



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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1 October 2015

Excellency,

In my capacity as Special Rapporteur for Follow-up to Concluding Observations of the Human Rights Committee, I have the honour to refer to the follow-up to the examination of the sixth periodic report of Germany.

At the end of its 106th, the Committee's concluding observations were transmitted to your Permanent Mission. You may recall that, in paragraph 20 of the concluding observations, the Committee requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 11, 14 and 15 of the concluding observations.

On 31 October 2013, follow-up information on the referred paragraphs was received. At its 110th session, held in March 2014, the Committee analysed the follow-up reply provided by the State party and decided that additional information on paragraphs 11 and 15 was necessary.

On 15 July 2014, the Committee received the reply of the State party. At its 113th session, held in March 2015, the Committee analysed this information and adopted the following decisions:

- Paragraph 11: **[A]** The Committee welcomes the decision to extend the suspension of transfer of asylum seekers to Greece until January 2015. The Committee reiterates its recommendation and request the State party to extend the suspension of transfers of asylum seekers to Greece if difficult reception conditions remain
- Paragraph 15: **[B2]** The Committee takes note of the additional information provided by the State party but regrets that it has not provided information on investigations and appropriate sanctions for those responsible for violations of legal provisions related to the use of physical restraint measures in residential homes. The Committee requires additional information on:

His Excellency
Mr. Joachim Rucker
Ambassador Extraordinary and Plenipotentiary
Permanent Representative
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- (a) measures taken, including trainings, to ensure that all staff working in care facilities and residential homes are aware of the legal provisions related to the use of physical restraint measures in residential homes and care facilities; and
- (b) investigations and appropriate sanctions for those responsible for violations of legal provisions related to the use of physical restraint measures in residential homes.

During the 114th session of the Committee, held in Geneva in July 2015, the Committee noted that information sought by the Committee had not yet been provided. Therefore, I write to request that the above-mentioned additional information be submitted at Your Government's earliest convenience.

The next follow-up report of the Human Rights Committee will be adopted in March 2016. If the State party wishes the information referred to be taken into account on that occasion, the reply should be sent in a Word electronic version to the Secretariat of the Human Rights Committee by **21 December 2015** (Kate Fox: kfox@ohchr.org and Fernanda Santana: fsantana@ohchr.org).

The Committee looks forward to pursuing its constructive dialogue with the authorities of Germany on the implementation of the Covenant.

Please accept, Excellency, the assurances of my highest consideration.

Sarah Cleveland
Special Rapporteur for Follow-up to Concluding Observations
Human Rights Committee