

GERMANY

CESCR E/1987/28

115. The second periodic report (E/1986/4/Add.11) of the German Democratic Republic on the rights covered in articles 10 to 12 of the Covenant was considered by the Committee at its 11th, 12th and 14th meetings, held on 16 and 17 March 1987 (E/C.12/1987/SR.11, 12 and 14). The report was introduced by the representative of the reporting State.

116. She stated that the implementation of economic, social and cultural rights in the German Democratic Republic was based on the principle that human rights and fundamental freedoms were inseparable and indivisible. Within this context, it was emphasized that the full implementation of the rights now under consideration presupposed the peaceful coexistence of all nations, for which reason priority must be given to the struggle for peace, to ending the arms race and to achieving effective arms control and disarmament.

117. As to article 10 of the Covenant, the representative pointed out that her Government had established the priorities of fostering family life, ensuring extensive care for mothers and children and assisting large families and young couples. The social welfare programme had enabled women to harmonize their occupational activities, social responsibilities and role in the family more easily, and more than 91 per cent of all women of working age were in employment.

118. With reference to article 11, she said that the right to an adequate standard of living had become a reality in her country. Over the past 15 years, real income had more than doubled and an annual growth rate of 4 per cent was envisaged up to 1990.

119. In connection with this, the Committee was informed that over the past 15 years, 2.6 million dwellings had been built or modernized and better living conditions achieved for about 42 per cent of the country's population. Rents had been kept low and stable for more than 40 years and, on average, accounted for less than 3 per cent of a worker's net household income. In addition stable consumer prices for essential goods, rents, fares and services played a major part in the growth of real income and living standards.

120. With regard to article 12, reference was made to articles 35 and 38 of the Constitution, in which the right to enjoy the highest attainable standard of physical and mental health was enunciated. Medical care and pharmaceuticals were free of charge for every citizen, increasing attention was being paid to preventive health care, and progress had been made in reducing infant mortality. Her country's economic and social policies paid great heed to protection of the natural environment and considerable resources had been set aside for developing technological methods to facilitate the recycling of industrial waste products.

General observations

121. Members of the Committee commended the Government on its report (E/1986/4/Add.11), which was prepared in accordance with the reporting guidelines and submitted in timely fashion.

122. Members of the Committee welcomed the reference made in the report (*ibid.*, paras. 3-8) to articles 1 to 3 of the Covenant and the measures taken to implement them. With respect to the reference (*ibid.*, para. 3) to the right to self-determination, some members observed that the people of the German Democratic Republic had effectively exercised this right while some other members doubted whether such an exercise had actually taken place.

123. Clarification was requested as to the status of non-nationals (*ibid.*, para. 5), especially in the light of the remark contained in the report that certain rights were tied to citizenship (*ibid.*, para. 6). With respect to article 2 (2) of the Covenant it was asked whether the open adherence to religious beliefs could have adverse consequences, such as exclusion from certain educational opportunities or from preferred jobs.

124. With reference to the problems relating to equal rights for men and women (*ibid.*, paras. 7 and 8), some members expressed their wish to have more information on the measures taken in the process of implementation of the rights enunciated in article 3 of the Covenant.

125. Some members wished to have additional information concerning the application of various legislative acts mentioned in the report, and on the extent of popular participation in the attainment of the social and economic objectives laid down in articles 10 to 12 of the Covenant.

126. Some members took note with satisfaction of the reference made in the report to the importance of the maintenance of the international peace and security for the realization of all human rights.

127. Some members observed that the report had given insufficient attention to the factors and difficulties affecting the degree of fulfilment of the obligations as provided for in article 17 (2) of the Covenant.

128. In reply, the representative stressed that foreigners residing in the German Democratic Republic had the same rights as nationals unless the rights were linked to citizenship (right to vote, right to be elected, etc.): in particular, that meant that they enjoyed the social, cultural and recreational services offered to the country's workers. On the basis of inter-State agreements, the German Democratic Republic co-operated with other States in sending workers hired for temporary periods from one country to the other. Under those agreements, the German Democratic Republic undertook to guarantee foreign workers the same rights as their own citizens, except for rights directly associated with citizenship. Any discrimination against foreign workers was excluded, and article 16 of the Labour Code stipulated that all of its provisions were applicable to foreign workers.

129. With reference to article 3 of the Covenant, the representative stated that the equal rights of men and women were enshrined in the Constitution and guaranteed in practice in the economic, social and cultural fields. Women received equal wages for equal work. At present, more than 91 per cent

of women of working age had a job or were being educated or trained. The participation of women in decision-making was attested by the number of women deputies in all representative bodies: they accounted for 32 per cent of the People's Assembly: the Democratic League of German Women formed a parliamentary group of 35 deputies: five women were members of the State Council: and women were broadly represented in regional, departmental and municipal bodies as well as in people's assemblies at all levels.

Article 10: Protection of the family, mothers and children

130. Members wished to have more information on the general policy concerning married and unmarried couples and on any differences in the legal and social treatment of married and unmarried mothers. It was asked how the extended rights given to the working mother of a new-born child were compatible with her economic role: what the attitude was to the concept of the natural family: and whether children born out of wedlock had the same rights as others. Information was sought as to when the benefits referred to in paragraph 18 of the report had been granted.

131. Referring to paragraph 14 of the report, members wished to know whether many men availed themselves of the paid leave that could be granted not only to the wife but also to the husband.

132. After mentioning the relatively recent phenomenon of "surrogate mothers", members wished to know what the situation was in that respect and whether the practice was prohibited by law or condemned by society. The same question was asked with regard to artificial insemination.

133. In reply to the questions concerning unmarried mothers, the representative referred to article 46 of the Family Code and its implementation. She also indicated that until 1986 only unmarried mothers were entitled to six months' annual leave to care for a sick child, during which they received 50 to 70 per cent of their pay. Since April 1986, married working mothers with two or more children had the same right as unmarried mothers.

134. Artificial insemination was authorized for married couples but not the use of "surrogate mothers".

135. In whatever concerned the equal rights of children, the Government had always been careful to offer all children equality of opportunity in education, to encourage them to attain the optimum level of education and to ensure their material security. Relevant statistics were cited.

Article 11: Right to an adequate standard of living

136. Several members having noted the fact that real income had doubled from 1970 to 1985, while consumer prices for basic commodities had remained unchanged for more than 25 years, asked for more detailed information on the measures taken with respect to housing in general, and to the improvement of living conditions, in particular.

137. It was also asked whether private individuals could have flats or houses built and, if so, whether they were aided by the State. A question was asked concerning the existence of homeless persons.

138. With reference to paragraph 33 of the report, members indicated that it would be interesting to know whether any studies had been made on malnutrition.

139. In reply, the representative indicated that 2.6 million dwellings had been built or modernized between 1971 and 1986, thus improving the housing conditions of 7.9 million persons. Two thirds of the new dwellings had gone to families of workers and one quarter of housing had been allotted to young married couples. Families with three or more children had priority in the allocation of housing. At the end of 1986, the German Democratic Republic had more than 400 dwellings per 1,000 inhabitants, with an average of more than 26 m² per person. There had been a distinct improvement in the quality of housing. Rents differed somewhat depending on whether the dwelling was situated in a small or large town and on the level of comfort it offered. The rents covered one third of the maintenance, repair and administrative costs, the remainder being borne by the State.

140. The representative stated that there were no homeless in the German Democratic Republic.

141. Under the State's social budget, in 1986 the State had spent 15 billion marks on the construction and modernization of housing, the maintenance of existing housing and the management of co-operative and public housing, 12.3 billion on public education, 21 billion on improvement of the efficiency and quality of social and medical services, 48 billion to ensure stable prices for essential products, 4.5 billion on health protection and medical care, allowances for mothers and children, and care of the aged, 5 billion on social assistance, and 3 billion on recreation.

142. As far as the standard of living was concerned, the representative indicated that in socialist society, economic and social policies were not treated separately but were regarded as constituting a whole. Per capita real income had risen 4 per cent in 1984 over 1983. Expenditure on rent, heating, water, gas and electricity represented 5 per cent of family income. The price of basic foodstuffs and essential services had remained stable, and this accounted for the high level of general consumption. There was no malnutrition.

Article 12: Right to physical and mental health

143. Members of the Committee requested clarifications on all that concerned recent birth-rate trends, measures taken by the authorities to reduce the number of abortions and the rate of still births, and measures taken to prevent industrial diseases.

144. With regard to environmental protection, members asked whether there were associations for the protection of the environment and, if so, what their status and role were, and whether violation of environmental-pollution regulations was punishable under administrative or penal provisions. Noting that the German Democratic Republic emitted about twice as much sulphur dioxide per year as the Federal Republic of Germany, it was asked what was being done to reduce those emissions in accordance with relevant international agreements.

145. In reply, the representative indicated that in everything relating to family planning and the birth-rate, the policies of the German Democratic Republic were based on the principle that women enjoyed complete equality with men and were free to decide on how to conduct their personal lives.

They were given contraceptives free of charge and it was they who, increasingly, decided on the number of children and the spacing of births. In that connection, mention was made of the provisions of the 1972 law on the interruption of pregnancy.

146. As to labour medicine and industrial diseases, she stressed the fact that the Constitution and the Labour Code enshrined not only the right to work but also the right to working conditions that were not prejudicial to health. The latest international standards on the medical screening of workers were applied. Almost all jobs entailing a health risk were checked, and intensive efforts were made to reduce the incidence of industrial diseases such as silicosis and deafness due to noise. The incidence of industrial diseases was constantly declining.

147. Drug addiction and trafficking were unknown in the German Democratic Republic, which did not offer a suitable terrain for the development of such phenomena. Alcoholism existed but it was exceptional and often associated with juvenile delinquency, which was rather rare in the country. In that connection, the attention of members was drawn to articles 145 and 147 of the Penal Code, which stipulated severe punishment for any adult who endangered the psychological or moral development of a child or adolescent by encouraging him or her to engage in asocial or illegal behaviour (art. 145): it was a punishable offence for adults to encourage alcoholism among children or adolescents.

148. Referring to the questions about environmental-protection legislation, the representative cited the provisions of article 329 of the Civil Code and paragraph 1 of article 191 (a) of the Penal Code concerning protection of the environment. It was also indicated that the German Democratic Republic had concluded a number of bilateral agreements on environmental protection. In 1979, the German Democratic Republic had acceded to the Convention on Long-range Transboundary Air Pollution. For years great importance had been attached to training in this field. Thus, there was a school for the protection of nature which trained specialists in conservation.

149. In concluding the consideration of the report, the Chairman thanked the representative of the State party for having co-operated with the Committee in a spirit of constructive dialogue with the common objective of implementing the rights recognized in the Covenant.

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221. The Committee considered the second periodic report (E/1986/4/Add.10) submitted by the Federal Republic of Germany on articles 10 to 12 of the International Covenant on Economic, Social and Cultural Rights. At its 19th and 20th meetings, held on 20 March 1987 (E/C.12/1987/SR.19 and SR.20).

222. The representative of the Federal Republic of Germany introduced the report and provided additional information. He pointed out that the protection of, and assistance, to the family had been essential facets of his country's policy before the Covenant had entered into force. He said that the principle of special protection for mothers, children and adolescents had been implemented to the greatest extent possible. He added that in the Federal Republic of Germany there were groups whose standard of living was below average, but no country could claim otherwise of its own population. The Government was constantly concerned to improve the standard of living and, at the same time, to reduce the gaps between the underprivileged and the average citizen. The Government had always laid emphasis on environmental protection measures and on health policy. The public was very much attuned to those objectives and demanded a dynamic, future-oriented and consistent policy from the State and the local administrations.

223. He explained that his country had made impressive progress in all the fields regulated by articles 10 to 12 of the Covenant during the seven years covered by the report, but because of the second oil crisis from 1978 to 1979, the unemployment rate had risen steadily. The cost of social services provided by both social welfare institutions and the Government had increased over the period 1979 to 1985. The number of wage earners had fallen by 415,000, while the number of unemployed had grown by over 1.4 million. Annual expenditure on unemployment benefits had exceeded DM 10.5 billion in 1985. Annual expenditure for disability and old-age insurance had increased by over DM 37 billion: a growth rate of nearly 36 per cent. The cost of health insurance had risen by more than DM 31 billion. Expenditure on social assistance had grown even more rapidly, rising to DM 6.6 billion, an increase of 54.6 per cent. As regards revenue, he pointed out that the State's tax revenue had increased by 27.6 per cent from 1979 to 1985, yet gross income of the wage earner had risen at almost the same rate, namely 27.2 per cent. The social security system had paid out much more for social benefits in 1985 than in 1979, whereas the number of wage earners had decreased their income, which served as the basis for calculating social security contributions and formed over one third of revenues. Consequently, social benefits had not improved consistently, as they had during the period 1972 to 1982. He stressed that, in fact the economic situation, in his country, from 1979 to 1985 had not been homogeneous and provided a number of figures and statistical data illustrating the complexity of the problem.

224. With reference to recent developments in social policy, he drew the Committee's attention to the Parental Allowance and Parental Leave Act, whereby a father or mother was able to stay at home with a child for 10 months with guaranteed protection against dismissal. As to paragraph 25 of the report, on validation of the years spent bringing up a child for the purposes of disability and old-age insurance, he pointed out that the Government had recently decided that benefits should also be extended to mothers born before 1921. He added that economic assistance to the family had been

improved by combining tax deductions for dependent children with the provision of family allowances. Thus, single mothers and fathers engaging in professional activity were entitled to deduct from their taxable income the sum they spent for child maintenance, up to DM 4,000 for the first child and DM 2,000 for each subsequent child.

225. Turning to article 12 of the Covenant, he explained that new regulations had been issued on the protection against health hazards connected with the medical use of X-rays. As regards environmental protection various measures have been taken by the Government, including the reorganization of a number of internal departments into one single Ministry of the Environment, National Resource Conservation and Nuclear Safety.

General observations

226. Members of the Committee expressed their gratitude for the readiness of the Government of the Federal Republic of Germany to contribute to a constructive dialogue with the Committee. They commended the comprehensiveness and the manner in which the report had been prepared. The view was expressed, however, that the content of the report could have been more exhaustive if the information orally supplied to the Committee had been incorporated in the report thereby making it more useful for public review. As a general comment, questions were raised as to whether it would not be preferable to break down under separate headings the figures in the table of basic data on social policy contained in pages 2 and 3 of the report. With a view to providing a better idea of the make-up of the population, it was said that it would have been useful to give separate figures for the resident and foreign populations. In view of the importance of establishing bench marks whereby the Committee could ascertain that the rights in question were being enjoyed by all members of the population, it was stressed that there was a need to know from the report whether a significant proportion of the population was living below the subsistence level in any area.

227. With reference to recent ILO report, 3/ which had indicated that laws in the Federal Republic of Germany sought to exclude from public service people whose political views did not reflect enough fidelity to the “free democratic basic order” (the Berufsverbot laws) the question was raised as to the nature of the Government’s response to the ILO report, given that economic and social rights could be effectively recognized only if individuals were free to speak out openly on those rights and in view of the obligation contained in article 2 (2) of the Covenant.

228. As regards the implementation of the articles under review, questions were raised as to the availability of recourse procedures, including access to a court or administrative tribunal and as to the relevant provisions of the Basic Law, and the circumstances under which any of the rights in question were considered to be justiciable.

229. Turning to the question of self-determination, it was regretted that the report did not mention any measures designed to safeguard the right to self-determination as provided under article 1 of the Covenant. In view of the division of Germany after the Second World War, clarification was asked

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as to the lack of any reference to the question of self-determination.

230. The representative of the Federal Republic of Germany thanked the members of the Committee for their interest. He explained that he would try to give an adequate answer to all the questions although many of them were currently being dealt with by his Government. As regards the statistical data contained in the table on pages 2 and 3 of the report, he explained that it was under his own initiative that they were included in the report to respond to criticisms of previous reports. In this connection, he said that he would welcome any guideline from the Committee as regards the inclusion of statistical data. He added that the table contained, for example, figures concerning employment and unemployment, although the present report covered only articles 10 to 12 and not articles 6 to 9. Regarding the discrepancies between the salaries of men and women, he explained that the differences that appeared on the figures shown on the tables should not be interpreted to mean that men and women doing equal work did not receive equal pay. He stressed that the legislation in the Federal Republic of Germany contained provisions prohibiting discrimination against women.

231. As regards the questions relating to the regulations designed to exclude radicals from public services (Berufsverbot) he felt that question pertained to article 6 of the Covenant. However, he explained that the ILO report on the matter had been issued only a month ago and had included a dissenting opinion. His Government had not given any reaction yet as they have three months to do so or to decide whether they should address the International Court of Justice. He also noted that the European Court of Human Rights, in considering similar cases, had found no violation by the State.

Article 10: Protection of the family, mothers and children

232. With respect to the parental allowance of DM 600 per month, which is granted after maternity until the child is 10 months old, clarification was sought as to whether this allowance was granted to all families without discrimination. Further information was sought over the accident insurance which since 1 November 1977 was provided for the unborn child. Turning to the Act of 13 July 1984 which set up the Foundation for Mothers and Children and which had been designed to channel funds to assist future mothers in financial difficulties, questions were raised as to whether the budget allocated covered mothers alone or mothers and children. With regard to the appropriation of DM 4 million for measures connected with leisure and recreational activity, it was asked whether that was the only sum allocated for that purpose. Detailed information was requested concerning the difficulties encountered by the Government in the implementation of these projects.

233. Regarding the population as a whole, questions were raised as to the main causes of the decline in population growth, the main causes of the high rate of divorces and the measures envisaged by the Government to deal with these problems.

234. A wide range of questions pertaining to the disadvantaged groups of the population, migrant workers and refugees were raised by members of the Committee. It was asked whether the Government or other groups in society regularly undertook surveys of the status of the most disadvantaged sector of the population such as migrant workers, retired and elderly people and the very poor.

235. In view of the large number of foreign workers mentioned in the report, a question was asked as to the kind of policy being pursued by the Government to safeguard the unity, and bring about the reunification of the families of migrant workers.

236. Turning to paragraph 75 of the report which referred to asylum-seekers and the co-operation of the Government with the Intergovernmental Committee on Migration (ICM), questions were raised as to how many requests for asylum or refugee status had been made, what proportion was accepted or rejected, and what body was entitled to rule on the matter.

237. Turning to the protection of young people, questions were raised in relation to the length of working hours authorized under the Protection of Young Workers Act. Various questions were raised in relation to the Protection of Minors Act and the new Act which emphasized the protection of minors against video programmes involving horror, warfare, violence or pornography. For example, questions were asked as to whether a body or a commission composed of competent individuals was set up to establish criteria and select the types of programmes that could be shown without amounting to a form of abusive censorship while at the same time guaranteeing the protection of minors. Information was requested on the type of tribunals that existed to deal with juvenile delinquency.

238. Concerning family problems, questions were raised as to whether there existed any legislative trends towards equality of rights as between legitimate children and children born out of wedlock.

239. In connection with the figures relating to unemployment given in the table (page 2 of the report), detailed information was requested on the efforts made by the Government to overcome the scourge of unemployment and the steps undertaken to integrate young people into the working population. Information was also requested on the legislative and social measures taken to combat the threat of drug addiction to which young people were so vulnerable. Clarification was requested as to why the tax deduction for a dependent child required that the child should be resident in the territory of the Federal Republic of Germany.

240. The representative of the State party said, with respect to the monthly parental allowance of DM 600 which was granted until the child reaches the age of 10 months, that law was initially introduced for low-income parents but reality had revealed that even wealthy parents might have to incur major financial expenditures during the period following the birth of their child. Thus the legislation was introduced as a compromised formula. He confirmed that the DM 4 million referred to in paragraph 41 of the report was allocated for leisure and recreational activity. As concerned the length of the working hours of young persons, he explained that in the Federal Republic certain jobs involved training programmes and that was what made the working hours of young persons appear longer.

241. Regarding the protection of adolescents from movies which might have some negative impact on them, he explained that there was no censorship as such but that the movie industry exerted a type of control in indicating what movies appeared appropriate for different age groups. He added that there was also a federal body composed of representatives of the churches, trade unions and other relevant organizations which decided on the films or books to be banned, but as that regulation did not apply to video films, new legislation had been promulgated for that purpose.

Article 11: Right to an adequate standard of living

242. Various questions were asked with respect to the financial situation of workers and the way in which they spent their earnings with particular reference to the two tables, in paragraphs 66 and 67 of the report, reflecting the increase in average monthly wages and salaries.

243. Turning to paragraph 69 of the report according to which the number of foreign workers receiving social assistance had continued to increase and amounted to 235,000 in 1984 and that 1 out of every 11 beneficiaries of social assistance was a foreigner, it was asked whether eligibility for such assistance was guided by the principle of reciprocity. Information was requested on the measures contemplated or undertaken by the Government to cope with wage differences between women and men.

244. In view of international concern about the homeless, statistical data were requested on the number of people with and without housing. Information was requested on the statement in paragraph 125 of the report to the effect that the State played no part in the sickness insurance system which was purely a matter left between the employee and his employer.

245. Turning to the question of social assistance and the assistance that might be granted to foreigners, the representative of the State party pointed out that any persons legally residing in the Federal Republic of Germany could enjoy such assistance, including parental allowance, accident insurance, disability and old age insurance.

246. However, he added that social assistance might be refused to nationals of the European Economic Community and to nationals of countries which were signatories of the Convention of the Council of Europe on social and medical assistance. As regarded asylum seekers and refugees, he said that they might be encouraged to return to their countries of origin, and in some instances they might be granted some assistance if their situations so required. He explained that a foreigner who could no longer support himself or his family might be required to leave the territory of the Federal Republic. Regarding the exact number of foreign workers in the Federal Republic, he said that in 1985 they represented 7.7 per cent of the total active population. Regarding the co-operation between ICM and the Federal Republic of Germany on the return of foreign workers, he stressed that co-operation concerned mainly refugees from Latin America who were interested in returning to their respective countries after the restoration of democracy.

247. As to the question whether surveys were regularly carried out with respect to underprivileged groups, he said that it was difficult to determine the limits at which to set the poverty level. He pointed out that unemployment was much higher than among foreign workers than among nationals, as most foreign workers were unskilled workers.

248. With respect to general policy relating to health, he said that recently the efforts of the Government were geared towards preventive measures rather than curative ones only because of the cost of medical care and the deficit affecting medical insurances in many European countries.

249. Regarding the family, he stated that illegitimate and non-officially married couples were not recognized by the State. Consequently, there was no equality of rights between those categories of couples and those legally married.

250. Turning to pensions, he said that matter should not be regarded as being exclusively between the employer and employee, in order to fulfil its obligations the State might impose some legislation or provide some contribution to old age insurance.

251. Regarding juvenile delinquency, he said that the Government had set out a series of projects for that purpose.

Article 12: Right to physical and mental health

252. With respect to the right to health, and with reference to a recent report by the advisory Group of Experts on Health in the framework of what was known as “concerted action” the report argued that health policy placed too much emphasis on cure instead of prevention, with too much focus on broad macro-financial dimensions rather than on the extent to which individuals could achieve satisfactory access to health care. Further information was requested in that regard.

253. Information was requested on the development of any legislative action or moral thinking relating to children born from artificial insemination or surrogate mothers.

254. With reference to the impact of environmental policy upon the right to health, questions were raised as to whether there were any major threats to health that necessitated environmental legislation. Information was requested on the dialogue between the State and ecological groups. What preventive measures were taken by the Government since the Chernobyl accident to avoid the occurrence of such a disaster in the Federal Republic of Germany. In this regard, questions were raised as to why the Federal Republic of Germany continued to sell radioactively contaminated food to the third world and why drugs and medicaments for export were manufactured to a lower standard than those intended for domestic consumption. Detailed information was requested on the compatibility of the recent restrictive measures taken by the Government in relation to the risk of the spread of the acquired autoimmune deficiency syndrome (AIDS) and the right of transit.

255. With respect to artificial insemination or in vitro, the representative of the State party explained that no legislation had yet been adopted on the matter, but a working group had been established to deal with the subject since December 1986 and its conclusions and recommendations are expected by the end of 1987. However, measures are taken to prevent the use of artificial insemination or in vitro for lucrative purposes.

256. Regarding environmental protection, he said certain groups had been very active on the subject and the authorities paid considerable attention to their claims. Following the Chernobyl accident, new preventive legislation had been enacted. Turning to the restrictive measures relating to AIDS, he said that some Länder might prohibit entry into the territory to people affected by such a disease. As to the demographic decline, he said that the main causes of this decline could be attributed to the introduction and extensive use of contraceptive pills. With respect to housing, he explained that some equilibrium had been reached between supply and demand.

257. As regards the family reunification of migrant workers, he said that some restrictive measures have been adopted in this respect, to the effect that only children of migrant workers under the age of 16 would be allowed to enter the territory to join their parents. These measures were taken mainly to prevent an excessive entry of adolescents who would be completely disoriented in the society and

whose employment could not be guaranteed. He added that other restrictive regulations had also been imposed on marriage between foreigners living in the Federal Republic of Germany and foreigners living in the countries of origin. Regarding the use of drugs and drug addiction, he recognized that it was a world-wide phenomenon which had its own complexities and the Government was making every effort to cope with the problem. Turning to the high rate of divorce, he said that there were various factors which accounted for the widespread nature of divorce, but one of the main factors might be the detachment of young people from the Church.

258. With respect to the export of contaminated food, the representative noted that the recently proposed sale of contaminated milk had been prohibited by the Government. Government regulations applied to the sale rather than the production of medicines and the issue of banning exports was a complex one because some medicines might have different effects in different regions.

259. In concluding consideration of the report, the Chairman thanked the representative of the State party for having co-operated with the Committee in a spirit of constructive dialogue and with the common objective of implementing the rights recognized in the Covenant.

CESCR E/1994/23

242. The Committee considered the second periodic report of Germany on articles 13 to 15 of the Covenant (E/1990/7/Add.12) at its 35th and 36th meetings on 30 November and 1 December 1993 and, at its 46th meeting, on 8 December, adopted the following concluding observations.

A. Introduction

243. The Committee expresses its appreciation to the State party for the detailed report submitted which was, however, up to date only as of 1989. The Committee notes with regret that the State party was not able to appear before it as originally scheduled at its eighth session.

244. The Committee notes that the German delegation was able to respond to many, but not all, of the written questions contained in the list of issues prepared in connection with the consideration of the report, as well as to most of the oral questions raised by the Committee members during the debate. It points out, nevertheless, that more information would be needed with regard to the effects of the recent German unification on education and the problems resulting from it.

245. The Committee also takes note of the commitment made by the German Government to submit shortly in a “core document” general information concerning the State party.

B. Positive aspects

246. The Committee welcomes the efforts undertaken by the Government of Germany to implement the rights recognized in articles 13 and 15 of the Covenant.

247. The Committee welcomes, in particular, the efforts made by the Government of Germany to provide adequate general and vocational education for migrants living in Germany.

248. In addition, the Committee takes note of the measures being taken by the German authorities with regard to persons of German origin coming from other countries.

C. Principal subjects of concern

249. The Committee has taken note of the comprehensive explanations provided by the German delegation concerning the conditions of employment in the public service of personnel of the former German Democratic Republic, especially teachers, and the reasons for dismissing some of them. However, it points out that concerns about discrimination in the employment of teachers of the new Länder have been raised by the ILO Committee of Experts on the Application of Conventions and Recommendations in its 1993 report to the International Labour Conference. In addition, similar concerns have been expressed by a non-governmental organization. The Committee recalls, in that connection, that access to and conditions of employment should be based strictly on objective criteria relating to work in accordance with the Covenant and ILO Convention No.111: Discrimination (Employment and Occupation), 1958 and that discrimination in employment on the ground of political opinion should be explicitly prohibited under the law.

250. In addition, the Committee expresses concern about the disparity which appears to exist in Germany between men and women with regard to educational achievements and the participation of women in all levels of education and professional careers, despite the efforts made by the German authorities.

D. Suggestions and recommendations

251. The Committee recommends that positive action be taken by the German authorities to guarantee ideological pluralism in education and equality of opportunity of men and women in that field in accordance with the relevant provisions of the International Covenants on Human Rights.

252. The Committee also recommends that the next periodic report of Germany relating to articles 1 to 15 of the Covenant include information on the effects of the unification of the country on education and, in particular, updated statistical data on budgetary allocations and expenditures relating to educational and cultural activities. It should also indicate whether differences exist between the cultural development and the level of education of the new Länder and the other parts of the country and, if so, what special measures have been taken in that regard. More information would also be welcome on measures adopted to ensure the development and dissemination of science and of culture, in particular, through the media. In addition, information should be provided on measures taken to facilitate access to and participation in educational programmes and the cultural life of the country for the elderly.

253. The Committee requests that the German authorities should respect the rights of teachers, professors and other educational personnel of the former German Democratic Republic so that they may continue to exercise their professional activities and participate to the fullest possible extent in cultural life without any discrimination.

254. The Committee urges the State party to accord equal treatment to both International Human Rights Covenants in relation to human rights education in school curricula as well as mass media information and dissemination.

CESCR E/1999/22

300. The Committee considered the third periodic report of Germany on the rights covered by articles 1 to 15 of the Covenant (E/1994/104/Add.14), together with the written replies to the list of issues, at its 40th to 42nd meetings, held on 23 and 24 November 1998, and, at its 54th meeting on 2 December 1998, adopted the following concluding observations.

A. Introduction

301. The Committee welcomes the submission of the third periodic report, the first report on the rights protected under the Covenant since the reunification of Germany in October 1990. The report was submitted in general conformity with the guidelines established by the Committee.

302. The Committee notes with appreciation that the report was presented by a high-level delegation, which entertained an open and straightforward dialogue with the members of the Committee. The delegation pointed out at the outset that the new Government of Chancellor Schröder had a different agenda from that of the former Government on a wide range of socio-economic issues, and that it accorded high priority to job creation.

303. The Committee notes that the report was prepared without the involvement of non-governmental organizations. Their contributions were nevertheless valuable to the Committee for the consideration of the State party's report.

304. The Committee notes that some of the replies given to questions raised in the following areas lacked precision and detail:

- (a) Unemployment in the new Länder;
- (b) The number of civil servants and professionals who were dismissed from their posts in East Germany after the reunification of Germany;
- (c) The number of poverty-stricken people and social security recipients;
- (d) HIV/AIDS victims, the exploitation of women and child abuse;
- (e) Pension plans.

B. Positive aspects

305. The Committee welcomes the very positive attitude demonstrated by the delegation in its introductory statements, which, together with the policy statement made by the new Chancellor, on 10 November 1998, leads the Committee to believe that the new Government intends to give added impetus to the implementation of economic, social and cultural rights.

306. In this connection, a visible shift in policy, reflected in the new policy statement, could lead to the progressive realization of economic, social and cultural rights to a fuller extent and could reduce

the still-existing economic gap between the old and new Länder, to the particular benefit of the new Länder.

307. The Committee notes with satisfaction that this policy will encompass:

- (a) Education and training programmes to assist young people in general and young women in particular in finding employment, especially in the new Länder;
- (b) Modernization of the law on nationality to allow for dual nationality;
- (c) The elaboration of an action plan aimed at ensuring equal opportunities to women at work;
- (d) The promulgation of the Gender Equality Act;
- (e) The creation of school and child-care systems that reflect the needs of family life;
- (f) The introduction of bills aimed at eliminating discrimination based on ethnic origin and at prosecuting Germans for child sexual abuse they commit abroad;
- (g) The reform of the pension system based on the national insurance scheme, company pension schemes and a private pension scheme;
- (h) The participation of employees in their companies' productive capital and profits;
- (i) The reintroduction of protective measures against dismissals, as well as the payment of sickness allowances.

308. The Committee notes the creation of the post of Minister of State for Cultural Affairs, who will be responsible for implementing the federal cultural policy and for liaising with the Länder. In this connection, the Committee notes with satisfaction that cooperation with churches and religious communities will be part of that policy, which is intended to enhance the dialogue between different religious communities and to reduce racial hatred and xenophobia.

309. The Committee takes note of the State Party's intention to establish an independent parliamentary human rights commission and to create a human rights post within the Foreign Ministry.

310. The Committee welcomes the fact that the State Party is open-minded concerning the elaboration of an optional protocol.

C. Factors and difficulties impeding the implementation of the Covenant

311. The integration of eastern and western Germany remains only partly accomplished, despite determined efforts to realize this objective. This lack of full integration presents an obstacle to the full implementation of the Covenant by the State party.

D. Principal subjects of concern

312. The Committee expresses its concern about the status of the Covenant within the domestic legal system of Germany and at the lack of court decisions on the application of the Covenant.

313. The Committee notes that unemployment is still particularly high in Germany and that it is twice as high in the East as in the West. In this connection, the Committee notes with regret that women and foreigners are most affected by this high level of unemployment.

314. The Committee also notes that no poverty line or threshold has yet been established. Nor has the delegation of the State party provided information about people affected by poverty.

315. The Committee also notes with alarm that only 12 per cent of public servants in the science and technology sector of the former German Democratic Republic, including teachers, scientists and professionals, have been re-employed and that the rest remain without employment or adequate compensation or a satisfactory pension plan. The Committee fears that the majority of the affected people may have been dismissed from their positions for political rather than for professional or economic reasons, in violation of article 2, paragraph 2, of the Covenant. It is noted in this connection that the issue of discrimination in the employment of teachers in the new Länder was raised in 1993 by the ILO Committee of Experts on the Application of Conventions and Recommendations. Similar concerns have been raised by German non-governmental organizations.

316. The Committee is also concerned about the status of asylum seekers in Germany, especially with regard to the length of time taken to process their application for refugee status and with regard to their economic and health rights pending the final decision.

317. The Committee is further concerned about the plight of the Sinti and Roma (Gypsies) in Germany and about their enjoyment of their rights to housing, education and employment. The continued discrimination against the Gypsies calls for immediate remedial policies and measures.

318. The Committee notes that with few exceptions civil servants in Germany do not enjoy the right to strike, which constitutes a violation of article 8, paragraph 2, of the Covenant.

319. The Committee is particularly concerned about violence against women, especially those who fall victim to marriage trafficking, trafficking for prostitution and exploitation. Statistics are lacking on the number of persons affected.

320. The Committee is alarmed at the continued abuse of children and their sexual exploitation. Widespread pornography is of particular concern as it seems to be linked with the exploitation of children and women.

321. The Committee notes with concern that tuition fees for university education are increasing, despite the fact that article 13 of the Covenant calls for the progressive introduction of free higher education.

322. The alarming number of persons affected by HIV/AIDS in the territory of the State party also causes concern to the Committee. Lack of statistics on the subject, especially with regard to the most

vulnerable groups of people residing in Germany, is of special concern.

323. The Committee also expresses its concern about the plight of homeless people, the actual number of whom is still unknown, as well as about the plight of squatters in many parts of the country, especially in the new Länder.

E. Suggestions and recommendations

324. The Committee recommends that the State party give more prominence to the rights recognized in the Covenant whether by legislative or by judicial means and/or practices. The policy statement of the new Chancellor presents the hope that economic, social and cultural rights will be elevated to new heights. The Committee recommends, therefore, that this new policy be translated into deeds as soon as possible.

325. The Committee requests the State party to provide in its next report more precise statistics and data regarding unemployment, especially in the new Länder, and the number and situation of poverty-stricken people and social security recipients.

326. The Committee strongly recommends that the State party promote discussion within German society on social indicators or benchmarks for the implementation of the Covenant. It also encourages the Government to continue to support the dialogue on the elaboration of an optional protocol to the Covenant in order to lend greater support to the realization of economic, social and cultural rights.

327. The Committee requests the State party to take immediate measures, legislative or otherwise, to address and redress the situation of the various categories of asylum seekers, in accordance with General Comment No. 4 (1991) concerning the right to adequate housing (art. 11, para. 1, of the Covenant). 6/ It also suggests that the applications of asylum seekers be processed expeditiously and that refugees be accorded health, economic and educational rights in accordance with the Covenant.

328. The Committee urges the State party to implement the various educational programmes for young people and other vulnerable groups, especially those intended to create employment and to improve the level of employment in eastern Germany.

329. Pension plans and social security benefits need thorough revision to ensure gender equality and fairness among all eligible beneficiaries in all the Länder, in the East and in the West.

330. The Committee recommends that civil servants not involved in essential services be accorded the right to strike.

331. The Committee calls on the State party to take affirmative and effective measures against trafficking in women and their exploitation for whatever purpose.

6/ E/1992/23, annex III.

332. The Committee also calls on the State party to take effective measures to regulate child labour, in compliance with the Covenant and the relevant ILO conventions.

333. The Committee further calls on the State party to make increased efforts to prevent child abuse, child exploitation and child pornography.

334. The Committee urges the State party to provide more adequate assistance to persons within HIV/AIDS, without any discrimination on the basis of race, origin, nationality or gender.

335. As an act of national reconciliation, the Committee calls on the State party to ensure that compensation will be provided to civil servants, professionals and scientists associated with the old regime in the former German Democratic Republic and to ensure that such compensation is both adequate and fair.

336. The Committee recommends that the State party avoid increases in university tuition fees, in compliance with article 13 of the Covenant.

337. The Committee urges the State party to accelerate the integration of eastern and western Germany on all fronts, with a view to reducing the gap that may still exist between them.

338. The Committee requests the State party to disseminate widely its concluding observations at all levels of society and to inform the Committee of steps taken for their implementation. It also urges the Government to consult with non-governmental organizations in the preparation of its fourth periodic report, as German non-governmental organizations have made a valuable contribution to making the Committee's dialogue with the State party delegation a more fruitful and significant one.

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643. The Committee considered the fourth periodic report of Germany on the implementation of the Covenant (E/C.12/4/Add.3) at its 48th and 49th meetings, held on 24 August 2001, and adopted, at its 57th and 58th meetings, held on 30 and 31 August 2001, the following concluding observations.

A. Introduction

644. The Committee welcomes the fourth periodic report of the State party, which was prepared in general conformity with the Committee's guidelines.

645. The Committee notes with appreciation the high quality of the extensive written and oral replies given by the State party, as well as the open and constructive dialogue with the delegation, which included government officials with expertise in the subjects relevant in the context of the Covenant.

B. Positive aspects

646. The Committee recognizes that the State party is at present actively promoting economic, social and cultural rights both nationally and internationally. The Committee particularly welcomes recent positive developments concerning these rights, such as the Third Expert Consultation on the Right to Food organized by the State party in Bonn in March 2001, the State party's efforts at the Commission on Human Rights to establish the mandate of the Special Rapporteur on adequate housing, and its revised and more favourable position on a draft optional protocol to the Covenant.

647. The Committee acknowledges the efforts made by the State party to combat racism and xenophobia, in particular the creation by the Federal Government of the Alliance for Democracy and Tolerance Against Extremism and Violence.

648. The Committee notes with satisfaction that the State party has involved the German Non-Governmental Organizations Forum for the World Summit for Social Development in the preparation of its report, in accordance with the Committee's recommendation in its concluding observations on the third periodic report of Germany.^{17/}

649. The Committee also notes with appreciation that the State party is committed to international cooperation and the provision of development aid, in both bilateral and multilateral frameworks, to combat poverty and promote economic, social and cultural rights.

650. The Committee warmly welcomes the creation of the Bundestag Committee on Human Rights

^{17/} See Official Records of the Economic and Social Council, 1999, Supplement No. 2 (E/1999/22-E/C.12/1998/26), chap. IV, para. 338.

and Humanitarian Aid in 2000 and the German Institute for Human Rights in 2001.

651. The Committee acknowledges with appreciation the efforts made by the State party towards the elimination of disparities in living conditions between old and new Länder since reunification in 1990.

652. The Committee welcomes the revision of the State party's legislation and policy on naturalization, which now facilitates the acquisition of German citizenship.

653. The Committee recognizes the progress achieved by the State party against commercial sexual exploitation, in particular of minors.

C. Principal subjects of concern

654. While welcoming the recent establishment of the German Institute for Human Rights, the Committee notes that the Institute's functions appear to be limited to research, education and the provision of policy advice, and that it does not enjoy the powers often associated with national human rights institutions, such as the power to investigate complaints, conduct national inquiries and formulate recommendations for employers and other actors. In the context of the Covenant, these limitations are especially regrettable because economic, social and cultural rights receive less attention and enjoy fewer safeguards than civil and political rights in the State party.

655. The Committee reiterates its concern about the lack of any court decisions in which reference is made to the Covenant and its provisions, as indicated by the statement made by the State party in its written replies to the list of issues (E/C.12/Q/GER/2) and as confirmed by the delegation during its dialogue with the Committee. The Committee is concerned that judges are not provided with adequate training on human rights, in particular on the rights guaranteed in the Covenant. A similar lack of human rights training is discerned among prosecutors and other actors responsible for the implementation of the Covenant.

656. The Committee expresses its concern that there is no comprehensive and consistent system in place that ensures that the Covenant is taken into account in the formulation and implementation of all legislation and policies concerning economic, social and cultural rights.

657. The Committee regrets that, according to UNDP, the State party devoted 0.26 per cent of its GNP to official development assistance in 1998, well below the goal of 0.7 per cent set by the United Nations.

658. The Committee is concerned about the considerable length of time taken to process applications for asylum, resulting in the limitation of the enjoyment of the economic, social and cultural rights enshrined in the Covenant by asylum-seekers and their dependents.

659. The Committee is concerned that, despite the great efforts made by the State party to narrow the gap between the new and the old Länder, considerable differences continue to exist, particularly in terms of generally lower standards of living, a higher unemployment rate, and lower wages for civil servants in the new Länder.

660. The Committee expresses its concern about the high levels of unemployment that continue to persist in the State party, especially among youth. The problem of youth unemployment is

particularly grave in the new Länder, resulting in the migration of young persons to the old Länder. The Committee is further concerned that vocational training programmes for the youth are not adequately adapted to their needs.

661. Like the ILO, the Committee is concerned about the persisting impediments to women in German society, in terms of promotion in employment and equal wages for work of equal value, both in the private and public sectors, and especially in federal bodies and academic institutions, despite the efforts of the State party to give a new impetus to the equal participation of women in the labour market.

662. The Committee is concerned that the State party has not adequately addressed the issue of illegal workers who are employed in the “shadow economy”, such as workers in households, hotel and catering industries, agriculture and the cleaning and building industries, who do not enjoy any rights or protection and do not get paid regularly or adequately.

663. The Committee is concerned that prisoners who undertake labour for private companies may be doing so without having expressed their prior consent.

664. The Committee reiterates its concern, in line with the Human Rights Committee and the Committee of Experts on the Implementation of ILO Conventions and Recommendations, that the prohibition by the State party of strikes by public servants other than public officials who do not provide essential services, such as judges, civil servants (Beamte) and teachers, constitutes a restriction of the activities of trade unions that is beyond the scope of article 8, paragraph 2, of the Covenant. The Committee disagrees with the State party’s statement that “a strike would be incompatible with this duty of loyalty and would run counter to the purpose of a professional civil service” (E/C.12/4/Add.3, para. 82), as this interpretation of “the administration of the State” mentioned in article 8, paragraph 2, of the Covenant exceeds the more restrictive interpretations by the Committee, ILO Convention No. 98 (1949) concerning the application of the right to organize and to bargain collectively, and the Court of Justice of the European Communities.

665. The Committee is concerned that the State party’s reformed social security, and the pension system under reform, do not take sufficiently into consideration the needs of families, women, elderly persons and the more disadvantaged groups in society. The Committee notes that the pension reform is currently still in progress, but that the Federal Constitutional Court recently referred to potential discrimination against families under the scheme as envisaged.

666. The Committee expresses its grave concern about inhumane conditions in nursing homes owing to structural deficiencies in nursing, as confirmed by the Medizinischer Dienst der Spitzenverbände der Krankenkassen (medical service of the national associations of health insurance funds).

667. The Committee is concerned that the victims of trafficking in persons, and in particular women, are doubly victimized, owing to a lack of sensitization of police, judges and public prosecutors, a lack of appropriate care for victims, and the risks and dangers awaiting them upon deportation to their home countries.

668. The Committee is concerned about the shortage of child day care institutions, which constitutes an obstacle to women’s equal participation in the labour market, as well as to the State party’s efforts

to promote gender equality.

669. The Committee reiterates its concern that the State party has not yet established a definition of poverty, nor a poverty threshold. The Committee is particularly concerned about the fact that social assistance provided to the poor and socially excluded - such as single parents, students and disabled pensioners - under the Federal Social Assistance Act - is not commensurate with an adequate standard of living.

670. The Committee reiterates its concern about the rising number and plight of homeless persons in Germany, as mentioned in the Committee's concluding observations on the third periodic report of Germany.

671. The Committee is concerned that several Länder have abandoned the principle of free higher education by requiring the payment of fees, which in some cases are allocated to cover administrative costs of the Länder, and not university expenditure.

D. Suggestions and recommendations

672. Given the limited functions and powers of the German Institute for Human Rights, the Committee recommends that the State party take steps either to extend the Institute's functions and powers, or to establish a separate national human rights institution with broad functions and powers, such as those indicated above (para. 654). In the meantime, the Committee recommends that the Institute, consistent with its existing functions and powers: devote the same attention to economic, social and cultural rights as to civil and political rights; organize programmes to raise awareness of economic, social and cultural rights, especially among public officials, lawyers and the judiciary; give particular attention to the relationship between human rights and international cooperation; and be responsible for preparing a comprehensive plan of action in full conformity with paragraph 71 of the Vienna Declaration and Programme of Action.^{10/}

673. The Committee encourages the State party, as a member of international financial institutions, in particular IMF and the World Bank, to do all it can to ensure that the policies and decisions of those organizations are in conformity with the obligations of States parties to the Covenant, in particular the obligations contained in article 2, paragraph 1, articles 11, 15, 22 and 23 concerning international assistance and cooperation.

674. The Committee suggests that the State party review and strengthen its institutional arrangements within the public administration, to ensure that its obligations under the Covenant are taken into account at an early stage in the formulation of legislation and policy on issues relating to social welfare and assistance, housing, health and education. The State party is further encouraged to introduce "human rights impact assessments", comparable to environmental impact assessments,

^{10/} Adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993 (A/CONF. 157/24 (Part I), chap. III).

to ensure that the provisions of the Covenant are given due attention in all legislative and administrative policy and decision-making processes.

675. The Committee urges the State party to ensure that its percentage of GNP devoted to official development assistance rises steadily towards the United Nations goal of 0.7 per cent.

676. The Committee recommends that the State party address more expeditiously applications for asylum in order to avoid limiting applicants' enjoyment of their economic, social and cultural rights.

677. The Committee encourages the State party to continue undertaking measures to ensure that the differences between new and old Länder in terms of standard of living, employment and wages for civil servants are decreased.

678. The Committee recommends that the State party take immediate necessary measures to continue to address the high level of unemployment, especially among the youth and in particular in the Länder faced with higher levels of unemployment. The Committee also recommends that the State party provide incentives for young persons to stay and work in their own regions.

679. The Committee recommends that the State party continue to undertake necessary measures, including legislative and administrative ones, to ensure that women enjoy full and equal participation in the labour market, particularly in terms of promotion and equal wages for work of equal value.

680. The Committee strongly recommends that the State party take the necessary legislative and administrative measures to oblige employers to respect labour legislation and to declare the persons they employ, in order to reduce the number of illegal workers who do not enjoy the minimum protection of their rights to social security and health care.

681. The Committee recommends that the State party undertake measures to ensure that prisoners working for private companies do so after having expressed their prior consent.

682. The Committee reiterates its recommendation to the State party that it ensure that civil servants who do not provide essential services have the right to strike, in accordance with article 8 of the Covenant.

683. The Committee urges the State party to ensure that the reformed social security system, and the pension system under reform, take into account the situation and needs of disadvantaged and vulnerable groups in society. In particular, the Committee strongly urges the State party to address the problems and deficiencies emerging in the implementation of the long-term insurance scheme. The Committee requests the State party to provide detailed information on the results of the implementation of the reformed pension scheme in its next periodic report.

684. The Committee also urges the State party to adopt urgent measures to improve the situation of patients in nursing homes.

685. The Committee strongly recommends that the State party undertake training programmes for those dealing with victims of trafficking in persons to ensure that they are sensitized to the needs of the victims, to provide better protection and appropriate care, and to ensure that victims can claim redress before courts of law.

686. The Committee recommends that the State party increase the availability of child day care

institutions, especially in the western Länder.

687. The Committee urges the State party to establish a poverty threshold for its territory, taking into account the parameters used in the State party's first poverty and prosperity report, as well as international definitions of poverty, including the one adopted in the Statement on poverty and the International Covenant on Economic, Social and Cultural Rights adopted by the Committee on 4 May 2001 (see annex VII below). In particular, the Committee urges the State party to ensure that social assistance provided under the Federal Social Assistance Act is commensurate with an adequate standard of living.

688. The Committee also urges the State party to take effective measures, and to devise programmes, to examine the extent and causes of homelessness in Germany and to ensure an adequate standard of living for the homeless.

689. The Committee recommends that the German Federal Government introduce a reduction of tuition fees in the national framework legislation regulating higher education, with a view to abolishing them. The Committee requests the State party to provide detailed and updated information and comparative statistical data on the quality of tertiary education, such as class sizes, in its next periodic report. The Committee also requests the State party to provide up-to-date information in its next periodic report on the extent of human rights education in the German education system.

690. The Committee requests the State party to disseminate its concluding observations widely among all levels of society and to inform the Committee of all steps taken to implement them in its next periodic report. It also encourages the State party to continue to involve non-governmental organizations and other members of civil society in the preparation of its next periodic report.

691. Finally, the Committee requests the State party to submit its fifth periodic report by 30 June 2006, and to include in this report detailed information on the steps it has undertaken to implement the recommendations contained in the present concluding observations.