



Convention on the Rights of the Child

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Committee on the Rights of the Child

Sixty-fifth session

13-31 January 2014

Item 4 of the provisional agenda

Consideration of reports of States parties

List of issues in relation to the combined third and fourth periodic reports of Germany (CRC/C/DEU/3-4)

The State party is requested to submit in writing additional, updated information, if possible before 1 November 2013.

The Committee may take up all aspects of children's rights contained in the Convention during the dialogue with the State party.

Part I

In this section, the State party is requested to submit its responses to the following questions (30 pages maximum).

1. Please provide updated information on the measures taken by the State party in follow-up to its National Action Plan “Für ein kindergerechtes Deutschland 2005–2010”. In doing so, please provide details on measures taken to evaluate the said National Action Plan and establish a comprehensive policy and strategy for the further implementation of the Convention.
2. Please provide updated details on measures, if any, taken to provide its National Human Rights Institution with a mandate, along with adequate human, technical and financial resources, to monitor the implementation of the Convention and receive complaints on its violations.
3. Please provide detailed information on measures taken, including legislation, to ensure respect for children's rights by the business sector.
4. Please provide updated information on measures taken to ensure the prioritization of the right of the child to have his or her interests taken as a primary consideration in all legislative, executive and judicial processes, decisions and outcomes in the State party. In doing so, please provide specific details on measures taken to guarantee this right in the legislation on refugee status determination.
5. Please provide information on measures to ensure the issuance of birth certificates for children born in irregular migration situations.

6. In the context of children deprived of parental care, please provide specific information on measures taken, including any regulations for ensuring accountability and transparency, by the State party to address children's rights violations, inter alia, articles 4, 7, 8, 9 and 19, arising from so-called "baby boxes" and anonymous birth.
7. Please provide measures taken by the State party to address the rights of children residing in the State party territory but whose surrogate mothers are not from the State party. In doing so, please provide information on measures to prevent children in such situations from becoming Stateless.
8. Please provide information on measures taken to ensure that the prohibition of corporal punishment in all contexts is effectively enforced. In doing so, please provide information on any reporting and monitoring mechanisms and sanctions for perpetrators of corporal punishment.
9. Please provide information on measures taken by the State party to prevent and remedy bullying, including mobbing and cyber-bullying, of children in the State party.
10. Please provide information on measures taken by the State party to ensure adequate family support services, particularly early childhood education and care for children under the age of three and/or of ethnic/linguistic minorities whose parents may not speak German. In doing so, please also provide information on plans, if any, for the State party to achieve the "Europe 2020" targets for the provision of early childhood education and care.
11. Please provide information on measures taken by the State party to ensure adequate support, including inter-disciplinary early intervention programmes, to children with disabilities and their families. Please also provide detailed information on measures taken to ensure the full compliance of the State party's education policies and support measures for children with disabilities with, inter alia, article 23 of the Convention.
12. Please provide information on measures taken by the State party to ensure adequate hospital facilities and psychotherapy services that are specifically tailored to the needs of children.
13. Please provide detailed updated information on how children are diagnosed with Attention Deficit Hyperactivity Disorder (ADHD) and/or Attention Deficit Disorder (ADD). Please also provide information on measures taken by the State party to address the root causes of the symptoms of ADHD, ADD, and other mental health issues that may be related to, inter alia, nutrition, life-style or stress. In doing so, please include information on the diagnosis procedures and medications prescribed therefore. Please also provide information on safeguards and/or periodic reviews on instances of such diagnosis and medication.
14. Please provide detailed updated information on measures taken, if any, to implement the recommendation (A/HRC/4/29/Add.3, para. 91(c)) of the Special Rapporteur on the right to education in follow-up to his visit to the State party in February 2006 to: undertake an extensive national debate on the relationship between the educational systems currently in operation, including the appropriateness of maintaining a two or three-track system, and the phenomena of exclusion and marginalization of schoolchildren, in particular those of immigrant origin or with disabilities.
15. Please provide detailed information on measures taken by the State party to ensure an adequate standard of living for children and combat social exclusion, especially those in single parent families, in families with three children or more, and in families from ethnic minority backgrounds, and those affected by unemployment.

16. Please provide information on measures taken to ensure that refugee or asylum-seeking children, particularly those above the age of 16 years, are provided adequate advice, support, legal aid, and counselling.

17. Please provide detailed updated information on measures taken, if any, to implement the Committee's previous recommendation (CRC/C/OPAC/DEU/CO/1, para. 11) to raise the minimum age for voluntary recruitment into the armed forces to 18 years.

Part II

In this section the Committee invites the State party to briefly (three pages maximum) update the information presented in its report with regard to:

- (a) New bills or laws, and their respective regulations;
- (b) New institutions (and their mandates) or institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

1. Please provide statistical data on how many children are living in foster care disaggregated by sex, age, geographic location and socioeconomic background.
2. Please provide statistical data on the conviction rates for non-payment of child maintenance for the years 2009, 2010 and 2011
3. Please specify the number of children with disabilities, up to the age of 18, disaggregated by age, sex, geographic location, socio-economic background and type of disability covering the years 2009, 2010, and 2011:
 - (a) Living with their families;
 - (b) Living in institutions;
 - (c) Placed in foster care;
 - (d) Attending regular schools;
 - (e) Attending special schools;
 - (f) Not attending school;
 - (g) Subject to violence, in schools, institutions and domestic settings.
4. Please provide, if available, statistical data on:
 - (a) The number of children who have been victims of ill-treatment and abuse as well as the number of complaints, investigations, prosecutions and convictions in this regard;
 - (b) The number of children who have been victims of sexual abuse and exploitation, including victims of trafficking, as well as number of complaints, investigations and prosecutions carried out in this regard;

(c) The number of working children disaggregated by age, sex, geographic location and socio-economic background.

5. In addition, the State party may list areas, affecting children that it considers to be of priority with regard to the implementation of the Convention.
