

# **National Coalition**

for Implementation of the UN Convention on the Rights of the  
Child in Germany

Supplementary Report of the National Coalition

On the Second Report of the Federal Republic of Germany to  
the United Nations in accordance with Article 44, paragraph 1, letter (b)  
of the Convention on the Rights of the Child

Original: German

## **Introduction**

The present Supplementary Report to the Committee on the Rights of the Child refers to the Federal Republic of Germany's Second Periodic Report (reporting period 1994-1999) to the United Nations in accordance with Article 44, paragraph 1, letter (b) of the Convention on the Rights of the Child. This report has been compiled by the National Coalition for Implementation of the UN Convention on the Rights of the Child in Germany (National Coalition).

The National Coalition was formally founded in 1995 by 40 non-governmental organisations under the legal entity of the Working Party for Youth Welfare (Arbeitsgemeinschaft für Jugendhilfe - AGJ). Today, it encompasses around 100 organisations, institutions and initiatives of nation-wide significance that are active across a variety of areas for the implementation of children's rights in Germany. A list of member organisations and the members of the coordination groups are included in the appendix.

The National Coalition has developed a range of instruments to carry out an on-going assessment of the current situation in terms of advances made and problems encountered in implementing the Convention in Germany, including: an annual 'Open Forum' with leading figures in the political arena, the Children's Rights Days, taking place every 1-2 years and which are primarily concerned with legal issues, and the 'Children's Coalition Talks', emerging from current political concerns. In the period covered by this report, the National Coalition has been concentrating on the following main areas:

- Reform to the parents and child law
- Unaccompanied refugee children and children without a German passport
- Ecological children's rights
- Secure livelihoods and child poverty
- Children with disabilities

## Contents

<b>Introduction</b> .....	<b>2</b>
<b>Contents</b> .....	<b>3</b>
<b>Summary</b> .....	<b>4</b>
<b>Involvement of children and young people on the Supplementary Report</b> .....	<b>5</b>
Withdrawal of the declaration of reservations .....	5
<b>I. General measures required for implementation</b> .....	<b>8</b>
A. Implementing the rights of the child (Articles 4 and 41).....	9
B. Concerning the declaration on the Convention .....	12
C. Promulgation of the Convention (Article 42) .....	13
D. Dissemination of the reports on implementing the Convention (Article 44, paragraph 6) .....	13
<b>II. Definition of the child (Article 1)</b> .....	<b>14</b>
<b>III. General Principles</b> .....	<b>15</b>
A. Non-discrimination (Article 2) .....	15
B. Well-being of the child (Article 3) .....	15
D. Respecting the views of the child (Article 12) .....	16
<b>IV. Civil rights and liberties</b> .....	<b>17</b>
A. Name and nationality (Article 7).....	17
<b>V. Family environment and alternative means of care</b> .....	<b>18</b>
A. Parental guidance (Article 5) .....	18
B. Parental responsibility (Article 18, paragraphs 1 – 2) .....	18
C. Separation from parents (Article 9) .....	19
D. Family reunification (Article 10).....	20
E. Illicit transfer and non-return (Article 11) .....	20
<b>VI. Basic health care and well-being</b> .....	<b>21</b>
A. Children with disabilities .....	21
B. Health and health care .....	22
D. Standard of living .....	23
<b>VII. Education, leisure and cultural activities</b> .....	<b>24</b>
A. Education (Article 28) .....	24
B. Educational objectives (Article 29) .....	25
C. Leisure, recreation and cultural activities (Article 31) .....	25
<b>VIII. Special protective measures</b> .....	<b>26</b>
A. Children in emergency situations .....	26
1. Refugee children (Article 22) .....	26
2. Children in armed conflicts (Article 38), their physical and psychological recovery and social reintegration (Article 39) .....	27
B. Children in contact with the youth justice system (Article 40).....	27
1. Youth jurisdiction (Article 40).....	27
2. Children and young people in custody (Article 37 b-d) .....	28
C. Children as victims of exploitation, their physical and mental recovery and social reintegration.....	30
1. Economic exploitation of children including child labour (Article 32).....	30
3. Sexual exploitation and sexual abuse (Article 34).....	30
<b>Annex</b> .....	<b>32</b>

## Summary

In Germany in the reporting period of 1994-99, progress has been made in implementing the UN Convention on the Rights of the Child in specific areas. The Second Report of the Federal Government details many initiatives in individual areas and, moreover, includes the 10th Youth Report (although only in German), giving an extensive overview on the situation for young people and children in Germany.

However, in the National Coalition's view, a structural anchoring of children's rights is still lacking in the various political, legal, and administrative levels that would make implementing the Convention into a guiding principle at the Federal, *Land* and local levels and in all institutions concerned with children.

The National Coalition (NC) sees an example of this lack in the Federal Government's failure to withdraw the reservations expressed in the declaration deposited with the United Nations when ratifying the 1992 UN Convention on the Rights of the Child; these reservations have still not been withdrawn despite three requests for action by the German parliament and the strong recommendation voiced by the German parliament's Petitions Committee.

The National Coalition is concerned that the majority of recommendations and suggestions expressed in the Concluding Observations of the UN Committee on the Rights of the Child on Germany's First Report (at the 259th meeting on 17 November 1995) have not yet been implemented and, in some areas, the Federal Government has not acknowledged the deficits mentioned there.

Not all children living in Germany enjoy the same rights. In particular, there are legal deficits for children seeking asylum and children who are refugees, as well as for children affected by measures entailing deprivation of liberty. Furthermore, fundamental principles such as the primacy of the child's well-being (Article 3) and respect for the views of the child (Article 12) have not been adequately incorporated into national law. In addition, the NC notes deficits in implementing Articles 19 (Protection from violence, maltreatment and neglect), 23 (Support for children with disabilities), 24 (Health and health care) and 27 (Adequate standard of living). The goal has not yet been realised of guaranteeing these children's rights constitutional protection by enshrining them into the Basic Law of the Federal Republic of Germany.

The National Coalition notes with regret that even more than ten years after ratification, children, parents, politicians and personnel concerned with children and young people are still not sufficiently aware of children's rights in Germany.

The National Coalition considers the monitoring system of reporting to the United Nations as too weak an overall instrument to achieve the effective implementation of the UN Convention on the Rights of the Child. For this reason, Germany should internationally promote establishing an individual right of complaint as an additional controlling instrument to the UN Convention on the Rights of the Child.

## **Involvement of children and young people on the Supplementary Report**

The past few years have seen a range of activities and events initiated with the aim of making the UN Convention on the Rights of the Child better known among children and young people in Germany. For example, children and young people were asked to assess how well-known they thought various children's rights were (Children's Rights Ballots 1998/1999). They were invited to participate in numerous conferences dealing with concerns affecting them or asked to evaluate them. The questions asked of the children and young people were aimed at discovering how far they thought children's rights in Germany were being infringed and in which areas they would like to see improved co-determination.

Children and young people were not involved in compiling the Federal Government's Second Report. Since the National Coalition believes it is necessary to include in this Supplementary Report the opinions of children and young people as experts in their own interests, the following summarises the opinions and impulses of children and young people at our own projects and events. In parts, reference is made to results arising after the reporting period; this summary too does not claim to be completely representative or exhaustive.

### **Results have been included from the following projects:**

- The 120,000 questionnaires completed nation-wide by children and young people in the course of an event run under slogan 'Children's Rights Ballot' (carried out by the *Aktionsbündnis für Kinderrechte* association: Deutscher Kinderschutzbund, Deutsches Kinderhilfswerk, terre des hommes, UNICEF);
- The results from an event run in 2000 under the auspices of the Children's Commission of the German Bundestag entitled 'Democracy grows with us' (*Demokratie wächst mit uns*), which invited around 100 children and young people into the Bundestag for two days to discuss their hopes and concerns with politicians.
- A report on the experience of children and young people committed to their work in joint projects and invited to an annual meeting organised by the *Deutsches Kinderhilfswerks e.V.*;
- The concerns expressed by young participants at the biennial Children's Nature Summit;
- The experience of children and young people (accompanied by the National Coalition) who participated at the United Nations Special Session on Children in 2002 (UNGASS).

Children and young people highlighted the following topics as being of particular significance:

### **Withdrawal of the declaration of reservations**

Many children and young people have a very well-developed sense of fairness. In their own surroundings they have found that not all children are treated equally, above all, in the case of refugee children. For this reason, children and young people have repeatedly advocated measures to ensure that refugee children have recourse to equal rights in Germany, and called for the withdrawal of the declaration to the UN Convention on the Rights of the Child.

52 **Right to equal treatment**

53 In Germany, a 1998-99 survey asked more than 120,000 children which children's rights  
54 they thought were most infringed; the results clearly placed the right to equal treatment at  
55 the top of the list. On the occasion of the UN special session this aspect was, once again,  
56 the key demand made by children and young people calling for, for example, children  
57 rights to be equally applicable to refugee children, with equal training opportunities and no  
58 age discrimination. Foreign children and young people living in Germany with the  
59 'tolerated' (*geduldet*) legal status should be allowed to take part in school class trips. In  
60 addition, on completing their studies, they should be able to start an apprenticeship or a  
61 course of further studies.

62

63 **Increased awareness of children's rights**

64 Children and young people have called for increased awareness of children's rights in the  
65 media and the incorporation of children's rights in school curricula, since only if people  
66 know their rights, can they actually lay claim to them.

67

68 **Right to co-determination**

69 Children and young people consider their opinions are not taken note of enough in many  
70 issues concerning them in family matters, school or in their leisure time. Children do not  
71 only want to become adequately involved in these questions at some time in the future, but  
72 actually want to help determine them now. Children and young people have frequently  
73 criticised their lack of political influence. They have spoken out for democratic structures  
74 to be made a part of their experience too and, in this context, repeatedly called for a  
75 reduction in the voting age.

76

77 **Integration of people with disabilities**

78 Children and young people are calling for increased integration of people with disabilities  
79 in our everyday lives. Instead of separating children with disabilities, more schools should  
80 be built in a way suitable for people with disabilities, making the shared 'experience' of  
81 life together made possible.

82

83 **Ecological children's rights / Health**

84 In order to reduce pollutants in the air and ensure that future generations also can enjoy a  
85 healthy environment to grow up in, children and young people at the Children's Nature  
86 Summit in 2002 called for retaining the present 'Ecology Tax'. In their view, part of the  
87 tax money collected should be used for extending and promoting public transportation  
88 systems, while the remainder ought to be applied to increased investment in research and  
89 further development in solar, wind and water energies.

90 At national-level meetings in all co-determination projects, children and young people  
91 expressed their support for equipping hospitals in a more children-friendly way. They also  
92 called for an end to the practice of treating children in adult wards. Working parents need  
93 to be granted special benefits to allow them to take care of their ill child personally without  
94 the fear of losing their job.

95 Furthermore, the children and young people also called for a ban on smoking in all public  
96 rooms where children may also be present and measures making it illegal to place cigarette  
97 machines within a child's field of vision.

98

99 **Education**

100 Many pupils consider the following measures need to be introduced to improve educational  
101 standards within the German school system:

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- 103 - greater individual tuition and support to minimise social inequalities;
- 104 - increased choice of subjects;
- 105 - less teacher-centred learning;
- 106 - smaller classes;
- 107 - better language training for foreign children;
- 108 - integrative classes;
- 109 - integrative teaching;
- 110 - more co-determination at school; and improved teacher training.

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113 **Violence-free upbringing**

114 Children and young people expressed their view that more efforts are needed to clarify  
115 what is 'equitable' and 'inequitable' and called for making laws such as, for example, the  
116 'child's right to an upbringing free of violence' more widely known. The nation-wide  
117 Children's Rights Ballot showed that the vast majority of the children and young people  
118 questioned still saw a need for steps to be taken in Germany to implement the right to an  
119 upbringing free of violence. In their view, there should be improved measures to provide  
120 help for victims of violence and their families; other areas they highlighted as requiring  
121 action include ensuring better international cooperation on criminal prosecution of  
122 perpetrators and regulating stricter penalties for Germans who take part in sex tourism.

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## 123 **I. General measures required for implementation**

### 124 **General remarks**

125 The National Coalition welcomes the fact that the Federal Government's Second Report  
126 has placed the accent firmly on actually implementing the Convention in Germany. It  
127 shares the view expressed by the Federal Government that progress on embodying the UN  
128 Convention on the Rights of the Child in legislation within Germany has been made in the  
129 reporting period (1994 to 1999), and notes simultaneously that continued major efforts are  
130 required in order to ensure that children's rights are indeed comprehensively realised.  
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133 The National Coalition is concerned that the majority of recommendations and suggestions  
134 expressed in the Concluding Observations of the UN Committee on the Rights of the Child  
135 on Germany's First Report (at the 259th meeting on 17 November 1995), have not yet been  
136 implemented and, in some areas, the Federal Government has not acknowledged the  
137 deficits mentioned there.

138  
139 The National Coalition criticises the fact that the Second Report has been submitted more  
140 than two years late. The grounds offered for this by the Federal Government of a change of  
141 government and debate on revoking the German declaration on the Convention are, in the  
142 view of the National Coalition, insufficient. Submitting the report late leads to the Federal  
143 Government's report referring to events extending into the third report's reporting period  
144 and complicates the evaluation of achievements in the reporting period covered here.  
145

146 The National Coalition criticises various points related to the drafting of the Second Report  
147 which make it harder for both the committee and the general public to gain a  
148 comprehensive picture, with significant informative value, of how far the UN Convention  
149 on the Rights of the Child has been implemented in Germany, as required by Article 44,  
150 paragraph 2 of the Convention. In particular, the NC regrets that the Report:

- 151 - Juxtaposes facts and intentions in some sections instead of summarising the Federal  
152 Government's plans in a single part of the Report;
- 153 - Does not include an English version of 10th Youth Report, attached as an Appendix,  
154 even though reference is made to it at crucial points in the Report; since it is only  
155 provided in German, it is of limited value to the Committee. In this instance, it might  
156 have made the information more easily accessible if the relevant passages of the 10th  
157 Youth Report had been cited in the body of the Report;
- 158 - Does not indicate whether an example is (non-) representative in those numerous  
159 places throughout the Report where examples are given of the measures undertaken for  
160 implementing children's rights in individual *Länder*; similarly, in these cases, no  
161 attempt is made to present or evaluate the situation in the other *Länder* which have  
162 produced no report (or claim their case is different);
- 163 - Does not offer any single place providing a systematic listing of all the weak spots  
164 hindering the complete implementation of the UN Convention on the Rights of the  
165 Child in Germany.

### 166 167 **The National Coalition recommends that the Committee call for the Federal** 168 **Government to:**

- 169 • **Involve children and young people in the report;**
- 170 • **utilize the chance offered by drafting the report to engage in a broad-based public**  
171 **discussion on implementing children's rights in Germany;**
- 172 • **compile a systematic list in future reports of the problems and deficits that have**  
173 **arisen in implementing the Convention.**

174 **A. Implementing the rights of the child (Articles 4 and 41)**  
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176 **Committee on the Rights of the Child, Concluding Observations, 1995:**  
177 *Paragraph 21. The Committee warmly welcomes the information provided by the State*  
178 *party that consideration is being given to the incorporation of the Convention on the*  
179 *Rights of the Child in the Constitution of Germany and, in this spirit, it encourages the*  
180 *State party to pursue the ongoing efforts aiming at according constitutional status to the*  
181 *Convention.*

182  
183 In contrast to some *Länder* constitutions and the European Charter of Fundamental Rights,  
184 it has not yet been possible to expressly incorporate the rights of the child in the German  
185 constitution (the Basic Law). Although Article 6 Paragraph 1 of the Basic Law foresees  
186 children receiving particular protection from the state as a part of their family, the NC  
187 regards providing the sole constitutional guarantee for the child via the family as  
188 insufficient and not child-friendly. This has led to the Basic Law conveying the impression  
189 that children are merely seen as adjuncts to the adults – a notion opposed by, among others,  
190 the Federal Constitutional Court which, in a number of instances, has ruled on the subject  
191 status of the child.

192  
193 The National Coalition does not share the view of the Federal Government as expressed in  
194 the Second Report that there is no need to enshrine the rights of the child in the Basic Law.  
195 Instead, it believes specifying the rights of the child would provide sustained support in  
196 realising these rights in constitutional reality and contribute to changing adults' awareness  
197 of children.

198  
199 **The National Coalition recommends that the Committee call for the Federal**  
200 **Government to:**  
201 **Give constitutional status to the rights of the child in Germany.**  
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204 **Committee on the Rights of the Child, Concluding Observations, 1995:**  
205 *Paragraph 23: The Committee suggests that the State party give further consideration to*  
206 *the establishment of a permanent and effective coordination mechanism on the rights of the*  
207 *child at the Federal, Land and local levels. Consideration should also be given to the*  
208 *development of an evaluation and monitoring system, addressing all areas covered by the*  
209 *Convention (...)* *The Committee also encourages the State party to look more closely into*  
210 *the work of the Ombuds institution for children, particularly with respect to its potential*  
211 *contribution for monitoring the implementation of the rights of the child.*

212  
213 *Paragraph 24: With respect to article 4 of the Convention, the Committee emphasizes the*  
214 *importance of the allocation of resources to the maximum extent for the implementation of*  
215 *economic, social and cultural rights of the child at Federal, Land and local levels, in the*  
216 *light of the principles of the Convention, in particular those of its articles 2 and 3 relating*  
217 *to non-discrimination and the best interests of the child.*

218  
219 The National Coalition notes that although Germany has a network of panels, committees,  
220 and institutions whose concerns include the rights of the child, there nonetheless remains a  
221 lack of permanent and effective controls to monitor the implementation of children's rights  
222 on the Federal, Land and local levels. While an awareness is present that politics for and  
223 with children needs to be cross-sectional and concerned with all spheres of political  
224 activity, this only plays a minor role in Germany's day-to-day political life.

225 The National Coalition considers that an orientation towards the rights of the child needs to  
226 be further underpinned both in the legislature's area of responsibility and that of the  
227 executive. It cannot agree with the Federal Government's view that it is sufficient merely  
228 to make more efficient use of already available capacities. The Bundestag Commission to  
229 safeguard the interests of children (Children's Commission) should be granted a right of  
230 motion for all planned legislation that affects children and young people, with comparable  
231 provisions being created at the Land and local levels. In the executive sphere, either  
232 existing committees should be entrusted with the task of monitoring the implementation of  
233 the rights of the child or new panels and committees should be established for this purpose.  
234

235 **The National Coalition recommends that the Committee call for the Federal**  
236 **Government to:**

- 237 • **Establish a system provided with sufficient means to coordinate and monitor**  
238 **implementing and further developing the rights of the child in the legislative and**  
239 **executive, in a way suited to Germany's federal structure. This system should be**  
240 **designed to allow the participation of children and young people too.**
- 241 • **Determine, in particular, whether all administrative and legislative decisions are in**  
242 **agreement with the fundamental principles enshrined in Article 2 'protection from**  
243 **discrimination', Article 3 'the best interests of the child' and Article 12 'respect for**  
244 **the views of the child' in the UN Convention on the Rights of the Child.**
- 245 • **Recommend those state agencies needing to be established work closely with non-**  
246 **governmental organisations.**

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249 **Committee on the Rights of the Child, Concluding Observations, 1995:**  
250 *Paragraph 25: While acknowledging the strong commitment of Germany to providing*  
251 *structural assistance to third countries, the Committee would like to encourage the State*  
252 *party in its efforts to achieve the 0.7 per cent target for international assistance to*  
253 *developing countries, as well as to give consideration to the use of debt conversion and*  
254 *forgiveness measures in favour of programmes to improve the situation of children.*

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In the 1994-1999 reporting period, the Federal Government's development cooperation has made progress, both in content and planning, towards implementing the rights of the child more thoroughly. Today, the concerns of children and young people have become far more clearly incorporated into German development policy than they were in the first reporting period.

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Nonetheless, the National Coalition takes the occasion of the Federal Government's Second Report to call to mind the need, as expressed in the 1995 UN Committee's Concluding Observations, to ensure the Federal Government's efforts are given greater coherence and, above all, better funding. The positive developments mentioned are being restrained by the continuing transfer of state resources at an alarmingly low level. The Federal Ministry for Economic Cooperation and Development has only announced a turn-around and the raising of ODA to 0.33% for 2002 – in other words, outside this reporting period.

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Despite the 20/20 Initiative being of strategic significance for focussing international development cooperation on human rights, social development and measures to eradicate poverty, the Ministry for Economic Cooperation considers the 20/20 target can only be applied to payments to those countries supporting the initiative. For this reason, in terms of

275 the proportion of basic social services, Germany is only ranked in the lower mid-range for  
276 multilateral and bilateral development aid.

277 In bilateral aid, the percentage figure and significance in absolute terms of basic social  
278 services has been continually falling and is at present distinctly under the 20% threshold.  
279 The financial slowdown is especially marked in the basic education sector; such a  
280 development stands in contradiction to the international obligations entered into by the  
281 Federal Government, and the awareness of the key role it plays in furthering children and  
282 young people. In addition, state expenditure on schools and health care is too intensely  
283 focused on urban centres and, consequently, does not benefit the poor, rural population.

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285 The National Coalition is pleased to note that children and young people are now viewed  
286 as an independent target group in economic cooperation, both in planning and operational  
287 terms. Concentrating on young people (12-18 years old), however, disregards the special  
288 needs and potential of the age groups below and fails to recognise the chances to underpin  
289 the social position and rights of children provided by suitable participative, age-related  
290 provisions. Furthermore, the high value that furthering children has in preventing problems  
291 in later phases of their lives is not given sufficient weighting.

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293 **The National Coalition recommends that the Committee call for the Federal**  
294 **Government to:**

- 295 • **Include children as a target group in development cooperation and list the**  
296 **financial provisions made for children and young people separately. In addition,**  
297 **there remains a need to ensure that drawing up and implementing strategies for**  
298 **combating poverty is linked more closely than previously to the goal of**  
299 **implementing the rights of the child.**
- 300 • **Accelerate bad debt relief for 40 heavily indebted poor countries (HIPC),**  
301 **extending debt relief to other highly indebted countries, and, on the multilateral**  
302 **level, working towards introducing comprehensive debt relief mechanisms.**
- 303 • **Pledge themselves to a concrete schedule for raising the percentage of basic social**  
304 **services in German development cooperation to 20%, with, as is standard practice**  
305 **in the international arena, calculations based on undertakings attributable to the**  
306 **bilateral and multilateral sectors. The Federal Government needs to give primacy**  
307 **to measures promoting basic education and training and, in a fundamental step,**  
308 **ensure the amount of funding available for this area is raised significantly.**

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## B. Concerning the declaration on the Convention

**Committee on the Rights of the Child, Concluding Observations, 1995:**  
*Paragraph 22: The Committee recommends that the State party pursue the review of the declarations entered to the Convention with a view to considering their withdrawal. The Committee is of the opinion that, in the light of proposed reforms to national legislation, it would appear that such declarations are unnecessary; doubts are raised as to their compatibility with the Convention.*

The National Coalition is extremely concerned to note that the UN Convention on the Rights of the Child is not unconditionally valid in Germany. Germany still has not withdrawn any of the reservations expressed in the declaration entered at the time it ratified the UN Convention on the Rights of the Child.

The reservations relate specifically to Section IV of the declaration, to what is known as the declaration on aliens (*Ausländervorbehalt*). Submitting this declaration has led to refugee children not being able to enjoy the same rights as other children in Germany (for further details, see VIII). Failing to withdraw this declaration impedes aligning legislation on foreigners and asylum-seekers, court decisions, and the customary practice in administrative matters and government authorities with the standards set by the UN Convention on the Rights of the Child. In the period falling outside the reporting period, the Federal Government has been expressly called upon three times by parliament (1999 and 2001), and lastly in 2002 by the parliament's Petitions Committee, to withdraw its declaration. However, up until now, the Federal Government has not yet done so.

The National Coalition takes issue with the views expressed by the Federal Government in the Second Report (Paragraph 83) that the declarations "consist for the most part of explanations intended to prevent potential misinterpretations or over-interpretations". Instead, the NC regards the 'declaration on aliens' as contributing to a situation where refugee children in Germany do not have access to basic rights such as the right to 'protection from discrimination' (Article 2) and 'the best interests of the child' (Article 3), and hence views it as not compatible with the UN Convention on the Rights of the Child. Incidentally, the opinion expressed here by the NC has received confirmation from the arguments put forward by those *Länder* who reject withdrawing the declaration for precisely this reason: "It would result in creating difficulties in systematically enforcing the duty for minors to leave the country and lead to the growing abuse of the law on aliens and asylum seekers by people claiming to be minors but without submitting the requisite documents" (as stated by Thuringia's Ministry of the Interior on 18.09.2001 after being asked by the *Arbeitsgemeinschaft für Jugendhilfe* and the National Coalition on its stance towards withdrawing the declaration.)

**The National Coalition recommends that the Committee call for the Federal Government to:**

**Withdraw the reservations expressed in the declaration immediately, since serious doubts exist on whether they are compatible with the UN Convention on the Rights of the Child.**

### C. Promulgation of the Convention (Article 42)

**Committee on the Rights of the Child, Concluding Observations, 1995:**  
*Paragraph 26: (...) The development of public campaigns through the use of the media and the involvement of the civil society, including non-governmental organizations and children's groups, would contribute to effectively addressing the need to increase understanding and to promote respect for the rights of the child.*

*Paragraph 27: The Committee recommends that the State party make full use of the opportunity offered by the United Nations Decade for Human Rights Education, to pursue further the preparation of educational materials on human and children's rights and the incorporation of human rights education, particularly about the rights of the child, into school curricula and into the training programmes of professional groups working with or for children, including teachers, judges, lawyers, social workers, health service personnel, police and immigration officials.*

In the Second Report, the Federal Government concedes (Paragraph 110) that the efforts to publicise and implement the Convention in Germany need 'to be strengthened still further, in order to instil a greater awareness of the spirit and contents of the Convention in the people - adults and children alike -, and in political practice.' The National Coalition shares this view and notes that more than a decade after the Convention was ratified, it is still too little known among the majority of children and adults, despite the various initiatives undertaken, especially by the associations concerned and the public-sector media. Children's rights have yet to be made a standard part of school curricula and teaching materials, while there remains a need to provide training for professional groups working with or for children. The Federal Republic of Germany's federal structure means that, first and foremost, the *Länder* responsible for educational policy need to be reminded of the duty they have in this area.

#### **The National Coalition recommends that the Committee call for the Federal Government to:**

- **Make children's rights into a standard element in school curricula and teaching materials, integrating them into the overall concept underlying faculties for children and the training guidelines of professional groups working with or for children.**
- **Support schools and other facilities for children in realising the goal of making children's rights into an integral part of everyday life.**
- **Use the UN Convention on the Rights of the Child as the benchmark for political agency and for their own activities and projects.**

### D. Dissemination of the reports on implementing the Convention (Article 44, paragraph 6)

**Committee on the Rights of the Child, Concluding Observations, 1995**  
*Paragraph 36: The Committee recommends that the State party's report to the Committee, the summary records of the discussion of the report and the concluding observations adopted by the Committee be widely disseminated in the country with a view to promoting wider awareness of children's rights, including at the Land and local levels, among the authorities, non-governmental organizations, relevant professional groups and the community at large, including children.*

410 The National Coalition notes that the 1995 ‘Concluding Observations’ and especially the  
411 summary records of the discussion of the report between the Federal Government and the  
412 Committee on the Rights of the Child have only been become known among a small group  
413 of specialists and politicians in Germany, despite their immense importance in further  
414 developing children’s rights.

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416 **The National Coalition recommends that the Committee call for the Federal**  
417 **Government to:**

418 • **Disseminate the ‘Concluding Observations’ of the Committee on the Rights of the**  
419 **Child arising from the Second Report in an effective way and encourage public**  
420 **debate on implementing the recommendations.**

421 • **Publish and distribute a version of the ‘Concluding Observations’ in a form that**  
422 **children can understand.**

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## 426 **II. Definition of the child (Article 1)**

427

428 According to § 2 of the German Civil Code (BGB) all persons who have not reached the  
429 age of 18 are minors. However, German law contains provisions regulating the rights and  
430 duties of the child at different ages. Hence, in a number of areas, young people from 14 on  
431 are granted rights of participation, which are partially determined at the federal level and  
432 may therefore vary in different *Länder*.

433

434 In the National Coalition’s view, however, distinguishing between German and foreign  
435 children, with the assumption derived from such a distinction that migrants from 16 on ‘do,  
436 as a general principle, possess the capacity to act in asylum proceedings’, is not compatible  
437 with the standards established in the Convention.

438 Those involved in looking after refugees know only too well how difficult it is to explain  
439 to them the complexities of the German law on aliens and asylum with its tight deadlines.  
440 Refugee children of 16 and upwards are frequently not in a position to grasp to  
441 significance of the law on asylum. In particular, the National Coalition considers the  
442 argument that children of 12 and on already have the necessary maturity to decide whether  
443 or not to participate in religious instruction lessons as inadmissible since Article 22 of the  
444 Convention deals with protective rights for a group of children who find themselves in a  
445 particularly difficult situation.

446

447 In addition, this national ruling leaves Germany lagging behind European standards, which  
448 regard it as incontestable that the age of majority for unaccompanied refugee children is  
449 not reached until 18. (cf. Article 1, Section 1, EU Council Resolution, June 1997).

450

451 **The National Coalition recommends that the Committee call for the Federal**  
452 **Government to:**

453 **Respect and apply the age of majority of 18 contained in the Convention, in**  
454 **particular for the group of refugee children who are in especial need of protection,**  
455 **and incorporate this into all the legislation affecting this group.**

456

456 **III. General Principles**

457

458 **A. Non-discrimination (Article 2)**

459

460 The issue of integrating children whose parents come from another country of origin than  
461 Germany clearly indicates that Article 2 of the Convention is not adequately incorporated  
462 into German law. For example, § 6 Section 2 of Book VIII of the German Code of Social  
463 Law excludes a not inconsiderable group of foreign children from enjoying the benefits of  
464 the youth welfare services legally stipulated there, since the prerequisite for obtaining  
465 youth welfare services is that the children and juveniles in question are either legally  
466 resident in Germany or have already been granted a stay of deportation.

467

468 According to § 55 of the Immigration Law, recourse to youth welfare can constitute the  
469 statutory definition of an offence requiring expulsion. This might well be one reason why  
470 foreign children are especially statistically underrepresented in making use of assistance  
471 provided via mobile educational measures. Similarly, the legal entitlement to a place in a  
472 kindergarten has to apply to all children living in Germany, irrespective of the status of the  
473 parents and children's legal right to reside.

474

475 **The National Coalition recommends that the Committee call for the Federal**  
476 **Government to:**

477

- 478 • **Ensure that in implementing the EU guidelines required to be in force by**  
479 **30.06.2003, preventing discrimination against children without a German passport**  
480 **in line with the UN Convention on the Rights of the Child is incorporated into all**  
481 **the legislation affecting these children.**
- 482 • **Resolve the contradiction between regulative and fiscal interests, on the one hand,**  
483 **and the integrative goal of the legislation on children and youth welfare on the**  
484 **other, by striking the statutory definition of an offence requiring deportation from**  
485 **the Immigration Law.**
- 486 • **Further develop the children and youth reports as a specific form of social**  
487 **commentary on child and youth welfare so that the statistical data can be placed in**  
488 **a socio-political context, since this has a decisive influence on the provision and use**  
489 **made of child and youth welfare; this would include, for example, exact details of**  
490 **how many children without a German passport or whose parents come from**  
491 **another country of origin make use of the various measures provided by child and**  
492 **youth welfare, and the knowledge gained on why preventative measures are used**  
493 **less than after-care.**

493

494

495 **B. Well-being of the child (Article 3)**

496

497 **Committee on the Rights of the Child, Concluding Observations, 1995**  
498 *Paragraph 19: The Committee remains concerned about the extent to which account is*  
499 *taken of the special needs and rights of children in asylum-seeking and refugee situations.*  
500 (...) *(...)*

501

502 In its Second Report, the Federal Government is of the view that the principle of the  
503 child's well-being 'as a primary consideration in all actions concerning children is  
504 observed in the [laws of the] Federal Republic of Germany' (Paragraph 205). In contrast,  
505 the National Coalition considers that neither German constitutional law nor simple

506 statutory law support the primacy of the child’s well-being. A sample of German court  
507 judgements and administrative decisions similarly shows that the courts and administration  
508 in Germany do not always, and certainly not primarily, take the child’s well-being as their  
509 principal point of reference. For this reason, the National Coalition takes the view that  
510 there is a pressing need in Germany to enshrine the principle of the primacy of a child’s  
511 well-being in non-area specific legislation.

512

513 The National Coalition is especially concerned that the principle of a child’s well-being  
514 having primacy continues to be systematically suspended for refugee children living in  
515 Germany due to the ‘declaration on aliens’ (for further details, see VIII). For this reason,  
516 the National Coalition considers it an urgent matter to anchor the principle of the primacy  
517 of a child’s well-being in German legislation on aliens and asylum.

518

519 **The National Coalition recommends that the Committee call for the Federal**  
520 **Government to:**

- 521 • **Legally stipulate the principle of the primacy of a child’s well-being both in**  
522 **constitutional law and in simply statutory law, and especially in legislation**  
523 **concerned with aliens and asylum.**
- 524 • **Refrain, on principle, from applying either the third state ruling or the airport**  
525 **procedure in the case of minors.**

526

527

#### 528 **D. Respecting the views of the child (Article 12)**

529

530 The National Coalition sees much still needing to be done in order to make children’s  
531 participation a totally accepted and standard practice in all the decisions affecting them.

532

##### 533 **Participation in legal and official procedures**

534 In the context of restructuring the law of the parent and child, the family court can provide  
535 what is known as a ‘procedural curator’ (counsel for the child) to provide advice and  
536 assistance ‘as far as this is necessary to safeguard [the child’s] interests’. Such a curator is  
537 provided in cases where the interests of the child appear to clash significantly with those of  
538 the parents or guardians (§ 50 FGG, Law on matters of non-contentious jurisdiction).  
539 However, appointing a procedural curator is not mandatory and depends on the view of the  
540 particular judge in the case; furthermore, there is a lack of minimum standards in training  
541 such procedural curators. In official child and juvenile proceedings, no provision is made  
542 at all for an independent representation of interests and, lastly, there is no obligation to  
543 explain to children and juveniles their right to advice, counselling and support when the  
544 right of access is exercised.

545

##### 546 **Participation in political decision-making**

547 Having children participate in political decisions assumes that the political decision-  
548 making bodies are prepared to accept the potential children have. Given a suitable  
549 framework, children and young people are ready to become closely involved in political  
550 decision-making and participate actively.

551 The participation of children is not established as a constituent principle, neither at the  
552 Federal, *Land*, or local levels. The National Coalition shares the views expressed in the  
553 Report that the participation of children in social processes and decisions can only be  
554 established on a comprehensive basis if it is enshrined in law; this would require it being  
555 incorporated, for example, in local government law.

556

557 **The National Coalition recommends that the Committee call for the Federal**  
558 **Government to:**

- 559 • **Prepare recommendations that will contribute to firmly embedding the right of the**  
560 **child into educational programmes for parents and families.**  
561 • **Provide for greater participation of children in day-care facilities and schools.**  
562 • **Link the provision of a procedural curator to safeguard the child’s interests in**  
563 **processes under the law of the parent and child to set criteria and establish**  
564 **minimum standards for training procedural curators.**  
565 • **Anchor in law, as well, the right to independent representation of interests for**  
566 **children and young people in official proceedings.**  
567 • **Promote coordinating bodies (‘Children’s and youth’s legal houses’) with children**  
568 **and young people involved in the planning of such information centres and where**  
569 **they can obtain information on their rights.**  
570 • **Enshrine the political participation of children and young people in local**  
571 **government law and determine how children and young people could take part in**  
572 **elections at the Federal, *Land* and local levels.**

573  
574  
575  
576 **IV. Civil rights and liberties**

577  
578 **A. Name und nationality (Article 7)**

579  
580 On 1 January 2000, the reformed German law of nationality (*Staatsangehörigkeitsrecht*)  
581 came into force. According to § 4 Section 3 StAG, children born after this date to parents  
582 from another country of origin acquire German nationality at birth providing their parents  
583 have been granted assured residence status. To that purpose, one parent needs to show their  
584 legal customary domestic place of abode was within Germany for eight years prior to the  
585 date of the child’s birth, with either the right to reside or an unlimited residence permit  
586 granted for three years preceding the birth. Given that one parent fulfilled these  
587 requirements, children born between 01.01.1990 and 31.12.1999 could exercise their  
588 optional right to German nationality until 31.12.2000. Under the option model, the law  
589 provides for these children to have dual nationality until they reach the age of majority;  
590 afterwards, they then have to choose which nationality they wish to keep. However, many  
591 children and young people find this constitutes an unreasonable hardship since they grow  
592 up in and with two countries and cultures and feel at home in both.

593  
594 The National Coalition points to the particular problems faced in acquiring nationality for  
595 children whose parents do not have an assured residence status in Germany. In the case of  
596 many migrant families whose children are born in Germany, the parents can meet the  
597 required residency of eight years, but not with the specified status; this is especially true of  
598 families needing to receive social welfare assistance (since, as a rule, this is a hindrance to  
599 being granted an assured status), and for civil war refugees, who generally only have  
600 residence entitlement. The children born in Germany to parents in the process of applying  
601 for asylum are similarly affected.

602  
603 The situation is especially dramatic in the case of children whose parents are in the process  
604 of applying for asylum, or if the child arrived alone in Germany under age, where the  
605 requisite documentation is lacking to establish their nationality. These children are granted  
606 provisional tolerance status, which has to be renewed every six months and prevents them  
607 ever submitting an application for naturalization. In many cases, since they are not

608 permitted to start any training courses, the uncertain future experienced by unaccompanied  
609 refugee children often leads to psychological illnesses, with many becoming completely  
610 resigned, and some seeing illegal residency in Germany as their sole chance of securing  
611 any further livelihood.

612

613 **The National Coalition recommends that the Committee call for the Federal**  
614 **Government to:**

- 615 • **Introduce measures to enable, in future, children born in Germany to acquire**  
616 **German nationality solely on the grounds of the duration of their parents’**  
617 **residency, without the additionally criteria of residency status.**
- 618 • **Extend the option right limited to 31.12.2000 for children born between 01.01.1990**  
619 **and 31.12.1999 in Germany to parents from another country of origin and reduce**  
620 **the fee charged for this from the former DM 500 to Euro 50.**
- 621 • **Facilitate multiple nationalities for children born in Germany to parents of**  
622 **another country of origin, or for children who have grown up here.**
- 623 • **Facilitate the acquisition of German nationality for unaccompanied minors, in**  
624 **particular, when they would otherwise be threatened with statelessness.**

625

626

627

628 **V. Family environment and alternative means of care**

629

630 **A. Parental guidance (Article 5)**

631

632 **Committee on the Rights of the Child, Concluding Observations, 1995:**

633 *Paragraph 17: With respect to the implementation of articles 12, 13 and 15 of the*  
634 *Convention insufficient attention has been accorded to ensuring the involvement of*  
635 *children in decisions, including within family ...*

636

637 The National Coalition notes significant deficits in implementing the Convention in the  
638 private sphere. Despite the growing awareness that children here, especially, have to be  
639 respected as independent people and greater use made of an approach to raising children  
640 taking negotiation as a basic principle, children nonetheless continue to have negative  
641 experience in participation, in particular, within the family. For this reason, increased  
642 efforts are required to further develop awareness and create greater acceptance for a model  
643 of competent children in both the wider public and among parents.

644

645 It is to be welcomed and commended that the ministers responsible for youth matters at  
646 both the Federal and *Land* levels have expressed their intention of ensuring that educating  
647 families is given greater weight in youth welfare priorities. However, it is noted that  
648 resolutions from the Conference of Youth State Ministers are still pending.

649

650

651 **B. Parental responsibility (Article 18, paragraphs 1 – 2)**

652 1. Revision of the law on parental custody

653 2. Measures to support parents

654

655 Paragraph 414: Passing into law the entitlement to kindergarten or a day nursery place can  
656 indeed be considered as a major structural improvement to the system supporting the  
657 family. However, this in itself does not cover the need families have for relief and support;

658 for a considerable number of years welfare organisations, unions, politicians and, above  
659 all, the families themselves have been calling for further steps in this area, specifically in  
660 care provision for children under three and over six. It is only by implementing these  
661 measures that, in the end, greater equality of opportunities for all children can be achieved.

662  
663 Paragraph 423: It is to be welcomed that the Federal Government has underlined the need  
664 to expand the accommodation sector with more flats at an affordable rent. Nonetheless, it  
665 is noted that, in this context, that there is no word of the Federal Government planning to  
666 take a legal stance against the continuing trend to build ever less residential  
667 accommodation for families with children. Accommodation does not only need to be  
668 affordable but designed in such a way that families with a number of children can find a  
669 place to live which offers a suitable quality of accommodation.

670  
671 Paragraph 426: As the Report points out, we in Germany have access to a dense network of  
672 providers and facilities in the area of parent and family education. However, no mention is  
673 made of how the organisational forms and working structures in these facilities are middle-  
674 class orientated and frequently function selectively, i.e., making access more difficult both  
675 for less well-off German parents and families and especially migrant parents and families.  
676 Generally speaking, this is a situation where the children of these families bear the brunt of  
677 these disadvantages. The system of parent and family education has to be organised in a  
678 more flexible manner (a network of ambulant and institutional measures), while ensuring  
679 that selective structures and mechanisms are rigorously curbed.

680  
681

### 682 **C. Separation from parents (Article 9)**

683

684 The 1998 reform of the law of the parent and child has led to reinforcing the right of the  
685 child in numerous instances. Nonetheless, the reform remains trailing National Coalition  
686 demands, which themselves are derived from the UN Convention.

687

688 **The National Coalition recommends that the Committee call for the Federal**  
689 **Government to:**

690 **Extend the right of the child in a further stage of reform, especially:**

- 691 • **expressly ensuring the child receives all pertinent information in a form**  
692 **appropriate to its age for the purpose of the child exercising her/his own rights;**
- 693 • **stipulating, within the framework of the law on custody and parental access, that**  
694 **access for a parent or other authorized person that is opposed to the will of the**  
695 **child should, in cases of doubt, be construed as being against the will of the child;**
- 696 • **granting the child her/his own right to petition the court to request a review of**  
697 **post-nuptial access and custody provision from the viewpoint of the well-being of**  
698 **the child;**
- 699 • **introducing, in cases of the parents' separating or divorcing, measures to**  
700 **accelerate proceedings, hence allowing living conditions to be re-structured more**  
701 **swiftly.**

702

702 **D. Family reunification (Article 10)**

703  
704 In the Second Report, the Federal Government notes that children under 16 can exercise a  
705 statutory right to enter Germany to join their parents living there providing the family's  
706 accommodation is sufficiently large and the parents have the financial means available to  
707 support the child. However, no mention is made of the fact that this right to enter the  
708 country is generally only applicable where the child is to join both parents; the child can  
709 only join a single parent living here if her/his parents are divorced and / or one parent has  
710 sole custody.

711  
712 In the draft of the new Immigration Law, due to replace the present Aliens Act of 1990, the  
713 age at which right of entry still applies for children is to be reduced to 12. This provision is to  
714 apply to migrant and refugee children born after the new legislation comes into force, or  
715 who want to enter the country alone. On the other hand, the children of highly qualified  
716 refugees, either entitled to asylum or refugees as defined under the Convention, will be  
717 able to enter the country until they reach majority.

718  
719 Furthermore, the Federal Government points out (Paragraphs 451 and 453) that the law on  
720 aliens excludes the reunification of families in the case of foreigners who have been  
721 accorded tolerance status; under the legislation on asylum proceedings, this stipulation  
722 applies equally to asylum-seekers.

723 This regulation particularly affects unaccompanied refugee children, who, in the vast  
724 majority of cases, only will be accorded tolerance status and so have no possibility of being  
725 reunited with the parent(s) they were separated from while fleeing since the parent(s) have  
726 no right of entry.

727  
728 **The National Coalition recommends that the Committee call for the Federal**  
729 **Government to:**

- 730 • **Structure the planned reform of the Immigration Law in such a way that decisions**  
731 **on family reunification are first and foremost linked to the child's well-being, and**  
732 **dealt with in a humane and generous way.**  
733 • **Generally allow the right of entry for children until the child has reached majority.**  
734 • **Utilize the experience gained in implementing the child-parent law reform in the**  
735 **cases of all relevant legislation for children from a migration background to ensure**  
736 **the provisions are in accord with the parameters established in the Convention.**

737  
738  
739 **E. Illicit transfer and non-return (Article 11)**

740  
741 The Hague Convention on the Civil Aspects of International Child Abduction follows the  
742 basic principle that, in cases of doubt, where a child has been illicitly transferred and is  
743 withheld abroad, the status quo prior to the illicit transfer is to be restored as swiftly as  
744 possible. A strict framework provides for exceptions in the interests of the child's well-  
745 being. Nonetheless, the actual length of proceedings is frequently such that children have  
746 become so accustomed to their new surroundings that any change in their situation  
747 conflicts with child's well-being.

748 **The National Coalition recommends that the Committee call for the Federal**  
749 **Government to:**

- 750 • **Ensure the Hague Convention on the Civil Aspects of International Child**  
751 **Abduction is applied in keeping with the Convention and prescribed for the**  
752 **administrative agencies concerned.**
- 753 • **Ascertain, in individual cases, whether changing the situation of the child is in**  
754 **accord with the primacy of the well-being of the child as expressed in the UN**  
755 **Convention on the Rights of the Child, Article 3.**

756  
757  
758  
759 **VI. Basic health care and well-being**

760  
761 **A. Children with disabilities**

762  
763 In the reporting period, the conditions setting the framework for families of children with  
764 disabilities have become significantly worse. There is practically no chance to ensure that  
765 children with special needs attain the greatest amount of independence, self-determination,  
766 parity of treatment and integration possible while still enjoying a certain amount of care  
767 and supervision, since the specific legislative basis for this is lacking, as is the requisite  
768 planning and structures.

769 Although children with disabilities can receive all-day care in kindergartens and schools,  
770 this is only the case where facilities have been specifically provided for children with  
771 special needs. The parents themselves then have to shoulder the funding for any treatment  
772 and care needed. If the services of an ambulant child nurse are needed, the parents have to  
773 pay for this from their public assistance benefits for the payment of nursing care.

774 Children and young people with disabilities are rarely involved in the affairs that affect  
775 them; the aim of integration continues to fall at the hurdle of insufficient funding and  
776 inadequate conceptual planning.

777  
778 The National Coalition sees a pressing need to develop the provision of integrative  
779 measures in all facilities and institutions for children (kindergartens, schools, etc).

780  
781 New legal framework

782 Children with disabilities in the family

783 Education, upbringing and care of children with disabilities

784  
785 Paragraph 525: While it is accepted that the proportion of foreign children attending  
786 special schools is very high when compared with the total of all foreign children, no  
787 indication is given of the measures the Federal Government plans to adopt to ensure this  
788 figure is reduced. The requisite measures are urgently needed to ensure parity of treatment  
789 both for German and foreign children.

790  
791 **The National Coalition recommends that the Committee call for the Federal**  
792 **Government to:**

- 793 • **Promote the development and implementation of plans enabling children with and**  
794 **without special needs to grow up together, and support strategies on integrative**  
795 **measures for children with disabilities in all areas of life.**
- 796 • **Enable an integrative education beyond primary schools by changing the**  
797 **legislation preventing such a move.**

- 798 • **Make the Convention on the Rights of the Child accessible to children with**  
799 **disabilities, e.g., blind children, and provide for its dissemination in these various**  
800 **forms.**
- 801 • **Ensure the conceptual planning on training courses and in institutions is more**  
802 **closely related to the subject situation of the child and promote development of**  
803 **practical aids that will also allow the suitable involvement of children with**  
804 **disabilities in those matters affecting them.**

805

806

## 807 **B. Health and health care**

808

809 The health situation for children and young people in Germany is a matter of serious  
810 concern. The new children's illnesses, as they are known, have become more widespread:  
811 for example, regulatory disorders in infancy (excessive screaming, sleeping and eating  
812 disorders), chronic illnesses, behavioural disorders, psychosomatic complaints,  
813 environmentally-related illnesses and instances of psychosocial disorders. Around a third  
814 of all children and young people suffer from skin or mucous membrane allergies.  
815 Legislation passed on environmental issues does not do sufficient justice to the general  
816 principles expressed in the Basic Law, for instance, the Law Concerning the Protection  
817 against Harmful Effects on the Environment through Air Pollution, Noise, Vibrations, and  
818 Similar Factors (*Bundesimmissionsschutzgesetz*) is not oriented towards the lower  
819 tolerance levels in children but takes the average adult as the benchmark of reasonable  
820 limits on environmental pollution.

821

822 The public health service has been severely phased down over the last few years. Publicly  
823 funded medical check-ups for babies have been discontinued, while there is a general lack  
824 of provision of preventive medical care. These steps have had numerous consequences,  
825 including the reduced use made of inoculation as part of preventive medicine. The need  
826 most parents have for pre- and post-natal counselling cannot be met.

827 Financial cutbacks have led to a drop in the quality of the provision of both in-patient and  
828 outpatient services for children. This systematic retrograde step in German paediatrics is  
829 marked by the closure of children's hospitals, clinics for paediatric surgery and children's  
830 intensive care units, cuts in budgets for medicine, and the planned abolition of specific  
831 training as a children's nurse.

832

833 In the in-patient sector, 30% - 50% of all children are not treated with others of a similar  
834 age in children's wards equipped for the purpose. In many cases, there was no paediatrician  
835 involved in the care and treatment.

836 For children in ill-health, the aftercare situation has dramatically worsened since plans  
837 have been made to discontinue the profession of out-patient children's nurse; the intention  
838 is to merge the existing special training as a children's nurse with training for nurses in  
839 adult and geriatric care. In view of the fact that children are not little adults, this would  
840 result in a significant deterioration in the quality of health care provided.

841

842 The training of nursing personnel for home care is not aligned with children's needs. In  
843 particular, the guidelines on improvements in nursing care at home do not cover caring for  
844 children with chronic illnesses or seriously-ill newly-born or premature babies.

845

846 Around 80% of medicaments given to children are not expressly approved for children,  
847 even though 40 % of the indispensable medicines listed by the WHO are known to be  
848 unsuitable for children.

849

850 In the question of health care too, children with a migrant background are in a worse  
851 situation than German children. Communication problems lead to foreign children being  
852 in-patients more frequently and for longer. Parents of foreign children are not credited with  
853 the necessary knowledge to bring up their children in good health. Frequently, health  
854 insurances do not authorize services for home care in foreign families, arguing that the  
855 illness to be treated is not related to any health disorder but has its origin in social causes  
856 and therefore does not fall under the remit of the health insurance company.

857

858 **The National Coalition recommends that the Committee call for the Federal**  
859 **Government to:**

- 860 • **Monitor the health situation of children regularly and include it as an integral**  
861 **element in social reporting.**
- 862 • **Introduce a comprehensive quality assurance system in the entire environmental**  
863 **medical area.**
- 864 • **Integrate health aspects into the training and care area and improve care**  
865 **provision, in particular, for children of lower-income families.**
- 866 • **Use the surrounding of nursery day-care centres and schools, in particular, and**  
867 **town districts, as the location for realising preventive care and health**  
868 **improvement measures since this will ensure that children from different cultural**  
869 **backgrounds and socially disadvantaged groups are also reached.**
- 870 • **Align critical values for environmental pollution with children's needs.**
- 871 • **Provide suitably trained staff to allow children in hospital to receive the care best**  
872 **suited to their needs and not have to be treated in wards designed for adults.**
- 873 • **Match the demand for home care of especial benefit for chronically-ill children,**  
874 **with personnel specifically trained in this area.**
- 875 • **Change research funding and medicament licensing with the aim of ensuring that**  
876 **children are only administered those medicines expressly licensed for children.**
- 877 • **Improve health care provision for foreign children and children from a**  
878 **background of migration by integrating international competences in the training**  
879 **curricula of all health care professionals, increasing the use of foreign health care**  
880 **professionals and using interpreters when needed.**
- 881 • **Ensure that refugee children and children without a German passport can enjoy**  
882 **the same access to health insurance company services as German children.**

883

884

#### 885 **D. Standard of living**

886

887 Having children in Germany is inseparable from an increased risk of poverty or downward  
888 social mobility. Even those families capable of combining employment and childcare are  
889 not always able to master a life above the poverty line. Compared to single children,  
890 children with several siblings face 50% more chance of experiencing poverty. But the form  
891 of the family is not the only major factor. Residency status also plays a role: the figures of  
892 migrant families affected by poverty is far higher than would be expected in any  
893 comparison between their total numbers and the entire population, and this is especially  
894 true where they do not have any assured residency status.

895 Around 7000 children are living on the streets in Germany in an extreme form of poverty.

896

897 Children affected by poverty have worse educational opportunities and fewer chances to  
898 benefit from leisure activities or consumerism. When parents experience growing poverty

899 and declining social status, a child's health risk also increases. Disadvantaged children are  
900 more likely to be overweight and less physically active, and suffer from ill health and the  
901 effects of poor nutrition.

902

903 **The National Coalition recommends that the Committee call for the Federal**  
904 **Government to:**

905 • **Develop poverty prevention strategies to prevent poverty, the slide into poverty**  
906 **and marginalisation of children and young people.**

907 • **Legally prescribe an independent basic social provision for children and establish**  
908 **the status of children as autonomous recipients of the services provided by the**  
909 **social security system.**

910 • **Improve the benefits structure for families threatened by poverty to ensure that**  
911 **the children have the best possible prospects for development.**

912

913

914

## 915 **VII. Education, leisure and cultural activities**

916

### 917 **A. Education (Article 28)**

918

919 The Second Report contains no indication of how, from the perspective of equal  
920 opportunities, the Federal Government plans to realise or has realised the right enshrined in  
921 Article 28 to education, schooling, and vocational training. According to the OECD Report  
922 in 2001, with 4.6% of gross domestic product spent on education, Germany lags behind the  
923 OECD average of 5.3% for investment in this sector.

924

925 The structure of the Second Report clearly indicates that the Federal Government sees its  
926 main emphasis as being in the care sector; consequently, here too, the principle of care is  
927 given greater prominence than the subject situation of the child.

928

929 Parents, children and teachers all complain about the growth of violence in schools. In this  
930 context, the discussion increasingly includes issues focussing on the lack of participation  
931 and the phenomenon of structural and verbal violence.

932

933 Cost factors are, more than ever, leading to models of care being developed solely  
934 concerned with offering a 'safe' place for children to be looked after. However,  
935 educational provision for children cannot be exclusively related to formal education in the  
936 school sector.

937

938 Children in complex and difficult situations have problems in coping with the transitions  
939 between individual educational facilities. For years, both the youth welfare services and the  
940 schools have been wrestling with the problem of improved communication; however, as  
941 the competences are separated in the ministries and entwined with a struggle over remits,  
942 this battle has frequently been one of opposition rather than cooperation.

943

944 **The National Coalition recommends that the Committee call for the Federal**  
945 **Government to:**

946 • **Institute social and educational policy measures to overcome the educational**  
947 **system's selective tendency towards social situation and a family's 'cultural**  
948 **capital'.**

- 949 • **Ensure, from the equal opportunities and integration perspective, that children**  
950 **and young people with a migrant background and those from socially**  
951 **disadvantaged and low-income families are not disadvantaged in school or external**  
952 **facilities for education and training.**  
953 • **Ensure that widely different budgetary situations at local level do not lead to**  
954 **major regional variations in the educational programme available to children in**  
955 **day-care centres.**

956

957

## 958 **B. Educational objectives (Article 29)**

959

960 Immigration has turned Germany into a multi-cultural country; of the foreign children in  
961 Germany under six years, around 88% were born here.

962

963 Instead of the wealth this cultural diversity offers being used to support the learning  
964 process, children with experience of migration are often labelled as a problem group. In  
965 many nursery day-care centres and schools, the integration of children from other countries  
966 of origin is still seen as a strain on the educational process.

967

968 In the National Coalition's view, there is a pressing need to ensure the design of  
969 educational provision and realisation of educational planning does not merely become  
970 concentrated on the aim and application of vocational qualifications; instead, it needs to  
971 integrate the wider issues of social attitudes and ethical and religious points of reference,  
972 for example, as they are embodied in the respect for other people and a feeling of personal  
973 and social responsibility. All educational institutions have now to acknowledge Germany's  
974 variety of cultures far more, providing greater support to mother tongue languages, and  
975 promoting bilingualism and multilingualism.

976

977 Although the Youth Welfare Act (*Kinder- und Jugendhilfegesetz*) promises to establishing  
978 an intercultural and cross-religious approach to education (§ 9), this is not yet sufficiently  
979 applied in practice.

980

981

982 **The National Coalition recommends that the Committee call for the Federal**  
983 **Government to:**

- 984 • **Integrate the policy areas of youth and education more into immigration**  
985 **legislation and policy.**  
986 • **Fix intercultural skills as a basic qualification in the training of educational staff.**

987

988

## 989 **C. Leisure, recreation and cultural activities (Article 31)**

990

991 In Germany, a diverse area of applied cultural and artistic interests for children has  
992 developed outside of the schools (where, despite the findings on their importance in  
993 education, arts subjects are undergoing even greater cutbacks). Learning in the cultural  
994 field is now taking place, for example, at art schools, media workshops, music schools,  
995 rock music initiatives, orchestras and ensembles, literary cafés, (children's) museums,  
996 theatres, libraries, radio, film, and photography workshops, dance clubs, youth centres,  
997 mobile games libraries, socio-cultural centres, etc.

998

999 However, these extra-curricula activities are caught in a steady trend towards inequality of  
1000 access, as evermore children and young people find themselves unable to participate  
1001 because of their families' economic situation.

1002  
1003 Funding cutbacks and cost-saving measures are increasingly affecting facilities where  
1004 cultural learning can take place, with the groups able to use such facilities selected via  
1005 higher course, entrance or attendance fees. For some time, tight budgets have led to a  
1006 change in direction in the policy towards more professionalism in the field of cultural  
1007 activities and teaching, and an increased readiness to take on cheaper (and hence, as a  
1008 general rule, less well qualified) staff.

1009  
1010 **The National Coalition recommends that the Committee call for the Federal**  
1011 **Government to:**

- 1012 • **Preserve and extend a diverse range of educational facilities in the cultural area,**  
1013 **making them accessible for all children.**
- 1014 • **Ensure sufficient and continuous funding both for this provision and a**  
1015 **differentiated inter-cultural programme in further and advanced training.**
- 1016 • **Step up measures to achieve the planned target of a closer interlock between youth**  
1017 **welfare and schools.**

1018

1019

1020

## 1021 **VIII. Special protective measures**

1022

### 1023 **A. Children in emergency situations**

#### 1024 **1. Refugee children (Article 22)**

1025 In its Second Report, the Federal Government doubts whether there is any need to change  
1026 the applicable law for refugee children in the case of the right of entry and residence, and  
1027 in provisions governing asylum and asylum proceedings (paragraphs 791, 792). It paints a  
1028 positive picture of how some *Länder* have established clearing offices for refugee children  
1029 under 16 but then goes on to emphasize that, in principle, the same regulations on entry and  
1030 asylum procedures should apply for children seeking asylum and travelling alone as apply  
1031 to adult asylum-seekers (paragraph 793). Despite numerous reports and studies containing  
1032 empirical evidence showing that the social situation of refugee children in Germany has  
1033 deteriorated in the reporting period, in the Second Report the Federal Government  
1034 nonetheless maintains that Germany 'fundamentally meets the obligations resulting from  
1035 Article 22 of the Convention' (paragraph 803) and rejects calls for a basic right of entry for  
1036 minors until the clearing process has been concluded.

1037

1038 **The National Coalition recommends that the Committee call for the Federal**  
1039 **Government to:**

- 1040 • **Commission an expert study to evaluate the compatibility of the legislation on**  
1041 **aliens and asylum with the principles enshrined in the UN Convention on the**  
1042 **Rights of the Child.**
- 1043 • **Grant unaccompanied refugee children an assured residency claim after three**  
1044 **years, where, within this period, their secure return in clarified circumstances to**  
1045 **their family in their country of origin has not been possible.**
- 1046 • **Apply in practice the entitlement of all unaccompanied children and young people**  
1047 **entering Germany to receive educational assistance.**
- 1048 • **Establish clearing offices in all *Länder*.**

1049 **2. Children in armed conflicts (Article 38), their physical and psychological recovery**  
1050 **and social reintegration (Article 39)**

1051 The Federal Government has actively taken part in international efforts directed towards  
1052 the improved protection of children in wars, for example, by pushing for the worldwide  
1053 ban on anti-personnel mines agreed in the Ottawa Convention. However, the Federal  
1054 Government has not yet been prepared to advocate a ban on anti-vehicle mines, which  
1055 similarly harbour the risk of fatal accidents.

1056  
1057 A conference convened in 1999 by the German Foreign Office in collaboration with the  
1058 international 'Coalition to Stop the Use of Child Soldiers' contributed to uncovering the  
1059 misuse of children and young people as soldiers in European armies and publicly  
1060 denounced their deployment in combat. While this conference gave significant support to  
1061 the Supplementary Protocol on the use of child soldiers to the UN Convention on the  
1062 Rights of the Child, the Federal Government has still not ratified the protocol. Until now,  
1063 the German Ministry of Defence has refused to forgo enlisting 17 year-old volunteers.

1064  
1065 In preparation for the first UN Small Arms Conference, the Federal Government stood up  
1066 for a strict control on the production and export of small arms. When, in July 2002, the  
1067 German Bundeswehr destroyed the first 58,000 of a total of 400,000 G-3 automatic rifles  
1068 from their own discarded stock, withdrawing it from the arms cycle, they gave a clear  
1069 signal of their stance against fuelling any rotation of arms in the international sphere.

1070  
1071 **The National Coalition recommends that the Committee call for the Federal**  
1072 **Government to:**

- 1073 • **Ratify, without delay, the Supplementary Protocol to the UN Convention on the**  
1074 **Rights of the Child on the minimum age for recruiting children and young people**  
1075 **and, in doing so, unconditionally accept the age limit of 18.**  
1076 • **Enhance support for programmes in war and crisis situations to demobilise,**  
1077 **rehabilitate and reintegrate children and promote their protection against violence**  
1078 **and their use in war operations.**

1079  
1080  
1081 **B. Children in contact with the youth justice system (Article 40)**

1082 **1. Youth jurisdiction (Article 40)**  
1083

1084 **Committee on the Rights of the Child, Concluding Observations, 1995**

1085 *Paragraph 20: With regard to matters relating to juvenile justice, the Committee expresses*  
1086 *its concern about the declaration made by the State party to article 40 (2) (b) (ii) which*  
1087 *appears to limit the child's rights to access to justice and to a fair hearing as well as the*  
1088 *right to legal assistance and defence.*

1089  
1090 The National Coalition notes that, in some cases, minors in Germany are sentenced to  
1091 youth custody without being represented by legal assistance during the legal proceedings.  
1092 Since no statistics have been compiled on this, the precise number of such cases is not  
1093 known.

1094  
1095 The reservation expressed by the Federal Government on this issue is still in force. The  
1096 National Coalition does not share the view put forward by the Federal Government in the  
1097 Second Report (paragraph (844)) that the reservations expressed in the declaration  
1098 submitted on ratification were not actually necessary, since, in terms of standard practice,

1099 on the one hand, and the judicial decisions and legislation on the other, the standards of the  
1100 Convention are met completely.

1101

1102 Instead, the National Coalition believes that in this point German law does not match the  
1103 requirements enshrined in the Convention. For this reason, the National Coalition sees a  
1104 pressing need for action on the part of the legislature to change the existing law on juvenile  
1105 courts (*Jugendgerichtsgesetz*) so that a sentence of imprisonment passed on a youth  
1106 without legal defence assistance is inadmissible on principle.

1107

1108 **The National Coalition recommends that the Committee call for the Federal**  
1109 **Government to:**

1110 **Withdraw the objections cited under figure III of the Declaration and to change the**  
1111 **law on juvenile courts so that it is congruent with the principles contained in Article**  
1112 **40 of the Convention.**

1113

1114

## 1115 **2. Children and young people in custody (Article 37 b-d)**

1116 The National Coalition notes that Germany still does not have legal provisions dealing  
1117 specifically with enforcement of juvenile custody, arrest and imprisonment.

1118

1119 During the reporting period, the figures for youth custody and the detention of young  
1120 offenders have risen by around 40 per cent. Proportionally, the share of juveniles from  
1121 another country of origin in these statistics is approximately two to three times higher than  
1122 their share in the relevant age groups in the general population. It is a matter of some  
1123 concern that the large increase of juveniles in custody cannot be explained by recourse to a  
1124 similarly large rise in the number of serious offences. Instead, it is noted that growing  
1125 numbers of juveniles are being committed on remand for comparably minor offences, such  
1126 as theft or fraudulent misappropriation, and sentenced to youth custody. The exceptionally  
1127 high number of juveniles who are remanded without then finally being sentenced to  
1128 custody is extremely disquieting and leads to the conjecture that, in many cases, remand  
1129 might be being illegally misused as a covert form of short-term imprisonment.

1130

1131 **The National Coalition recommends that the Committee call for the Federal**  
1132 **Government to:**

1133 **Ensure legal provisions are drafted on implementing measures for the deprivation of**  
1134 **liberty in cases of youth custody, remand and arrest.**

1135

1136

1137 The Federal Government's Second Report solely cites the figure of juveniles held on  
1138 remand and in confinement on a given day. There are no figures given for the number of  
1139 juveniles taken into remand or confinement in the course of a year, nor similar figures on  
1140 the number of youth arrests. Similarly, since the Federal Government's report does not  
1141 contain comparable figures from previous years, it is impossible to make any judgement on  
1142 developments or trends. Furthermore, details on the individual length of imprisonment are  
1143 still not included, nor any general background information given about the youths  
1144 concerned, for example, gender, religious confession, and national and social origin.

1145

1146 Finally, the Federal Government's report contains no information on how far custody is  
1147 conducted in such a way as to respect the dignity of the juvenile in question and the needs  
1148 of their age-group, above all, in terms of the provision of qualified training and educational  
1149 opportunities.

1150 **The National Coalition recommends that the Committee call for the Federal**  
1151 **Government to:**

1152 **Make available the statistics on imprisonment in the administration of justice, as**  
1153 **requested in the General Guidelines on the Form and Contents of Periodic Reports**  
1154 **(Nr. 141), including details on the measures taken to ensure custody is conducted in a**  
1155 **way respecting the dignity of the juvenile affected.**  
1156  
1157

1158 German law prescribes a separation between juvenile and adult prisons. However, juvenile  
1159 prisons and custody are not only used to confine minors but are also used for young adults  
1160 up to the age of 25 and over. In these institutions, the main group is clearly formed by  
1161 those over eighteen. Generally speaking, juvenile prisons do not practice separating  
1162 younger prisoners under 18 from those over 18, which, in certain instances, can lead to  
1163 grave problems, especially for very young prisoners, where older prisoners may, for  
1164 example, subject them to threatening behaviour, blackmail or even rape.

1165  
1166 **The National Coalition recommends that the Committee call for the Federal**  
1167 **Government to:**

1168 **Make provision to separate minors from adults in juvenile prison and custody.**  
1169  
1170

1171 In Germany, deprivation of liberty may also be a measure adopted in youth welfare and the  
1172 sector of child and youth psychiatric care; the legal basis for this is given by the provisions  
1173 contained in § 1631 b of the German Civil Code (BGB). The advisory legal opinion  
1174 commissioned by the Federal Government recorded serious doubts as to whether this  
1175 paragraph is compatible with the principles enshrined in the constitution.

1176  
1177 **The National Coalition recommends that the Committee call for the Federal**  
1178 **Government to:**

1179 **Ensure deprivation of liberty as a measure taken in youth welfare and child and**  
1180 **youth psychiatric care is placed on a legal basis reflecting the principles of the**  
1181 **Convention.**  
1182  
1183

1184 Official statistics on the number, age and origin of the children and young people deprived  
1185 of their liberty in measures taken under youth custody or child and youth psychiatric care  
1186 are not presented, nor are there any details on the length of custody. Similarly, information  
1187 is not presented on how the custody measures are implemented and what effect they may  
1188 have on the personality development of the juveniles concerned.

1189 Finally, it is noted that no findings are given on the number of cases and outcomes of legal  
1190 proceedings carried out under § 1631b of the German Civil Code (BGB) to permit  
1191 measures entailing the deprivation of liberty or whether these proceedings were carried out  
1192 according to the procedural requirements governing them.

1193  
1194 **The National Coalition recommends that the Committee call for the Federal**  
1195 **Government to:**

1196 **Make available the details requested in the General Guidelines on the Form and**  
1197 **Contents of Periodic Reports (Nr. 141-3) on children and young people affected by**  
1198 **measures entailing the deprivation of liberty and the way these measures were**  
1199 **carried out, and also include the same details for youth welfare and child and youth**  
1200 **psychiatric care.**

1201 **C. Children as victims of exploitation, their physical and mental**  
1202 **recovery and social reintegration**

1203

1204 **1. Economic exploitation of children including child labour (Article 32)**  
1205

1206

1207 The Federal Government's commitment to the IPEC programme and the increased efforts  
1208 of the Federal Ministry for Economic Cooperation and Development (BMZ) to establish a  
1209 quality stamp for products and companies is to be welcomed, as are the German  
1210 Bundestag's resolutions of 28 May 1998 and 7 June 1999 supporting a strong new ILO  
1211 agreement against the worst forms of child labour. Nonetheless, in drawing up the plans for  
1212 different countries and in the government negotiations with countries where the worst  
1213 forms of child labour are widespread, too little note was taken of the 'Guidelines for  
1214 promoting a basic education' and the BMZ sectoral planning on 'Promoting a basic  
1215 education in developing countries'.

1216

1216 **The National Coalition recommends that the Committee call for the Federal**  
1217 **Government to:**

1218

1219 • **Implement without delay the ILO Convention 182, ratified in 2001, on the prompt**  
1220 **introduction of measures to overcome and prohibit the worst forms of child**  
1221 **labour. In this context, the government should take into account many points in**  
1222 **the ILO Recommendation 190, giving priority to integrated approaches in**  
1223 **education and health, and measures to support children and young people.**

1224

1225 • **Maintain a near-present level of funding for the IPEC programme and**  
1226 **simultaneously work towards an independent ILO evaluation of the International**  
1227 **Programme to Eliminate Child Labour (IPEC programme), including civil society**  
1228 **actors and organisations for working children in this process.**

1229

1230 • **Present a regular project list giving the basic social services, both in target**  
1231 **performance comparison and framework planning, and regularly report on child**  
1232 **labour worldwide, including measures to implement the Convention 182.**

1233

1234 • **Offer continuing support for trade and NGO initiatives designed to eliminate child**  
1235 **labour and ensure the fundamental rights at work are adhered to (e.g., Rugmark).**

1236

1237

1238 **3. Sexual exploitation and sexual abuse (Article 34)**

1239

1240 Despite the improvements in legislation protecting children as victims of sexual abuse, this  
1241 problem remains widespread in Germany since the legal provisions are not being  
1242 sufficiently applied in practice. The National Coalition views with especial concern the  
1243 growing use of the Internet as a place where child pornography can be exchanged  
1244 anonymously, and notes that legal measures have not yet been able to combat this  
1245 adequately. This is an area where, first and foremost, there is a need for international steps  
1246 to be taken.

1247

1248 The reforms of the criminal law in 1993 and 1998 allow perpetrators who have sexually  
1249 exploited children abroad to be subject to criminal proceedings in Germany providing they  
1250 are German nationals or have the main centre of their life here. However, there is a large  
1251 gap between the threat of criminal proceedings and the application of the law; from 1993  
1252 until the beginning of 1999, there were only around 50 cases in Germany. There have been  
1253 fourteen judgements passed by the court of the first instance that have found perpetrators  
1254 from Germany guilty. The new law on protecting witnesses and victims that came into  
1255 force on 1 December 1998 facilitated questioning of child and juvenile witnesses by

1251 introducing measures including the regulating of video questioning of children abroad and  
1252 provision for the financial assistance of witnesses during questioning.

1253

1254 With regard to applying the new legislation, the National Coalition notes there are  
1255 significant deficit and gaps. In particular, Germany is lacking overall comprehensive plans  
1256 of measures for prevention and for basic research into the extent, manifestations, traumas,  
1257 and specific situations of risk.

1258

1259 The Federal Government's 1997 working programme against the sexual exploitation of  
1260 children details and promotes key projects. The fact that the programme does not include  
1261 the children of migrants is to be noted as a criticism of it; the participation of young people  
1262 and children, as demanded by the World Congress, is also lacking so far.

1263

1264 The new working programme planned should give particular significance to prevention  
1265 and the rehabilitation of juvenile perpetrators. Abuse of children in organisations and by  
1266 personnel in institutions needs to be given special attention.

1267

1268 In addition, the new working programme has to ensure child victims receive protection and  
1269 adequate help. Another main area of emphasis in future needs to be in ensuring young  
1270 people and children participate in the prevention measures called for at the World  
1271 Congresses held in Stockholm (1996) and Yokohama (2001), which, until now, have only  
1272 showing signs of being realised.

1273

1274 **The National Coalition recommends that the Committee call for the Federal**  
1275 **Government to:**

1276 • **Ratify the Supplementary Protocol to the UN Convention on the Rights of the**  
1277 **Child, which came into force in January 2002, against trafficking in children, child**  
1278 **prostitution and child pornography.**

1279 • **Use German criminal law more effectively to pursue the sexual abuse of children**  
1280 **abroad. It is essential here to establish the unified age for protection at 18, as is**  
1281 **required by the UN Convention on the Rights of the Child. Politicians are called on**  
1282 **to create the conditions facilitating stronger cooperation between investigating**  
1283 **authorities, e.g., by setting up bilateral agreements and the swift ratification of the**  
1284 **'Palermo Protocol' (a Supplementary Protocol to the UN Convention against**  
1285 **organised crime).**

1286 • **Ensure a basic and further training for lawyers on the issues of commercial sexual**  
1287 **exploitation and sexual abuse – in particular for judges in criminal and family**  
1288 **courts – is given set subject status and made more relevant for their careers.**

1289 • **Secure the support provided for advice and counselling centres and for preventive**  
1290 **provision, expanding this to include target groups not previous taken into account.**

## **Annex**

### **List of members of the steering committee of the National Coalition**

Mike Corsa, AGJ-Vorstand (Sprecher)  
André Dupuis, Gewerkschaft Erziehung und Wissenschaft  
Dr. Reinald Eichholz  
Gerd Engels, BAG Kinder- und Jugendschutz  
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Matthias Hugoth, Deutscher Caritasverband  
Marc Köster, Deutsches Kinderhilfswerk  
Prof. Dr. Hubertus Lauer, Deutscher Kinderschutzbund  
Andrea Lummert, SJD - Die Falken  
Dr. Jörg Maywald, Deutsche Liga für das Kind (Sprecher)  
Jens Oppermann, Bremer Jugendring  
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Arbeiterwohlfahrt Bundesverband  
Arbeitskreis Grundschule Der Grundschulverband  
Arbeitskreis Hauptschule  
Arbeitsgemeinschaft Allergiekranke Kind  
Arbeitsgemeinschaft der Evangelischen Jugend  
Arbeitsgemeinschaft für Erziehungshilfe, Bundesvereinigung  
Arbeitsgemeinschaft Natur- und Umwelterziehung  
BAG Evangelischer Familien-Bildungsstätten  
BAG Kinder von Tschernobyl  
Berufsverband der Kinderkrankenschwestern und Kinderkrankenpfleger  
Berufsverband Deutscher Psychologinnen und Psychologen  
Bund der Deutschen Katholischen Jugend  
Bund der Jugendfarmen und Aktivspielplätze  
Bund Deutscher PfadfinderInnen  
Bundesarbeitsgemeinschaft der Kinderschutzzentren  
Bundesarbeitsgemeinschaft Kinder- und Jugendschutz  
Bundesarbeitsgemeinschaft der Landesjugendämter  
Bundesfachverband unbegleitete minderjährige Flüchtlinge  
Bundesjugendwerk der Arbeiterwohlfahrt  
Bundeskongress für Erziehungsberatung  
Bundesverband für Kinderbetreuung in Tagespflege  
Bundesverband Neue Erziehung  
Bundesverband Theaterpädagogik  
Bundesvereinigung kulturelle Jugendbildung  
Bundesverband der Pflege- und Adoptiveltern

Deutsche Akademie für Kinderheilkunde und Jugendmedizin  
Deutsche Beamtenbundjugend  
Deutsche Gesellschaft für das hochbegabte Kind  
Deutsche Gesellschaft für Kinderchirurgie  
Deutsche Gesellschaft für Sozialpädiatrie  
Deutsche Jugend in Europa  
Deutsche Kinderhilfe Direkt e.V.  
Deutsche Liga für das Kind  
Deutsche Sportjugend  
Deutsche Wanderjugend  
Deutscher Berufsverband der Sozialarbeiterinnen, -arbeiter und -pädagogen  
Deutscher Caritasverband  
Deutscher Juristinnenbund  
Deutscher Kinderschutzbund  
Deutsches Institut für Vormundschaftswesen  
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Diakonisches Werk der Evangelischen Kirche in Deutschland  
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Evangelische Aktionsgemeinschaft für Familienfragen  
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Gesamtverband für Kindergottesdienst in der EKD  
Gewerkschaft Erziehung und Wissenschaft  
Verband binationaler Familien und Partnerschaften  
Interdisziplinäre Gesellschaft für Umweltmedizin  
Internationale Gesellschaft für erzieherische Hilfen  
Internationale Vereinigung der Waldorfkindergärten  
Internationaler Sozialdienst Deutscher Zweig  
Interessenverband Unterhalt und Familienrecht  
Jugend des Deutschen Alpenvereins  
Katholische Erziehergemeinschaft Deutschlands  
Katholische Junge Gemeinde  
Kinder haben Rechte  
Kindernothilfe  
Kind und Umwelt  
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Landesjugendring Baden Württemberg  
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Päpstliches Missionswerk der Kinder in Deutschland  
Pestalozzi-Fröbel-Verband  
PRO ASYL Bundesweite AG für Flüchtlinge  
ProKids "Kinderinteressen in der Stadt"

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