

science, conscientious objection to military service, expression and opinion, press freedom, assembly and association, political parties, freedom of movement, choice of occupation and place of work, privacy, property, citizenship, asylum, participation in the electoral process, the right to a legal hearing, non-retroactive application of law and protections related to deprivation of liberty. In terms of economic, social and cultural rights the Basic Law contains provisions related to: entrepreneurship, ownership, sale and disposition of property, choice of residence, an adequate standard of living, assistance for those who are ill or unable to work or find work, marriage and family, children, non-discrimination on the basis of sex, parentage, race, language, homeland, religion or political opinions, and labour rights.

In Germany there is no state body for the protection of human rights on the bases that comprehensive judicial protection exists, assistance is provided through a highly developed network of legal professions and special interest groups, and the Basic Law provides for special procedures and institutions such as petition committees. There is, however, a Commissioner for Human Rights Questions in the Ministry of Justice who acts as agent for Germany to the human rights organs of the Council of Europe. The Commissioner also represents Germany at the Commission on Human Rights on those occasions when the CHR addresses issues related to Germany under the 1503 confidential procedure and represents Germany in cases of individual complaint brought before the Human Rights Committee under the Optional Protocol to the ICCPR.

Economic, Social and Cultural Rights

Signed: 9 October 1968; ratified: 17 December 1973. Germany's third periodic report (E/1994/104/Add.14) was considered at the Committee's November 1998 session; the fourth periodic report is due 30 June 2000.

Civil and Political Rights

Signed: 9 October 1968; ratified: 17 December 1973. Germany's fifth periodic report is due 3 August 2000. *Reservations and Declarations*: Articles 2 (1), 19, 21 and 22; paragraphs (3) (d) and (5) of article 14; article 15 (1); declaration under article 41.

Optional Protocol: Acceded: 25 August 1993.

Second Optional Protocol: Signed: 13 February 1990; ratified: 18 August 1992.

Racial Discrimination

Signed: 10 February 1967; ratified: 16 May 1969. Germany's 15th and 16th periodic reports were due 15 June 1996 and 1998 respectively.

Discrimination against Women

Signed: 17 July 1980; ratified: 10 July 1985. Germany's second and third periodic reports (CEDAW/C/DEU/2-3) have been submitted as one document which is scheduled for consideration at the Committee's

June 1999 session; the fourth periodic report was due 9 August 1998.

Reservations and Declarations: Eleventh preambular paragraph and article 7 (b).

Torture

Signed: 13 October 1986; ratified: 1 October 1990. Germany's second periodic report (CAT/C/29/Add.2) was considered at the Committee's May 1998 session; the third periodic report is due 30 October 1999. *Reservations and Declarations*: Article 3.

Rights of the Child

Signed: 26 January 1990; ratified: 6 March 1992. Germany's second periodic report is due 4 April 1999. *Reservations and Declarations*: Article 18 (1); paragraphs (2) (b) (ii) and (v) of article 40; article 38 (2).

REPORTS TO TREATY BODIES

Committee on Economic, Social and Cultural Rights

Germany's third periodic report (E/1994/104/Add.14, September 1996) was considered by the Committee at its November 1998 session. The report prepared by the government contains information on, *inter alia*: non-discrimination and equality before the law, the Second Federal Equal Treatment Act 1994; federal policy and measures with regard to foreign workers; protection of national minorities; employment and unemployment, women in the labour market, wages and minimum wage, occupational health and safety; trade unions, collective bargaining; social security, pensions, benefits; family, protection of children and young persons, minimum ages; standard of living, social assistance, food and nutrition, housing; health and the health care system; education and the education system; and artistic and cultural life, research and development, patents and copyright.

The Committee's concluding observations and comments (E/C.12/1/Add.29) noted a lack of detail in the government's responses to questions on: unemployment in the new Länder; the number of civil servants and professionals who were dismissed from their posts in East Germany after the unification of Germany; the number of poverty-stricken people and social security recipients; HIV/AIDS victims; exploitation of women, child abuse; and pension plans.

The Committee welcomed new policies aimed at: education and training programmes to assist young people in general, and women in particular, in finding employment, especially those in the new Länder; modernization of the law on nationality to allow for dual nationality; the elaboration of an action plan aimed at working women to ensure equal opportunities; the promulgation of the Gender Equality Act; the creation of school and child-care systems that reflect the needs of modern family life; introduction of bills aimed at eliminating discrimination based on ethnic origin, and prosecuting Germans for