



# Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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## Committee against Torture Sixty-sixth session

### Summary record of the 1731st meeting

Held at the Palais Wilson, Geneva, on Tuesday, 30 April 2019, at 3 p.m.

*Chair:* Mr. Modvig

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*The meeting was called to order at 3 p.m.*

**Consideration of reports submitted by States parties under article 19 of the Convention** (*continued*)

*Sixth periodic report of Germany (continued)* (CAT/C/DEU/6 and CAT/C/DEU/QPR/6)

1. *At the invitation of the Chair, the delegation of Germany took places at the Committee table.*
2. **Ms. Wittling Vogel** (Germany), replying to a question by one of the Country Rapporteurs concerning a previous assertion by the Federal Constitutional Court, said that while the comment had been made in relation to another United Nations treaty body, it was true that the recommendations of treaty bodies were not binding. The State party's dialogue with the Committee against Torture, however, constituted a form of valuable international cooperation.
3. **Ms. Viebig-Ehlert** (Germany) said that the various acts constituting torture and degrading treatment were all covered by existing legislation in Germany. While there was therefore no need for the criminalization of torture as a specific offence, the severity of such acts was reflected in the sentencing range provided for in law. The implementing act passed in relation to article 59 of the German Constitution meant that the Convention against Torture had the status of a federal law.
4. A question had been raised regarding the use of the term "torture" in article 225 of the English translation of the German Criminal Code, available in the European Union database. A more appropriate translation of the original German term – *quälen* – would have been "abuse" or "torment".
5. The Committee had requested further information on the case of a German citizen, a former member of Colonia Dignidad, described in the report submitted by the European Centre for Constitutional and Human Rights (ECCHR). The Münster prosecutor's office had initiated proceedings against him for being an accessory to murder, but the latter had been discontinued in January 2019, owing to insufficient evidence. While it might have been possible to prosecute the German national in question for an offence such as unlawful detention, the relevant provisions were time-barred. In German law an ongoing investigation in a foreign country did not suspend the statute of limitations; that practice would be difficult to reverse, since no universal criteria existed for such suspension. Germany, nevertheless, took the events of Colonia Dignidad very seriously, and had set up a joint commission with Chile to enable intensive cooperation and investigation and to provide support to victims.
6. **Ms. Bender** (Germany) said that the legislative situation in Germany had not changed since the European Court of Human Rights judgment in the case of *Hentschel and Stark v. Germany*. While the judgment had not made individual identifying insignia of police officers mandatory, it had stated that in the absence of such insignia, other measures needed to be taken to ensure the effectiveness of investigations into complaints of excessive force by police. While German *Länder* considered the identification of police officers to be important, they all followed different models, and in some *Länder* such identification was not obligatory. The Government did not consider identifying insignia necessary for federal police officers, since their tasks were different to those of the police at *Land* level, and there had been no cases of allegations against federal officers remaining unresolved because of identification issues.
7. Similarly, *Länder* had competence to establish mechanisms to investigate complaints of abuse of police powers, which sometimes took the form of ombudsmen. At the federal level, the Government had not seen the need to establish a specific complaints mechanism for police misconduct; complaints could be lodged online, and in 2016 an agency had been set up – accountable directly to the President of the federal police – to enable federal police officers themselves to report shortcomings at work. That mechanism was working well, since, from 20 complaints in the first year, the number of complaints had recently risen to 80.

8. Independence was ensured through a system whereby it was the prosecution authorities of the *Länder* that investigated complaints against the federal police; the latter also had its own internal disciplinary regulations and procedures.

9. **Ms. Wittling Vogel** (Germany) said that the second report by the Group of Experts on Action against Trafficking in Human Beings (GRETA) would be published in May or June 2019 and would describe the measures taken by Germany in that regard since the first report. The new measures included legislation to combat human trafficking, passed in 2016, and to protect sex workers, passed in 2017.

10. The Federal Government had set up a new working group to enhance measures to combat human trafficking for the purposes of labour exploitation, and one to combat trafficking in children and sexual violence. A national body had been established to combat labour exploitation, in conjunction with the national association of trade unions, and in October 2018 the Federal Government had drawn up a plan, together with non-governmental organizations (NGOs) and experts, to improve cooperation regarding preventive and protective measures to combat human trafficking.

11. **Mr. Behrens** (Germany), replying to the concerns raised about the 2017 legislation to extend the powers of the federal police and to facilitate the detention of persons representing a security threat, said that the legislation did have the potential to restrict rights, but only in an admissible manner. National legislation was always reviewed by the Federal Government prior to enactment to ensure it complied with international law, including the European Convention on Human Rights, and all the measures provided for could be appealed against. In addition, the measures in question could only be ordered by a judge.

12. **Mr. Weinbrenner** (Germany), responding to questions concerning asylum seekers and returns, said that while the *Länder* were responsible for the placement of asylum seekers in reception centres, including – in three *Länder* – in “arrival, decision and return centres” (AnkER centres), and for the funding and operation of the centres, there was close cooperation with federal authorities, since it was the Federal Office for Migration and Refugees that reviewed the actual asylum applications. The duration of asylum seekers’ placement in the centres was established in federal legislation. Orientation and language courses were offered to asylum seekers in the AnkER centres, and people there were free to come and go as they pleased, albeit with entry and exit checks; the centres could therefore not be said to constitute places of detention.

13. Two pilot projects had been drawn up to provide advice to asylum seekers, including in AnkER centres, in line with the obligations of the Federal Office for Migration and Refugees under national law. In one project, advice was dispensed via general information sessions provided by the Federal Office, followed by individual consultations in which NGOs could be involved. The second project, which had ended in 2018, had involved the Office of the United Nations High Commissioner for Refugees (UNHCR) and had focused on independent providers of procedural advice.

14. While the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol) had been incorporated into federal law in 2017, the *Länder* were responsible for its implementation.

15. The Federal Government had recently undertaken to accept 10,200 of 50,000 vulnerable refugees under the European Union (EU) Resettlement Programme by autumn 2019. Draft legislation on “orderly returns” had been adopted recently by the Federal Government, in order to facilitate the effective return of the large number of persons – over 200,000 – who were obliged to leave the country, many of whom were currently under a suspended deportation order, following rejection of appeals against asylum decisions. The envisaged process respected international human rights standards, including those laid down in the Convention relating to the Status of Refugees, and aimed to counter the many practical barriers to expulsion faced by the State party, for example evasion of the authorities by asylum seekers following a negative decision on their application. The new legislation provided for the detention, where necessary, of specific categories of returnees deemed to be “flight risks”.

16. Since mid-March 2017, Germany had resumed transfers of asylum seekers to Greece under the Dublin III Regulation. To date, 10 individual persons had been thus transferred. In other words, very few people had been affected by the resumption of transfers to Greece, none of which had involved families. He wished to draw attention to the judgment of the Court of Justice of the European Union in the *Jawo v. Germany* case, in which the Court had recalled that, in the context of the common European asylum system, based on the principle of mutual trust, it must be presumed that a member State's treatment of applicants for international protection complied with the relevant international treaties.

17. Germany made every effort to ensure that the conditions for the safe return of persons subject to deportation were met, including to countries such as Afghanistan and Tunisia. Following the attack on the German Embassy in Kabul in May 2017, a decision had been taken to suspend deportations to Afghanistan, as the Embassy had no longer been able to provide the necessary support to the persons concerned. However, the Embassy had since resumed its work and a high-level bilateral agreement had been reached to return people to the country who met one of the following requirements: Afghan nationals who were considered to pose a terrorist threat; persons who had falsified their identities; and perpetrators of serious crimes. Families and children were not subject to deportation. In 2018, a report drawn up by the Federal Foreign Office had indicated that the Embassy was able to begin operations and that the situation had improved on the ground. The suspension of the deportation of the three categories of people just mentioned had thus been lifted and all other cases were subject to review on a case-by-case basis.

18. His delegation did not have specific data on the persons returned by *Länder*. All the persons concerned, numbering some 450 Afghan nationals in total, had been returned by direct flights to Kabul. They had been provided with two weeks' accommodation in the capital city to facilitate the return to their home country. One person deported to Afghanistan had subsequently been returned to Germany, as there had been reason to believe that the person was an Iranian rather than Afghan national. In another case involving a convicted criminal from Tunisia, the decision to carry out the deportation order had been based in part the person's own accounts in social media networks that he was a respected member of the community and did not face any danger in the country.

19. **Ms. Wittling Vogel** (Germany), replying to the question raised by the Country Rapporteur concerning training on the Istanbul Protocol, said that the Protocol had been translated into German and the Ministry of Justice, the Ministry of the Interior of the *Länder* and the Federal Office for Migration and Refugees had been informed about the translation. There was a working group on the standards for assessing signs of trauma, including the requisite qualifications for doctors to carry out such work. There was also a manual for the psychological assessment of asylum seekers. The Academy of Public Health Services in Düsseldorf offered courses on the Protocol and the training provided by the Federal Office included a specific module on the Protocol.

20. **Ms. Viebig-Ehlert** (Germany) said that the unit to combat war crimes reporting to the Office of the Federal Prosecutor General had been expanded in recent years. Between 2011 and 2019, that unit had launched investigations into 55 allegations of torture and 37 cases were still open. Although her delegation did not have exact figures, the majority of the cases involved crimes committed in Syria and Iraq. The investigations had led to three convictions. In one case currently being tried at a court in Munich, a German citizen alleged to have joined Islamic State in Mosul, Iraq, was accused of allowing a young Yazidi captive to die of thirst by leaving her chained up.

21. **Mr. Behrens** (Germany) said that Germany had centres for victims of torture where refugees who had suffered trauma could be treated. The centres existed in all *Länder*, and some were funded by standing federal programmes. The funding for those centres amounted to €2 million per year. Another programme had been established in 2016 to deal with the refugee crisis, which provided an additional €4 million per year for such centres. As soon as asylum seekers were registered or were granted refugee status, they were entitled to the same services as German nationals, including medical care. Before they were officially registered, local authorities referred persons to the relevant facilities for treatment, usually at the authorities' own expense.

22. Turning to the issue of weapons exports, he said that the Government had adopted a policy to ban such exports to Saudi Arabia in response to the case of Jamal Khashoggi. That policy had been extended for a further six months in March 2019. It should be pointed out that arms export licences were strictly regulated in Germany. The Government paid particular attention to ensuring that goods would not be misused to commit human rights violations or exacerbate a crisis in conflict zones.

23. **Ms. Viebig-Ehlert** (Germany), replying to the question raised about references to the Convention by the national courts, said that the courts tended to refer to the Basic Law and the Convention for the Protection of Human Rights and Fundamental Freedoms more often than the Convention against Torture. That might be owing to the fact that the judgments of the European Court of Human Rights had a direct effect on German law. Upon their return to the capital, her delegation would further urge the state authorities to pass information about the Convention on to the courts in the *Länder*. She recalled that the Federal Constitutional Court had referred to the Convention in its ruling on the use of physical restraints.

24. Her delegation could not comment on the question raised concerning the rape case brought to the Committee's attention by the German Women Lawyers Association, as executive bodies did not comment on the actions of courts in principle. Nevertheless, the issue of victim witnesses had been dealt with for a number of years, especially when witnesses faced the prospect of being traumatized all over again during the trials. For example, the German Judicial Academy had provided regular training to judges and prosecutors on criminal law and sexual violence, in which a major part of the training was devoted to the protection of victims in criminal proceedings.

25. **Mr. Behrens** (Germany) said that the absolute prohibition of torture was part of the basic training of military personnel. The prohibition of torture was repeatedly mentioned in the Manual on the Law of Armed Conflict referred to by the Country Rapporteur. While the Convention against Torture was mentioned in the footnotes to that manual, other relevant instruments such as the Geneva Conventions were referred to in the body of the text. In response to the question raised concerning the stated commitment of Germany to upholding the rights guaranteed under the International Covenant on Civil and Political Rights, he wished to extend the same assurances to the Committee that it would guarantee the rights recognized in the Convention against Torture.

26. **Ms. Viebig-Ehlert** (Germany) said that the Code of Criminal Procedure, section 114b, guaranteed a wide range of rights to accused persons placed under arrest, including the right to consult with a defence lawyer before they were examined. Accused persons also had the right to remain silent. All persons placed in detention must be informed of the reasons for their detention. The *Länder* used standard information sheets handed out to detained persons to inform them of their rights. The information sheets were available in a number of languages, with one *Land* making available the information in as many as 49 languages. The police station in Lower Saxony cited by the National Agency for the Prevention of Torture, where information leaflets were available only in German, was an isolated case. According to information received from Lower Saxony, the leaflets were widely available in 18 languages.

27. **Mr. Ferk** (Germany) said that the Joint Commission of the *Länder* for the Prevention of Torture had visited two places of detention in Hamburg and had established that no written information had been provided to persons taken into police custody. Any failure to do so was the result of a lapse in communication. There was a binding obligation on all *Länder* to provide written information on the rights of detained persons, which the police authorities met without any reservation. The information leaflets were also readily available online in 48 languages, in addition to German.

28. **Ms. Wittling Vogel** (Germany), replying to the questions raised over the judgment of the Federal Constitutional Court concerning physical restraints, said that the judgment set out a number of principles on the use of such restraints. The Court had ruled that physical restraints could not be used for more than 30 minutes without a court decision, as they constituted an infringement on the fundamental right to freedom of the person. That restriction applied throughout Germany to all institutions and all forms of physical restraint.

29. **Mr. Behrens** (Germany) said that, under the former federal legislation on prisons of 2006, solitary confinement could be imposed for up to 4 weeks for adults and up to 2 weeks for young persons. However, the *Länder* were now responsible for enacting legislation on the running of prisons. Each had passed its own prison laws. The disciplinary measure was used only in exceptional cases, such as those involving violence in prisons. The measure served to protect prison officers and fellow inmates. It was rare that solitary confinement was imposed for the maximum of 4 weeks. Legal remedies were also available against the imposition of such measures, which were rare. To provide one example, in Rhineland-Palatinate, of some 5,000 disciplinary measures taken, mostly involving the taking away of privileges such as watching television or purchasing commissary items, only approximately 100 entailed solitary confinement and in only two cases had the maximum time limit been imposed.

30. **Ms. Bender** (Germany) said that the number of offences committed against refugees and refugee shelters had been declining since 2016 and had returned to the levels seen in 2013 before the migrant crisis. The Federal Government had made considerable efforts to protect that population group; for example, some 100 protection coordinators had been assigned to shelters to develop measures tailored to their specific establishment. In addition, the protection coordinators, as well as shelter management and staff, received training developed in cooperation with the United Nations Children's Fund (UNICEF). Minimum standards for the protection of women and children in shelters had been established in June 2016 in cooperation with relevant ministries, the police and UNICEF.

31. Other measures designed to enhance security included information materials for migrants and law enforcement personnel, a nationwide hotline that operated in several languages and a brochure on peaceful cohabitation. A monitoring mechanism was being developed in order to assess the various measures. It was important to the Government that such offences were prosecuted effectively and rapidly. To that end, a clearing house had been set up under the Federal Criminal Police Office which worked closely with the *Länder*. The Joint Counterterrorism Centre was also involved in the response to attacks on refugee shelters. Lastly, given that offences against refugees were often committed by otherwise respectable citizens, a research project had been undertaken to better understand the radicalization of local communities in the context of migration and the influence of anti-migration propaganda; the project would be completed by the end of 2019.

32. Multi- and bilateral solutions for the handling of German nationals who had fought for the Islamic State in Iraq and the Levant in the Syrian Arab Republic were currently being explored. Any German national had a right to enter the country and a right to consular support, but there was no entitlement to retrieval from a foreign country. Some women and children had been returned from Turkey and Iraq, but such returns required careful preparation, including the development of de-radicalization and reintegration measures. There would undoubtedly be more returns but only on an individual basis.

33. **Mr. Behrens** (Germany), regarding the threats made against the lawyer in Frankfurt, said that he was not in a position to provide much more information other than the fact that five police officers had been suspended from duty in connection with the case because the criminal investigation was ongoing.

34. **Ms. Wittling Vogel** (Germany) said that ratifying the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence had been another step in addressing domestic violence. Statistics on intimate partner violence had been published regularly since 2016. Some 138,000 people, over 80 per cent of whom were women, had been victims of various offences coming under domestic violence, including murder, stalking and forced prostitution. Among women victims, more than 26 per cent were foreign nationals, primarily from Turkey, Poland, the Syrian Arab Republic, Romania, Serbia and the Russian Federation.

35. **Mr. Heller Rouassant** (Country Rapporteur) said that he wished to know whether the German Institute for Human Rights might also be assigned the task of monitoring compliance with the Convention against Torture as it had been for the Convention on the Rights of Persons with Disabilities and the Convention on the Rights of the Child. While the Committee understood that Germany was a federal State, which made budgetary

allocations more complicated, it was critical that the national preventive mechanism should be adequately funded. He would appreciate the delegation's comments regarding claims that the ban on naming private institutions where violations of the Convention were committed hindered the work of the national preventive mechanisms. It would be helpful to know what impact the Istanbul Protocol had had and what data the State party had on its use. The matter of the lack of a definition of torture had been raised multiple times over the years and the Committee was familiar with the State party's explanations, but, as illustrated by the impunity surrounding the case of Colonia Dignidad, there was nonetheless a legal void resulting in the insufficient criminalization of torture.

36. **Mr. Tuzmukhamedov** (Country Rapporteur), referring to articles 25 and 100 of the Basic Law and the decision of the Federal Constitutional Court of 15 December 2015 on double taxation, said that it was unclear how international provisions ranked in the national legal order, which further underscored the need for a specific ban on torture in domestic legislation. The course catalogue of the United Nations Training Centre of the German Armed Forces did not appear to include any modules on international human rights law, international humanitarian law or the law of armed conflict. The culture of absolute prohibition of torture might well permeate the Armed Forces of Germany, but the Training Centre admitted individuals from other countries as well; therefore, it would be judicious for the topic of torture to be broached in training.

37. Regarding the rape case, he considered the delegation's reluctance to comment as taking the argument about the separation of powers to the extreme. Notwithstanding the opinion of the European Court of Human Rights in *Ilseher v. Germany* that preventive detention in Germany complied with the European Convention on Human Rights, he would appreciate a full reply to paragraph 27 of the list of issues prior to reporting, specifically with regard to statistics on persons subjected to post-sentence preventive detention, any improvements in the situation at Freiburg prison, any amendments to the Criminal Code and the Youth Courts Act, legal safeguards and the independent review of such detention.

38. **Ms. Belmir** said that she would appreciate a reply to her question regarding the action taken in response to the findings of the Working Group on Arbitrary Detention on post-sentence preventive detention.

39. **Mr. Hani**, referring to communication No. 430/2010 in which the State party had deported the complainant to a country where it knew or should have known that the State of return routinely resorted to the widespread use of torture, said that he wished to know what lessons the State party had drawn from the case, in particular with regard to reliance on diplomatic assurances. In that connection, the State party might wish to refer to the Committee's general comment No. 4. He would be interested to know whether the list of measures to be taken by the Greek authorities in order for transfers under the Dublin Regulation to resume had been drawn up, whether a mechanism to assess the resumption of transfers had been established and whether a similar mechanism was envisaged for transfers to other States with reception conditions similar to those in Greece. He was curious to know how asylum seekers could appeal an expulsion order if notification of the order was not compulsory, whether the one-week appeal period was considered sufficient and whether appeals had a suspensive effect. He wondered whether the State party planned to increase its contribution to the United Nations Voluntary Fund for Victims of Torture.

*The meeting was suspended at 5.05 p.m. and resumed at 5.15 p.m.*

40. **Ms. Wittling Vogel** (Germany) said that as the national preventive mechanism had been set up to monitor the implementation of the Convention, there was no need for the German Institute for Human Rights to also take on that role. Nevertheless, the Institute had a practice of using concluding observations issued by United Nations treaty bodies as the basis for holding thematic events, which could be considered as a form of follow-up. The Federal Government was eager to take part in such events. Increasing the funding for the national preventive mechanism was on the Federal Government's agenda, but it was not a straightforward goal owing to the need to reach consensus among all the *Länder*.

41. **Ms. Bender** (Germany) said that all asylum seekers and refugees were entitled to medical treatment, including those who were subject to a deportation order. Medical assistance was provided in reception and detention centres and arrangements were made in

the event that specialist treatment was needed. The psychological and other support services provided in reception centres varied, depending on which NGOs and welfare associations were available on the ground. Assistance for traumatized asylum seekers was generally available on-site, although referrals were also made. In that regard, staff members of the Federal Office for Migration and Refugees received annual training on identifying asylum seekers who were traumatized or showed signs of having been tortured. In addition, caseworkers received training on working with interpreters. The Federal Office offered an online training course for freelance interpreters wishing to gain accreditation to work with asylum seekers. Regarding the definition of torture as a separate offence, it was true that the outcome of the Colonia Dignidad case had not been satisfactory. In that specific case, the statute of limitations had not been suspended in Germany because criminal proceedings had been initiated abroad.

42. **Mr. Behrens** (Germany) said that, in the event that the National Agency for the Prevention of Torture detected breaches of the Convention at private institutions, such as residential care homes for older persons, it duly notified the relevant authorities to ensure that the requisite action was taken. However, since the Agency was only able to visit a very small number of those private institutions, it did not name the institutions concerned in its annual reports.

43. **Ms. Wittling Vogel** (Germany) said that all international conventions to which Germany was a party, including the Convention against Torture and the European Convention on Human Rights, were fully transposed into domestic law through an implementation act, which gave them the rank of statutory federal law and made them applicable at the national level. Protection against torture was also enshrined in articles 1 and 2 of the Basic Law, which protected human dignity and human freedom. Accordingly, the prohibition of torture was amply provided for in the German legal system, at both constitutional and legislative levels. It should be pointed out that the December 2015 decision of the Federal Constitutional Court had related to general principles of international law and not to provisions of international conventions ratified by Germany.

44. **Mr. Behrens** (Germany) said that the Committee's observations regarding the provision of training on human rights at the United Nations Training Centre of the German Armed Forces would be relayed to the Government for its consideration.

45. **Ms. Wittling Vogel** (Germany), replying to the questions raised by Ms. Belmir and Mr. Tuzmukhamedov, said that the system of preventive detention had undergone major reform in recent years. For instance, the use of preventive detention was now restricted to perpetrators of serious violent offences who, at the end of their prison sentence, continued to pose a serious risk to the public or to themselves and were preventively detained on that account. Crucially, following a change in the law, orders for preventive detention had to be made at the time of the original judgment: they could no longer be requested after an individual had served a penalty, as had been the case before the decision of the Federal Constitutional Court in 2011. The situation of persons subject to pre-2011 post-sentence preventive detention orders had been reviewed in line with the new criteria; in the vast majority of cases, those individuals had now been released. Around 40 such persons were still detained due to the mental disorders they suffered and the severe threat they posed to the public. Their continued detention was in line with the European Convention on Human Rights. As regards the findings of the Working Group on Arbitrary Detention, it should be pointed out that preventive detention was not a punitive measure. Moreover, it should not be confused with pretrial detention, which was subject to very strict limitations and involved the detention of unconvicted persons prior to criminal trials.

46. Under the new preventive detention model, which was being continuously revised and updated, independent judicial reviews of preventive detentions were conducted annually and, after 10 years of preventive detention, every nine months. As at 30 November 2018, 560 persons had been in preventive detention in Germany; in 2017, around 57 new preventive detention orders had been made.

47. Although preventive detention facilities were closed units, measures had been taken to improve conditions in order to reflect a semblance of outside life and prepare detainees for eventual release. For instance, at the Freiburg facility, preventive detainees were able to

lock their own rooms and gain access to outside garden areas independently, without having to wait for staff to unlock doors. Group activities and therapy were provided to give detainees the opportunity to acquire skills. The goal was to enable those in preventive detention to be released while ensuring that they did not pose a danger to society.

48. **Ms. Bender** (Germany) said that, regarding the use of diplomatic assurances, the Committee's 2013 decision in the case of *Inass Abichou v. Germany* (CAT/C/50/D/430/2010) had been translated into German and disseminated to all 16 *Länder*. The use of diplomatic assurances in cases of extradition or deportation was considered on a case-by-case basis – rather than on a set of general criteria – and always in accordance with international law and the latest applicable jurisprudence. Moreover, diplomatic assurances were only contemplated where the Government already trusted the State involved. In addition, the courts thoroughly assessed the specific circumstances of each case, such as the situation in the State to which the person was being returned, including whether it complied with the international conventions to which it was a party, what types of diplomatic assurances were being given and by whom; and whether any reports or visits had been made to the country by United Nations entities.

49. **Mr. Weinbrenner** (Germany) said that an appeal against a deportation order must be filed within four weeks of notification of the decision, unless the asylum seeker was to be returned to a safe third country, in which case an expedited process of one week applied, as was described in paragraph 83 of his country's periodic report. A change in the law meant that, once all appeal procedures had been exhausted and a final binding decision on an asylum seeker's deportation had been issued, no prior notification of deportation was given. That change had been made in order to prevent persons subject to a final deportation order from absconding.

50. As of 15 March 2017, the transfer of asylum seekers to Greece under the Dublin III Regulation had resumed, in accordance with the recommendation of the European Commission, although it did not apply to vulnerable persons, such as unaccompanied minors.

51. **Ms. Wittling Vogel** (Germany) said that she wished to thank the Committee for the fruitful dialogue.

52. **The Chair** said that he wished to remind the State party that it could provide any outstanding replies to the Committee in writing. In an effort to enhance the constructive dialogue, the State party was invited to submit, in addition to a report within one year on urgent issues identified by the Committee for follow-up, an implementation plan for the remaining recommendations contained in the concluding observations.

*The meeting rose at 6 p.m.*