

NGO Group for the Convention on the Rights of the Child  
**Database of NGO Reports presented to the UN Committee on  
the Rights of the Child.**

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**Document Title:**

**Assessment of the initial report of the Federal Republic of Germany by  
NGOs**

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**Germany**

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I. The Federal Government has deposited an Initial Report which provides a generally complete and adequate description of the legal situation of children in Germany. However, the Report assumes that the German legal position corresponds fully to the Convention on the Rights of the Child and that no amendments of German national law are necessary. The Committee should consider the question, whether the Federal Government regards the Convention on the Rights of the Child not only as an impulse, but as a mandatory standard for the intended reforms of the law of parent and child and for other legislative changes pertaining to children. Furthermore, it should be examined whether the reserves laid down at ratification continue to be valid.

II. The actual situation of children in Germany is only insufficiently considered in the Initial Report. On the whole, the Report lacks a critical assessment of the difficulties in the implementation of the Convention. In particular, supplementary information on the progress that has been achieved on the level of the Länder and municipalities as well as the difficulties encountered there should be furnished.

III. The Committee should encourage the Federal Government to make the contents of the Convention better known to the general public and to ensure a wide dissemination of its Report. This would also serve to promote a constructive process of discussions on the implementation

of children's rights in Germany.

#### Development Assistance

IV. The Report underlines the importance of international cooperation for the implementation of children's rights. The Federal Government should be asked to report in more detail on the numerous positive achievements that public and private agencies have effected for children in all parts of the world. In addition, it should be clarified if the Federal Government is willing to substantially raise the proportion of its development assistance for the direct fighting of poverty which at present amounts to only 13%, to work towards a world-wide ban on arms with particularly devastating effects on children (such as landmines) and to increase its support for measures against child labour and child prostitution in the developing world.

#### Respect for the views of the child

V. Up to now, opportunities for children to exercise their rights and to have their opinions considered have been generally insufficient in practical terms. It should be specified which concrete measures are taken or supported in order to implement the right to participation.

#### Abuse, violence against children

VI. Violence against children constitutes a problem that cannot be curbed by laws alone. The Committee should ask for further information on how and to what extent children in Germany are affected by this violence and which supportive measures and financial resources are provided for its prevention. This should also include measures taken by the Länder and municipalities.

#### Protection of the environment, adequate living conditions for children

VII. Children are particularly affected by the alarming increase in environmental diseases. Additional data relating to these developments should be supplied, and information should be provided on the measures by which the Federal Government, the Länder and the municipalities endeavour to safeguard adequate environmental conditions for children now and in future.

VIII. Although Germany is a rich country, an alarmingly high number of children there live in poverty. The Committee should ask for further information on the extent to which families with children participate in the general affluence of society and what measures are taken to prevent children from becoming a poverty risk for families.

#### Alien and refugee children

IX. Because of German citizenship law even children of the second or third immigrant generation remain aliens. The Committee should ask for further information on the measures taken to prevent the discrimination of alien children in comparison to German children.

X. The situation of unaccompanied refugee children is particularly critical, their treatment does not correspond to the provisions and the spirit of the Convention on the Rights of the Child. The Committee should particularly ask for further information on accommodation, access to social services, opportunities for the exercise of rights (article 12) and protection from arbitrary deportation for these children.

#### Drug abuse

XI. The increasing consumption of drugs also presents a danger to children, which, however, cannot be curbed by legal provisions. The Federal Government should be encouraged to have the ways in which children are affected by drugs examined and should specify by which concrete offers of support the increasing demand for supportive measures is taken into consideration on the level of the Federal authorities, the Länder and the municipalities.

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