

child sexual abuses committed abroad; reform of the pension system; the participation of employees in their companies' productive capital and profits; and reintroduction of protective measures against dismissals as well as the payment of sickness allowances. The Committee noted that, with regard to the federal cultural policy and for liaising with the Länder, cooperation with churches and religious communities will be developed to enhance the dialogue between different religious communities and reduce racial hatred and xenophobia. The government's intention to establish a parliamentary independent Human Rights Commission and to create a "human rights post" within the Foreign Ministry were also noted.

The principal subjects of concern identified by the Committee included, *inter alia*: that unemployment remains high and is twice as high in the East as in the West; the failure to establish a poverty line or threshold and the lack of information on people affected by poverty; the status of asylum seekers, especially with regard to the prolonged processing of their application for refugee status as well as their economic and health rights, pending the final decision; the plight of the Sinti and Roma and their enjoyment of their rights to housing, education and employment; that, with few exceptions, civil servants do not realize their right to strike; violence against women and those who become victims of marriage trafficking, trafficking for prostitution and exploitation; the continued abuse of children and their sexual exploitation; widespread pornography, as it seems to be linked with the exploitation of children and women; rising tuition fees for university education; the alarming number of victims of HIV/AIDS and the lack of statistics on the subject, especially with regard to the most vulnerable groups of people; and the plight of homeless people, whose actual number is still unknown, as well as the plight of squatters in many parts of the country, especially in the new Länder.

The Committee recommended that the government, *inter alia*:

- ♦ give more prominence to the rights recognized in the Covenant whether by legislative or judicial means and/or practices;
- ♦ provide, in the next report, more precise statistics and data regarding the question of unemployment, especially in the new Länder, the number and situation of persons living in poverty and social security recipients;
- ♦ take immediate measures, legislative or otherwise, to address and redress the situation of the different categories of asylum seekers, process expeditiously the applications of asylum seekers and accord health, economic and educational rights to refugees;
- ♦ implement the various educational programmes for youths and other vulnerable groups, especially those intended to create employment and those aimed at improving the level of employment in the East;

- ♦ review pension plans and social security benefits to ensure gender equality and fairness among all eligible beneficiaries in all the Länder;
- ♦ accord to civil servants not involved in essential services the right to strike;
- ♦ take affirmative and effective measures against trafficking in women or their exploitation for whatever purpose;
- ♦ take effective measures to regulate child labour, in compliance with the Covenant and the relevant ILO Conventions; make increased efforts to prevent child abuse, child exploitation and child pornography;
- ♦ provide more adequate assistance to HIV/AIDS victims without any discrimination on the basis of race, origin, nationality or gender;
- ♦ ensure, as an act of national reconciliation, that compensation be provided to civil servants, professionals and scientists associated with the old regime in the former German Democratic Republic and ensure that such compensation is both adequate and fair;
- ♦ avoid increases in university tuition in compliance with article 13 of the Covenant; and
- ♦ accelerate the process of integration between East and West on all fronts with a view to reducing the gap that may still exist between them.

### Committee against Torture

Germany's second periodic report (CAT/C/29/Add.2) covers the period from 9 March 1992 to 17 December 1996 and was considered by the Committee at its May 1998 session. The report prepared by the government contains information on, *inter alia*: constitutional provisions related to the prohibition on torture, remedies and appeals; obligations under the European human rights regime; provision in the Criminal Code relevant to torture and ill treatment; cooperation with the International Tribunals on the former Yugoslavia and Rwanda; police training — conflict avoidance, conflict-solving, contacts with ethnic and social minorities as well as fringe groups, and measures to address xenophobia in the police forces; the training of prison staff; the treatment centre in Bonn for victims of torture; and the voluntary fund for victims of torture. Information is also provided on the Act on Compensation for Victims of Violent Acts — Victim Compensation Act, as amended in July 1993, and the First Act on the Abrogation of Injustice committed by the Socialist Unity Party of Germany (SED), which is primarily intended to abrogate the injustice committed by the criminal justice system in the former German Democratic Republic. Appendix I of the report contains information on accusations of ill treatment by the police. Appendix II provides information on the treatment of aliens in detention awaiting deportation and covers such areas as: the legal bases for deportation and detention awaiting deportation, the duration of detention while awaiting deportation, conditions of detention, and deaths in detention awaiting deportation.