accommodation recognized in Article 2, as well as paying a special attention to the needs of girls and women with disabilities (Spain);
- 123.175. Extend legal requirements of barrier-free access for persons with disabilities to private entities that provide goods and services to the public (United States of America);
- 123.176. Ensure nationwide access to barrier-free protection and support facilities for women with disabilities affected by violence (Austria);
- 123.177. Provide effective protection and complaint mechanisms to persons with disabilities living in specialized centres (Austria);
- 123.178. Continue its programmes for improving the social inclusion of children and youth with disabilities (Ecuador);
- 12.179. Further promote pursued policies and programmes with regard to the social integration of the Roma and Sinti communities, by promoting their further access to education, the labour market, housing and health care services (Slovakia);
- 123.180. Ensure equal access to employment, housing and education to ethnic minorities, especially women (Namibia);
- 123.181. Take steps to integrate minority communities in Germany by promoting their access to education, housing employment and health care (India);
- 123.182. Continue its efforts regarding the integration of Muslim population in Germany, while at the same time ensuring the enjoyment of their human rights, including the right to religion (Jordan);
- 123.183. Continue to work on protecting the rights of migrants, especially the children of migrants (Nigeria);
- 12.184. Continue improving the protection of human rights of migrants in the health, legal, social, education, economic and labour fields (Holy See);
- 12.185. Adhere to the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Honduras);
- 123.186. Do not criminalize undocumented migration and reduce administrative detention to a minimum (Mexico);
- 123.187. Reconsider its decision to continue imposing criminal sanctions against irregular migration (Philippines);

- 123.188. Continue to ensure that no individuals are exposed to the danger of torture or cruel, inhuman or degrading treatment or punishment when extraditing or deporting illegal migrants (Namibia);
- 123.189. Continue their efforts to eliminate stereotypical attitudes about migrants and to increase measures to protect them (State of Palestine);
- 123.190. Continue its efforts to promote equal opportunities of those with migrant background and for their participation in the social, economic and cultural life in Germany (Saudi Arabia);
- 123.191. Continue protecting and promoting the rights of migrants (Senegal);
- 123.192. Continue its efforts to change the perception of the general public and government officials, vis-à-vis minorities (Thailand);
- 123.193. Take further steps to encourage migrant children in all federal states to strive for higher education or to complete professional training after leaving school (Thailand);
- 123.194. Ensure the protection of migrants, refugees and their families in accordance with international standards (Belarus);
- 123.195. Adopt safeguards to ensure that asylum seekers are not returned to countries where they will face persecution (Sierra Leone);
- 123.196. Take into consideration the full spectrum of international refugee and human rights law and standards when considering issues related to asylum seekers (Brazil);
- 123.197. Pay particular attention to refugees especially during placement and the detention of asylum seekers and ensure that account is taken of the principle of the best interests of the rights of the child in any decision relating to asylum seeking minors (France);
- 123.198. Ensure that the laws of the high level regulating the fight against terrorism are consistent with international standards of human rights protection (Mexico);
- 123.199. Ensure that its counter-terrorism efforts are in compliance with international human rights obligations (Pakistan);
- 123.200. Adopt effective measures to protect human rights in executing counter-terrorism policy (Democratic People's Republic of Korea).
124. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

Annex

Composition of the delegation

The delegation of the Federal Republic of Germany was headed by Mr. Markus LÖNING, Federal Government Commissioner for Human Rights and Humanitarian Affairs and composed of the following members:

- Mr. Hanns H. SCHUMACHER, Ambassador, Permanent Representative of the Federal Republic of Germany to the United Nations Office at Geneva, Alternate Head of Delegation;
- Mr. Konrad ARZ VON STRAUSSBURG, Head of Division, Federal Foreign Office;
- Mr. Roland KUGLER, Deputy Head of Division, Federal Ministry of the Interior
- Ms. Birgitta RYBERG, Deputy head of division, Secretariat of the Standing Conference of the Ministers of Education and Cultural Affairs of the Lander in the Federal Republic of Germany;
- Ms. Ulrike BENDER, Legal adviser, Federal Ministry of the Interior;
- Ms. Denise RENGER, Legal officer, Division for Human Rights, Federal Ministry of Justice;
- Mr. Ralf WYRWINSKI, Desk officer for Human Rights, Federal Ministry for Economic Cooperation and Development;
- Ms. Anne RÜSCHKAMP, Desk officer, Federal Ministry of Labour and Social Affairs;
- Ms. Nicole HERZOG, Desk officer, Federal Ministry of Family, Senior Citizens, Women and Youth;
- Ms. Kristin LUTHER, Desk officer, Federal Foreign Office;
- Ms. Julia BLAUE, Legal trainee, Federal Foreign Office;
- Ms. Linda HERRMANN, Interpreter;
- Ms. Regula PICKEL, Interpreter;
- Mr. Kai BALDOW, Counsellor, Permanent Mission of Germany;
- Mr. Michael HEROLD, Second Secretary, Permanent Mission of Germany;
- Ms. Heike AHRENBURG, Third Secretary, Permanent Mission of Germany.