

## GERMANY

### CEDAW A/39/45 (1984)

40. The Committee considered the initial report of the German Democratic Republic (CEDAW/C/5/Add.1) at its 12<sup>th</sup> and 17<sup>th</sup> meetings, held on 2 and 5 August 1983 (CEDAW/C/SR.12 and 17).

41. The report was introduced by the representative of the State party who stated that his country had always attached great importance to the equality of women and, therefore, had co-operated actively in the elaboration of the Convention. The equality of women was a constitutional principle and a practical reality in the German Democratic Republic.

42. He give additional statistical data relating to the right of women to political co-decision and to equality in training and employment.

43. He stated that one of the major achievements of the German Democratic Republic was that women enjoyed full equality with men in terms of participation in the social decision-making processes. In his country, the abolition of discrimination against women was part of the general proscription of any discrimination. Therefore, there was no need to enact new legal regulations after ratifying the Convention.

44. The high proportion of women in occupations and jobs which in earlier times had mainly or exclusively been carried out by men required a new approach to management and planning in the factories and institutions where women were employed.

45. Guided by the concern that women's equal participation in the further advance of social progress in that world was only possible in an environment of peace, the German Democratic Republic had initiated the Declaration on the Participation of Women in Promoting International Peace and Co-operation, which had been adopted by the General Assembly at its thirty-seventh session. <sup>1/</sup>

46. Women in the a German Democratic Republic fully supported the women who were struggling to secure independence of their countries and those who were fighting said by side with their husbands for the elimination of apartheid and racism.

47. The Committee commended the Government of the German Democratic Republic for the comprehensive, factual and informative presentation of its report. Several members observed that women's integration into all sectors of the country's life was abundantly clear from the statistics presented.

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<sup>1/</sup> See General Assembly resolution 37/63 of 3 December 1982.

48. The question was raised as to whether the entry into force of the Convention had entailed any change or modification in the legal and practical systems relating to the status of women in the country, or whether it was felt that no changes were required. One expert mentioned that, while it seemed that equality of the sexes was guaranteed in specific provisions within the Family Code, Penal Code and Civil Code, there was no reference to any such matter in the country's Constitution.

49. Several experts requested more information on the role of the Democratic Women's League and its representational function at the People's Chamber, especially since it held 35 deputies' posts. Various experts also requested complete information as to the question whether the Democratic Women's League represented all women or whether there were other organizations that did so.

50. With reference to the follow-up on the implementation of the Convention, it was asked whether machinery existed that would sanction the lack of compliance with the principles embodied in the Convention and, if the Penal and Civil Codes contained such provisions, what were the sanctions.

51. It was also pointed out that the report concentrated on women's situation in the public sector, but did not refer explicitly enough to the status of women in private life. In that regard, several questions were posed regarding inheritance laws, divorce laws, provisions regarding "registered" marriages as opposed to common law unions, the legal standing of children born out of wedlock and of unmarried mothers, assistance to women and families in the raising of children, how that affected the birth rate and the policy of the family-planning programme. It was further pointed out the most of the measures mentioned in the report were women-oriented and little was said as to provisions for the father's participation in the child-rearing responsibilities and in the home. There seemed to be no indication, it was also noted, that paternity leave had been introduced.

52. Regarding labour law, it was asked whether the principle of equal pay for equal work was guaranteed and, if so, whether it included the idea of equal pay for work of equal value. Also, clarifications were requested as to what was meant by a "working day" and a "working week", in terms of the number of working hours. It was also asked whether new provisions had been made to protect women's health in occupations which required or involved new technologies.

53. Other questions regarding prostitution and rehabilitation were raised with regard to the Penal Code. Neither was it clear whether sanctions regarding rape had been introduced and whether crisis centres had been established as well as counselling and other measures specifically devised for rape victims.

54. With regard to women's participation in agriculture, questions were asked regarding the particular situation of women working in such a highly advanced technological society as the German Democratic Republic. It was well known that women who worked in the rural areas performed of necessity heavy physical work. That fact had in other countries discouraged women from working in the rural areas and caused their moving to the urban centres for better working and living conditions. Information was requested on whether women in the rural areas enjoyed the same facilities available in the cities.

55. It was also requested that more information should be provided on the obstacles encountered

in the process of applying the principles of the Convention. That information would enable the Committee to learn from the experience of the German Democratic Republic. It was also important to share the experience of States parties in the implementation of measures in all sectors and, for that purpose, examples would be welcome.

56. The request was made by several experts that, in future, all pertinent legislation mentioned in the reports should be made available to the Committee through the Secretariat. Such information could be deposited with and kept by the Secretariat for perusal by the members of the Committee.

57. The representative of the German Democratic Republic made a comprehensive statement, trying to answer all the questions put by members of the Committee, and explained that the principle of equality was enshrined in the Constitution under articles 20 (equal rights for men and women) and 24 (equal pay for equal work); however, equality of women was not achieved by the mere enactment of legislation but, in addition, the necessary social conditions had to be created for the actual process to take place. His Government was trying to create those conditions through material and ideological measures and, in fact, it was still in process.

58. Conditions were such as to enable women to have access to education and specialized training, as well as to provide the social and political opportunities to stimulate their own growth and increase their capacity. The high number of women active in the People's Chamber, to which they were democratically elected, demonstrated the confidence of the general electorate in women. The fact that had been achieved in the last 30 years showed some measure of progress.

59. Information was provided which related to the internal structure of the Government, of the multi-party system and on how international conventions were applied and publicized. He further outlined stipulations in the Labour Code regulating women's and young people's work, facilities for and assistance to women with children, including education and training, and he read out specific parts and articles of the Constitution, the Family Law and the Civil and Labour Codes. He also provided information on the political sphere of action of the women's organization in the German Democratic Republic, the Democratic Women's League.

60. Criminal acts against women were punishable under the Penal Code and violations of labour law provisions could be brought before the Labour Court. Under civil and family law, women could appeal against offences in the administrative field.

61. With regard to the situation of rural women, he explained that, as members of agricultural production co-operatives, women were better able to avail themselves of their rights. Up to now, 79.4 per cent of all women in agriculture had completed vocational training. They enjoyed regular working hours, had free time and were able to avail themselves of existing educational facilities. In addition, the co-operatives had brought shorter working hours, a reduction of heavy physical labour and paid annual holidays.

62. The emancipation of women, especially at home, he said, was ultimately possible only through the emancipation of both sexes and traditions were being examined to see if they merited survival. In addition, women had been given the freedom to choose the number and spacing of their children. The birth rate had increased, which showed that working mothers were able to combine their

professional career with their family responsibilities. There were over 200 counselling centres to assist with that problem. Single mothers or fathers with children up to three years old could not be dismissed from their job, and single mothers or fathers were entitled to leave with pay in order to care for sick children. Information was given concerning the problem of divorce. The divorce rate was 1 per cent of all marriages or 40,000 divorces a year. At the same time, it was stated that society had undertaken comprehensive efforts to strengthen marriages which were in difficulties and prepare youths more suitably for marriage and family responsibilities.

63. Mothers with two or more young children enjoyed a 40-hour working week on full pay, instead of the normal working week of 43 3/4 hours, and all married women, mothers with young children and single women aged 40 or over had a day off with pay every month for household chores.

64. Prostitution was alien to the society and was prohibited and punished by law. Battering, rape and traffic in human beings were also punishable under the Penal Code. Concerning women's access to courts in discrimination cases, he pointed out that they could file suits in labour, civil and family courts.

65. The representative of the State party also stated that all questions and observations made during consideration of the initial report would be transmitted to his Government and would be taken into account in the elaboration of future reports. He submitted additional material to the experts of the Committee with excerpts from government documents on the promotion of women.

66. Some experts recommended drawing the attention of States parties to the desirability of using the positive experiences referred to in the above-mentioned report in order to make further progress in eliminating discrimination against women, not only de jure, but also de facto.

## **CEDAW A/44/38 (1989)**

313. The Committee considered the second periodic report of the German Democratic Republic (CEDAW/C/13/Add.3 and Amend.1 and Corr.1) at its 144<sup>th</sup> meeting, on 28 February 1989 (CEDAW/C/SR.144).

314. The representative introduced the second periodic report of the German Democratic Republic by reiterating that the principle of sexual equality had been laid down in the first Constitution adopted 40 years previously and all legal regulations contrary to it had been repealed at the time. Conditions had been created in the German Democratic Republic guaranteeing that men and women could assert equally their basic human right to life, work and education, decent housing, recreation, health care and care in sickness and old age.

315. The representative informed the Committee that the Convention had been translated into German and published in the law gazette and in several professional journals, so that it was accessible to all persons. She said that an important goal of the country's policy on women had been the continued development of the legal system and the extension of material conditions enabling women to enjoy equality in asserting their human rights and basic liberties. Material security, full employment and equal educational opportunities, as well as sexual equality, were reported as fully guaranteed in the country. Women had made a major contribution to the hard work necessary to achieve that situation.

316. The Women's Democratic League worked to improve the lives of women so that they could harmonize employment with family life. In the German Democratic Republic, 91.1 per cent of all women of working age were gainfully employed, studying or in training and women represented 49 per cent of the labour force. The Council of State regularly studied reports by authorities on the implementation of local government policies to improve the lives of women. The representative said that a major goal of the advancement of women was to ensure that a major proportion of the costs incurred by the birth, care and education of children was borne by society and that the work of mothers was recognized appropriately. Family allowances had been raised in 1987. Under new legal regulations, mothers could take one year of paid maternity leave for their first child and after the birth of the third or any subsequent child, that period was extended to 18 months. If released from work to nurse a sick child, married mothers of two or more children, as well as single mothers, were entitled to social insurance benefits equivalent to their own sickness benefits. A new principle had been introduced whereby the husband or grandmother could request release, with pay, from work for a year to care for a child.

317. The representative reported on the regulation providing special assistance to families with severely handicapped children, which provided parents with more time and ensured better financial conditions for them. In 1989, 35 billion marks had been earmarked in the national budget for education, health care and social welfare, which was more than the allocation for national defence.

318. Some obstacles, such as ideological barriers, outdated traditions and family customs, still remained to the equal participation of women in the political, social, economic and cultural life of the country. The representative reported that 86.4 per cent of all women had completed skilled

vocational training, and that one out of two technical-school graduates and one out of three university graduates were women. The Government was not satisfied with the situation that only one out of three women held executive positions and the standards of the service sector did not meet the needs of working women in all respects.

319. The Government of the German Democratic Republic regarded peace and disarmament as essential elements in the advancement of women and the implementation of the Convention.

320. The representative then answered the questions posed by the Committee. One representative reported on a number of new measures that had been introduced in the German Democratic Republic since 1983. In 1986, measures had been introduced to aid families with severely handicapped children by reducing their working hours but not their income and by increasing their holidays. In every district, there were specialized schools for the handicapped. In 1986, extended maternity leave was introduced for the first child. In 1988, a Government decision led to arrangements being initiated for the State to cover unpaid alimony.

321. In response to two questions posed by the Committee, the representative said that there was no specific institution in the German Democratic Republic responsible for overseeing the implementation of the Convention, as experience had shown that it was more effective when sex equality was treated as a non-departmental issue. All ministers monitored and co-ordinated the Convention under their responsibilities for current legislation and new decrees. Social courts, grievance committees and local government and workers' inspectorates were also involved in the monitoring process.

322. In response to a question on studies on ingrained traditions and customs, it was reported that there were several studies being undertaken of the obstacles and barriers to equality, and research on women's affairs was conducted at the academies, universities, colleges and research and vocational training institutions, all of which were co-ordinated by a specific scientific council called Women in Socialist Society. Programmes to overcome traditions, customs and attitudes were being used by the media to stimulate broad public interest in youth and among women. Throughout the German Democratic Republic, there were women's organization advisory centres, which held panel discussions and courses preparing youth for family life.

323. The representative reported that courts examining discrimination or violation of the labour, family, co-operative or civil laws invariably settled complaints within one month. District courts offered free legal services to all citizens, and trade unions had their own legal services, which informed members of their rights. Courts had the power to use legal criticism against a company in order to remove the general cause of discrimination so as to prevent its repetition. Women were able to criticize openly private or public acts if those violated their freedoms and rights and they would be supported by the courts, state authorities and public organizations. Petitions and appeals could be addressed to all bodies at all levels.

324. The representative said that, in the German Democratic Republic, two thirds of the population over the age of 18 were married. Both spouses had the responsibility for raising their children and creating equal relations within the family and developing their talents and creativity equally. The media was used to promote a more equal division of labour within the family but traditional patterns

still existed. It had been observed that age, social background, the level of qualifications and training and the availability of neighbourhood facilities all played a part in changing those patterns. Women had marginally less personal free time. The attitudes had changed in young families as evidenced by the increased number of fathers taking child-care leave, although the number taking paternal leave was still small. The German Democratic Republic was party to a number of conventions of the International Labour Organisation and was considering becoming a party to the Convention concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities (No. 156).

325. The representative said that prostitution was a punishable offence but the incidence of it was very low; nine cases were reported in 1986 and 17 cases in 1987. The client could also be punished with a maximum sentence of five years' imprisonment. No cases involving minors had been reported.

326. The Government was not satisfied with the number of women in executive positions, which amounted to two members in the Politburo, five in the Council of State, one minister (of education) and five deputy ministers. A high percentage of women were represented in the elected bodies and, although no quota system existed in the German Democratic Republic, 20,000 women had been nominated by women's organizations to compete in the forthcoming elections.

327. There were women representatives of the German Democratic Republic in the diplomatic service, including the consular service, and international organizations, but most were active at the intermediate level.

328. More details had been requested by the Committee on nationality and citizenship rights in the German Democratic Republic. The representative stated that equal rights were guaranteed by the Constitution and international law for adults and their children to change or retain their citizenship. Any change of nationality within a marriage was not automatically applicable to the wife.

329. In answer to a specific question, the representative said that sex education had been introduced in schools. The Government was not satisfied with the low figures of women at the professorial level, which did not reflect the high percentage of women students enrolled in higher education. A slight increase had been reported since the submission of the second periodic report and 8.8 per cent of the professors were women. Programmes, such as teaching projects and the provision of tutors, were continuously being prepared and updated to assist women in combining motherhood with the hard work necessary to participate at those higher levels.

330. With regard to the question on the imbalance of women's representation in employment activities, it was reported that over 300 vocations were open to women. Women were encouraged to study new technology and 40 per cent of the labour force who were receiving sponsored further training in microelectronics were women. Kindergarten and creche facilities were provided at universities and students with children received additional allowances. The Labour Code contained criteria to assess work of equal value, which was determined by the qualifications required and the conditions of work, irrespective of the sex of the incumbent. In the German Democratic Republic, women enjoyed equality of status in employment and society. Disputes concerning equality were referred to grievance committees at the shop-floor level, which had the authority of state courts, and

94 per cent of their decisions had subsequently been upheld.

331. On the subject of family planning, the representative said that 40 per cent of all women of child-bearing age used hormonal contraception prescribed by a medical doctor although other forms of contraception were available for both men and women. In addition, every woman had the right to an abortion within 12 weeks of conception and would receive it as an in-patient at a medical clinic or centre, free of charge.

332. The representative reported that almost 330,000 women were employed in rural areas and represented 43 per cent of all permanent rural workers. All labour laws were equally applicable to rural women. Ninety per cent of the women in rural areas had completed vocational training and were employed as skilled workers, team leaders and in management, and their knowledge of modern machinery, as well as the number of licences issued for such machinery, had increased.

333. In response to questions on the protection afforded to victims of violence and rape, the representative said that the criminal court gave protection to persons, particularly minors, in cases of violence, neglect and sexual harassment. The German Democratic Republic had low delinquency and crime rates and, in 1987, 563 cases of violence and rape (including attempted rape) and 377 cases of sexual harassment had been reported and brought before the court. Support, including advice and assistance, was given to both perpetrator and victim. Victims had the right to demand, and participate in, proceedings; there was no denigration of women by society and support and tact were guaranteed at all stages. Upon conviction, the State would then pay compensation to the victim.

334. In answer to questions posed on family law, the representative said that, as there was widespread support for the laws on the choice of family name, there was no thought of revising them. Either the wife's or the husband's name could be chosen, which would be the one given to the children. Upon divorce, the individuals concerned could choose whether they wished to revert to their former names or not. One third of the children in the German Democratic Republic were born to single mothers, the majority of whom were in cohabiting relationships and the rights of illegitimate children were fully covered under the Family Code.

335. In reply to further questions posed by the Committee, the representative said that studies had shown that prostitution was not a result of violence and, as the cases of it were so few in the German Democratic Republic, it did not constitute a major social problem. The schools for handicapped children provided a general education to severely mentally and physically handicapped children in order to integrate them into society as fully as possible. There were 300 pre-school establishments, and about 430 special schools with 57,500 participants. Handicapped children were not excluded from youth and pioneer group meetings and were encouraged to participate in them by the media.

336. On the subject of work of equal value, it was recognized that there was still a necessity for discussions to implement the criteria in the Labour Code and to amend them to incorporate the field of modern technology. The change in the qualification requirements and the nature of the work meant that women could participate in more tasks than before. The Supreme Court and trade unions continuously reported to the Government so that provisions for new technologies could be incorporated into the Labour Code. In order to remove gender stereotyping in the labour market



more men were being encouraged to enter the health-care field; creche and nursery-teaching jobs had been upgraded. The appointment of women to top-level positions required more involvement and preparation on the part of women. No statistics were available on the number of cases that women had won before the grievance committees. The representative said that women were encouraged to continue in full-time employment and to make use of the social support facilities provided by the State in order to combine their family lives with their working lives. Jobs were guaranteed for women returning to the labour force after a career break for family reasons.

## **CEDAW A/45/38 (1990)**

51. The Committee considered the initial report of the Federal Republic of Germany (CEDAW/C/5/Add.59 and Corr.1) at its 152<sup>nd</sup> and 157<sup>th</sup> meetings, on 22 and 25 January 1990 (CEDAW/C/SR.152 and 157).

52. The representative of the Federal Republic of Germany, in introducing the report, noted that the composition of its delegation to the Committee with a Federal Minister, two Ministers of State and officials from Federal and provincial ministries indicated the importance attached to the subject by the Government. She noted that the Convention in its tenth year had been given considerable publicity. The report had originally been prepared in 1988, but the availability of additional information, particularly from the most recent census, had led the Government to prepare an addendum which, unfortunately, arrived too late to be distributed in all languages.

53. The current situation of women was that equality was generally recognized de jure but that social reality continued to lead to de facto discrimination. Equality was guaranteed by article 3, paragraph 2, of the Federal Constitution, a clause that had been inserted in 1949 through pressure by women members of the constitutional convention. It was a directly enforceable right binding on all branches of Government. Civil law had gradually been brought into line with that provision, as described in annex II of the addendum.

54. The de facto situation was not as good, with shortcomings most prevalent in public and professional life and in education, as the statistics found in annex I of the addendum demonstrate. Women were under represented in politics and government at all levels, even though they were in the majority of voters. The same was true in business enterprises, with less than 1 per cent of company directors being women. In universities, especially in the sciences, although women were well-represented among new students, they were much less among teachers and even less among professors and holders of endowed chairs.

55. Women constituted a major part of the workforce, comprising 39 per cent of gainfully employed persons and showing an increase especially in the 20-50 year age group. There had been a shift among professional sectors toward the services and there was widespread resort to part-time work by women (one third of working women were part-time). Structurally women in the lower pay levels, worked fewer hours, did less well-paying shift work and rendered fewer years of service.

56. In education, women were attaining parity but positive actions to encourage women to take up non-traditional occasional training had not yet broken down concentration of women in effectively sex-segregated fields. As a result, women had fewer options than men.

57. The reasons for the de facto inequality rested in the prevalence of traditional task allocations, especially in rural areas and among older citizens. Women's working conditions impeded their full participation in political life.

58. To improve the situation a network of institutions had been organized to help establish equality at all political levels: the Ministry of Youth, Family Affairs and Health at the federal level,

commissioners in all Laender governments, and a great number of offices in local governments.

59. The Government had taken a number of steps to implement the provisions of the Convention. There had been a broader interpretation of the concept of discrimination to include indirect discrimination. A number of special measures, as called for in article 4, had been implemented. Guidelines had been developed for the public sector, as well as the private sector. In politics, a number of political parties had established quotas or targets to increase the percentage of women. Efforts had been made to reduce stereotypes and sex discrimination in textbooks and, through voluntary efforts, measures were being taken to reduce stereotyping in advertising. The federal parliament had been dealing with trafficking in women and efforts were being made to deal with the problems of violence against women, the most serious form of discrimination, through the enactment of laws and the provision of shelter and counselling centres. Women were being encouraged by information campaigns to study in non-traditional schools and co-education approaches were being reviewed to ensure that they did not discriminate. Studies relating to matters concerning women were being encouraged and were held to be of equivalent academic standard as research on other important issues.

60. A particular effort was being made to help women and men reconcile their needs for both family and career, an aspiration expressed by 80 per cent of young women. That was being done through a combination of child-raising allowances that allowed women to leave the workforce temporarily, child care facilities, placing part-time and full-time work on an equal footing and reintegration into the workforce.

61. In general comments, members of the Committee noted that the Federal Republic had made a single reservation on the Convention and questioned why and whether it was likely to be withdrawn. The lateness of the additional information was noted and although some found it very useful, others indicated that had it been more timely the work of the Committee would have been aided, since the addendum provided much missing information. The frankness of the report was also noted. An absence of information about women's organizations and movements was noted and information on their structure and relationship with other institutions such as parties and labour unions requested.

62. On article 2, questions were raised about the question of abortion, which was considered illegal, and an illustration from legal practice was requested. An indication of which authorities were responsible for imposing sanctions for non-compliance with the Convention was requested, both at the federal and lower levels. The extent to which foreign women workers, especially from Turkey, were covered by provisions was asked. Finally, if, as the report stated, the basic law did not apply to "private" acts of discrimination, the question how they were handled was asked.

63. In relation to article 3, further information on the functioning of the decentralized implementation structure was requested, including the extent to which women participated in its workings and the kinds of demands or requests made on the machinery by women.

64. Several experts noted the guidelines for private companies that had been developed relative to article 4 and requested information on its impact. The question was raised of whether the special measures had led to resentment, as well as whether special measures were being taken to increase the number of women at decision-making levels in the light of the current low proportion. Further

information on the special efforts to upgrade part-time work was requested.

65. More detail on the results of efforts to overcome stereotypes, in the context of article 5, was requested, including questions of shared responsibility for child-raising, the number of fathers taking child-raising leave, sex education in the schools and the elimination of stereotyping in advertising, as well as more generally in the mass media and on programmes to fund shelters for battered women.

66. Regarding article 6, the extent of prostitution was requested together with the results of studies on the subject and of programmes for prostitutes. Information on programmes to combat AIDS among women was requested.

67. In terms of article 7, more information was requested about the working of the national machinery, including its composition, budget and linkage with other bodies both at the federal and the provincial level, including the parliament, the Federal Ministry, trade unions and political parties. The role of the women's section of the ministry within the overall programme of the ministry needed elaboration. It was noted that the information provided did not give a full picture of the extent of women's political participation; and it was asked whether there were any special programmes to increase the number of women, either by the parties or by the Government. Information on the extent to which women held management posts in the trade unions and on the extent to which women held posts in the judiciary was requested.

68. The criteria for selecting women to participate in international work was requested along with an indication of how many women worked for the United Nations system and specific measures taken to increase the participation of women in national delegations to international meetings, as called for in article 8.

69. With reference to article 9, the length of time necessary to revise the nationality law was requested together with a confirmation that women had the same right as men to confer nationality on a foreign spouse.

70. On education, as per article 10, the question was raised whether there was a special campaign to encourage women to benefit from scholarships and to follow unconventional careers, and the percentage of illiterate women as compared to men was also requested.

71. In the context of article 11, noting that the labour court had assessed damages for rejection from jobs because of discrimination, the frequency of those rejections was queried. Further information on the process whereby national labour laws were being revised to conform with those of the European Community and its effect on women was requested, as was whether the opening up of European frontiers required any special efforts for women. Interest was shown in laws on the effort to make part-time work equal in legal terms to full-time. It was noted that the increase in total number of women employed had not been great and further explanation of that was requested, as well as reasons why women constituted a larger proportion of both those employed and those unemployed. It was noted that under the law some 20 occupations were not open to women by statute and the list of those occupations and the statutory basis for denying women access to them were requested. Further information on the outcome of efforts to revise industrial safety laws was

requested including an indication of its likely effect on women's employment. The question of the meaning of "light work" in practice and in monetary terms was made. Noting that the Federal Republic of Germany had ratified ILO Convention No. 100 in 1956, the delay in achieving equal pay between the sexes was noted. Similarly, information on how the parental leave system worked and on the prospect of returning to work with rights was requested. Questions were raised about working conditions of foreign women workers as well as their rights.

72. In terms of health, as per article 12, the incidence of industrial accidents and industry-related diseases among women was requested, as well as information on programmes to make people aware of AIDS, to deal with drug addiction and to deal with the health needs of migrant women.

73. On article 15, a question was raised concerning the policy towards housewives' freedom of movement and whether a provision for special payment of household work existed.

74. Regarding article 16, the issue of policies towards problems of elderly women, especially those divorced late in life, was raised and information about the question of provision of pensions and other benefits as part of a dissolution of marriage was requested. The status of responsibility for an out-of-wedlock child and single-parent families generally in terms of the law was requested. Noting that there were three regimes regarding property rights, a question about which regime was more frequently selected was raised. Finally, since the family name in a marriage could either be that of the women or the man, the frequency of choosing the wife's name was requested.

75. The representative of the Federal Republic of Germany, in replying to questions raised, noted first that the only reservation made, on article 7 (b) was because the provision of the Convention contradicted the federal Constitution which completely prohibited women from bearing arms in the military service, and that was a provision which the vast majority of women in the country favoured and for those reasons could not be withdrawn. However, it did not bar women from civilian aspects of the armed forces. She noted that the process of ratification of the Convention had not involved controversy as the Convention was already consistent with existing law.

76. Regarding her ministry, she noted that within the three-tiered governmental structure of the Government (which had federal, provincial (Laender) and municipal levels), her ministry dealt with a variety of issues, for each of which a Department existed at an equal level, one of which dealt with women. The Women's Department had existed since 1986 and had a mandate to promote equal rights and therefore played a role in all aspects of the federal Government. Its special areas of competence included general policy on women's affairs, including a right to take initiatives in the form of draft laws and interventions in Parliament, a right to request postponement within the cabinet on proposed laws, which must be reviewed in terms of their potential impact on women. It functioned as a focal point to assist other ministries dealing with questions relevant to women such as, for example, protection of women in the workplace that was the responsibility of the Ministry of Labour and Social Affairs. The Department had a budget of DM 15 million per annum of which more than DM 1 million were provided to non-governmental organizations and research institutions, and which accounted for only part of the overall government budget for women's questions since many other departments of various ministries funded women's programmes (e.g. on AIDS and elderly women). Specific figures were not possible on the provincial and municipal levels owing to the diversity of institutions. Both women and men worked in the machinery and at the federal

level 25 per cent of the staff were men, although at the provincial and municipal levels there was a greater predominance of women.

77. There was a long-standing tradition for women's organizations and movements going back to the nineteenth century, but currently 43 major women's organizations had come together in the Council of German Women, including groups from political parties, trade unions and churches. They worked closely with the ministry, which provided DM 750,000 per year for the Council's secretariat. Women's associations also existed at provincial (Laender) levels. There was also what was called an "autonomous women's movement" which had evolved from concerns with abortion rights, violence against women and other feminist concerns, some of whose activities were also funded by the Government. Thus there had been no decline in the vigour of the movement, but rather growing participation.

78. At the international level, the movement of the European Economic Community towards a single market would affect women and the Federal Republic was participating in the formulation of a European policy on equal opportunity in that context, as well as in the work of the Council of Europe.

79. Regarding article 2 (c), sanctions existed in that where discrimination involved a violation of law, an individual or group could make use of the courts (e.g. labour courts). However, if it was not a violation of law, no direct sanction existed and no institution such as ombudsman had been created. On article 2 (e) the constitution prescribed equal rights for all women, citizens or non-citizens, but that governed the relationship of the individual with the State and did not extend to private relationships. Other legislation, such as the labour code, also prohibited discrimination; that applied to German and foreign workers as well and the State labour offices did not discriminate. However, employers could not be forced to accept someone suggested by the labour office. Finally, on article 2 (g) the penal code did not permit abortions, but there was no punishment if the life of the woman was in jeopardy, if there was a physical or mental implication for the child, where the pregnancy was the result of a sexual offence or the birth would lead to a serious situation of dire need, and where the ground was certified by a doctor and after requisite counselling. The 1974 penal code had permitted abortion, but a subsequent judicial review had invalidated it. Because interpretation of the existing code differed according to Laender, women often travelled to other Laender or abroad. Statistics showed 83,784 abortions the previous year, of which 86.8 per cent were covered by the extreme need ground, but many more, which had been performed by doctors within the legal possibilities, had not been reported, they are to be up to 200-250,000 per year. Few convictions had been handed down and those had been controversial.

80. On article 4, temporary measures were a core of government policy, although politically the issue was controversial. Those opposing affirmative action often invoked the equal opportunities clause of the Constitution, but article 4 of the Convention was often used as a response. Positive action in political participation was a matter for the parties rather than the Government. No clear figures were available on the effect of the guidelines for industries, but it could be noted that 51,000 copies had been provided. The issue would be dealt with in detail in the second periodic report.

81. Concerning article 5, there was a policy of encouraging men to share in domestic responsibilities, and parental leave was equally available to them but only 2 per cent of the fathers

had taken advantage of the rights. It was expected that the younger generation was more likely to give up traditional role stereotypes, especially when mothers were more active. Sex education was included in the school curriculum, the need for family planning had been recognized and textbooks were reviewed regularly to eliminate stereotypes. There was no prior censorship of the media, although there was monitoring of broadcasts by the Broadcast Council.

82. On article 6, the number of prostitutes was not known, although it was suspected that owing to a fear of AIDS the number may have declined. At the Laender level, counselling was provided and self-help efforts encouraged. That included counselling offices for foreign women, who had been brought into the country on false premises. With regard to violence, there was a network of shelters (over 200) and a draft law was being considered to punish matrimonial rape.

83. Women's issues were of increasing concern for the political parties and all major parties had set quotas or targets to increase the participation of women, it was reported in the context of article 7. It was suggested that whether quotas were adopted or not - and differing views were held by women on that - participation would grow. It was noted that women in trade unions were under represented in top decision-making positions, one of the 16 major unions was headed by a women. Among employers' associations, the proportion of women was very small. In the judiciary, 17.6 per cent of the judges and 17.6 per cent of the prosecutors were women.

84. Regarding article 8, information had been provided in the addendum to the report but assurance could be given that the criteria used to select women to represent the Federal Republic in international posts was professional competence. On article 9 it was confirmed that all previously discriminatory provisions of the law had been eliminated in 1970.

85. To increase the proportion of women in non-traditional fields of education, in the context of article 10, there were some problems in view of the various factors involved. Because of the benefits of the federal educational advantage law, the number of female students at the universities had risen. However, many girls selected training in "women's jobs" that were more poorly paid, but that was being combatted by providing information to induce girls into non-traditional vocational training programmes. In general the share of women in predominantly male vocations had increased fivefold since 1977 to a total of 8.4 per cent. Pilot studies had shown that girls were often better qualified than boys after training in these so-called non-traditional vocations but the girls often encountered problems when on the job because of customers' sexism. Illiteracy was non-existent in view of long-standing compulsory school attendance.

86. Regarding article 11, the reasons why only 265,000 women had entered the labour force between 1975 and 1986 can be explained by the then difficult economic situation, it was noted that over the same period the number of men in the labour force had decreased. From 1986 to 1988, however, there had been a further increase of 245,000 women. Regarding the use of the labour law to combat discrimination, the labour courts provided sanctions based on violation of civil rights and it was expected that a draft law would be passed in 1990 that would increase the amount of compensation in successful cases. Salary differentials had been made illegal but that had not been fully implemented in practice in part because salaries were set as part of collective bargaining that was outside government regulation. Women's recourse was through the labour courts and unions had supported cases at court to press claims. There was evidence of wage discrimination in the

“light work” group because some wages were set on the basis of “muscle power” exerted and that was being fought by more realistic evaluations of job difficulty, which should help in contract negotiations. Regarding part-time work, the existence of legal equality in law and contracts was noted and in addition a new law made further improvements by adopting protective stipulations for work-on-call and shared work. In general, employers must give part-time workers equal treatment in pay and benefits, although when part-time work was below certain thresholds, it was not covered by social security. More women than men were found in part-time jobs in order to reconcile economic and domestic responsibilities and that reflected the lack of sharing of the latter. Part-time work did affect career possibilities of women but that would change when more men were involved in part-time work.

87. In terms of protection in the workplace, access was restricted to 20 vocational areas considered to have particular danger and stress, to wit: mine work, steel mills and construction. The general prohibition of women in construction was under review and it had been proposed that, upon certification of good health based on a medical examination, women be allowed to work in the sector, which would open up 14 of the areas. It was expected that the remaining 6 areas would not be opened up, in part because mine work was prohibited by an ILO convention. Women suffered a total of 17 per cent of work-related accidents in total. A number of policies had been adopted to ease women’s return to the workplace, including counselling by newly created special offices, and retraining programmes were financed by the government and by labour offices. Women’s unemployment was still 2 per cent higher than men, in part because more women returned to the workforce after interruption and were looking for part-time positions that were scarce relative to demand. The migration of people from the German Democratic Republic did not seem to have had a special effect on women, although women from the German Democratic Republic trained in construction would be able to work only when the prohibition on women in construction was removed.

88. To help reconcile domestic and economic responsibilities, parental leave had been extended, funds for training were being provided to both women and men, there was pension insurance when parents took time from jobs during the period of early childhood, during which research had indicated the importance of the presence of both parents to the children’s development, and retraining opportunities were provided based on the period of prior employment. Kindergartens were considered desirable from age three and the view of the Government was that all children between ages of 3 and 6 should be in a kindergarten in view of its importance to both children and women. The situation varied from province to province and only part of the need for full-time day care had been met.

89. Concerning article 12, it was noted that women constituted 291 out of 3, 636 AIDS cases, mostly derived from drug dependency. Drug dependence among women had not been well-studied and that would be remedied. Special services had been developed for women coming from other cultures.

90. Relating to article 15, the existence of a union of housewives was noted that had been calling for a salary for homemaking although that had not been well-received. The Federal Statistical Office intended to develop figures showing the contribution of unpaid work in the home to the gross national product.



91. On article 16, women could retain the right of part of a pension upon division of property at divorce. The most common method of property division was for communal property in terms of value added during the marriage. There were no formal statistics on how family names were chosen although a survey made by the registrar's association in September 1988, indicated that depending on the size of the locality, between 1.5 and 5 per cent of couples marrying had chosen the woman's family name.

92. In response to the replies to the Federal Republic of Germany, members of the Committee commented that it would be valuable if information could be included in the second periodic report of the Federal Republic of Germany about measures to make it easier for women (and men) to combine their work and family responsibilities, such as child-care, part-time work with equivalent conditions and re-entry programmes, and also about programmes to encourage girls to broaden their educational and vocational choices. It would help if data could be included to show change in these and other areas.

## **CEDAW A/55/38 (2000)**

287. The Committee considered the combined second and third periodic reports and fourth periodic report of Germany (CEDAW/C/DEU/2-3 and 4) at its 464th and 465th meetings, on 1 February 2000 (see CEDAW/C/SR.464 and 465).

### **Introduction by the State party**

288. The representative of Germany noted that the change in Government in September 1998 had led to new priorities in the country's equal rights policy. Ten years had passed since the reunification of Germany and since the presentation of its initial report, thus providing an occasion to assess developments of equal rights and equal opportunities in unified Germany. The transition from the economic and social system of the former German Democratic Republic to a system based on parliamentary democracy, federalism and the social market economy had entailed painful adjustments for the people living in the East. Women had often been severely affected by the negative effects of that process. Labour market and social policy measures had helped to soften the effects of the radical changes for women in the new *Länder* (states). Having enjoyed full employment prior to unification, women's unemployment rate in the new *Länder*, while declining, was still 20.7 per cent. New public and non-governmental institutions had also emerged, contributing to the improvement of women's overall social situation.

289. The representative underlined that on 10 December 1999, Germany had signed the Optional Protocol to the Convention. The ratification process would be initiated in 2000, together with acceptance of the amendment to article 20, paragraph 1, of the Convention. In the light of the recent decision of the European Court of Justice on Germany's prohibition that women bear arms, Germany would assess its reservation to article 7, subparagraph (b) of the Convention.

290. In her presentation, the representative focused on two key priorities of the current Government's equal rights policy, namely the women and work programme and the action plan to combat violence against women. The women and work programme aimed at ensuring better use of women's skills in all sectors of society, to provide new impetus for equal opportunity at work and to promote equal participation in the workforce and society. While women were better educated than ever before and represented 42 per cent of all gainfully employed or self-employed persons, they continued to suffer inequalities in the distribution of family work and in the allocation of training places and jobs. Their wages remained below those of men, they held 90 per cent of all part-time jobs, were concentrated in few occupational groups and ranked lower in the business hierarchy.

291. Consequently, the women and work programme would address various areas to assist in implementing the Convention. A draft bill would be prepared to increase the number of women in the federal administration and in policy advisory bodies. The under-representation of women in management positions in German business and industry would be addressed through the elaboration of effective equal opportunity regulations for the private sector since voluntary action alone was not enough. A group of experts had been established to make recommendations that would gain wide acceptance and take into account the great diversity of companies. In order to address the still considerable differences in women's and men's wages, the Ministry for Family Affairs, Senior

Citizens, Women and Youth would submit a report on equal pay and the economic situation of women to the German Bundestag. The report would examine the primary causes of wage discrimination, which, due to the clear legal situation, was no longer the result of direct wage discrimination against women. Measures to create opportunities for women in the expanding information technology sector would be undertaken, as would measures to encourage women's entrepreneurship. In cooperation with the *Länder*, efforts to improve equal opportunities for women in teaching and research would continue and a target of 20 per cent women holding professorships in institutions of higher education by the year 2005 had been set. Measures were planned to reconcile family and career through greater work flexibility for women and men, flexibility of child-raising leave, improvement of childcare institutions and the promotion of a new male image to help men fit into the role of equal sharers in family work and child-raising.

292. Turning to the action plan to combat violence against women, the representative pointed out that past measures, while leading to improvements in certain areas, had not brought about a real and sustained reduction in violence against women in German society. The current plan had been drawn up as a comprehensive overall concept, involving all authorities and non-governmental organizations dealing with violence against women. Since the plan applied to areas within the jurisdiction of the *Länder* and municipalities, a working group would be set up to foster cooperation between the federal Government and the *Länder*, with the inclusion of non-governmental organizations. The plan focused on a number of areas, including prevention, with attention to the particular situation of disabled women and girls, older women and foreign women and girls; legislation, with particular attention to improving the protection of women victims of domestic violence under civil law, combating sexual harassment in the workplace and fighting trafficking in women; cooperation among institutions and projects, with working groups being set up on trafficking in women and on domestic violence; nationwide networking of assistance services; work with offenders, in particular through rehabilitation programmes for perpetrators; awareness-building among experts and the public at large; and international cooperation.

293. The representative drew attention to several areas where progress had been made or where there was an acute need for action. A first comprehensive study had been commissioned to assess the health situation of German women. Rural women benefited from a number of projects to support structural change in rural regions. The sixth report on families had, for the first time, examined the situation of foreign families in Germany, and a representative study would be commissioned soon to assess the living situation and social integration of foreign women and girls. That report was expected to serve as a basis for further measures in this area. The entry into force of the new law on nationality on 1 January 2000 also benefited foreign women and their children.

294. In conclusion, the representative noted that the many initiatives undertaken by the current federal Government needed to be translated into practice in the coming years. They would further the achievement of real equality for women and men and serve to implement the Convention more effectively than in the past.

## **Concluding comments of the Committee**

### **Introduction**

295. The Committee expresses its appreciation to the Government of Germany for submitting a detailed combined second and third periodic report, as well as a fourth periodic report containing data disaggregated by sex, and following the Committee's guidelines for the preparation of periodic reports. It commends the Government for the comprehensive written replies to the Committee's questions and its oral presentation, which provided additional information on recent developments in the State party. It appreciates the open manner in which the State party shared with the Committee its analysis of the situation of women and identified areas for further progress.

296. The Committee commends the Government of Germany for having sent a large delegation with a broad range of expertise, which was headed by the Parliamentary State Secretary at the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth. Their participation enhanced the quality of the constructive dialogue between the State party and the Committee. The Committee notes that the reports also refer to steps taken by the Government to implement the Beijing Platform for Action.

### **Positive aspects**

297. The Committee commends the Government on its commitment to achieving equal rights and equal opportunities for women, reflected in the progress made in the implementation of the Convention since the consideration of the initial report in 1990. The Committee welcomes the steps taken by the Government following the reunification of Germany to support the many adjustments required from the people, especially the women, of the former German Democratic Republic in the transition to an economic and social system based on parliamentary democracy, federalism and the social market economy.

298. The Committee welcomes the amendment of article 3 of the Basic Law, which adds the commitment of the State to the promotion of women's de facto equality with men and the removal of existing disadvantages to the constitutional guarantee of equal rights of women and men.

299. The Committee commends the Government on its wide-ranging legislative and policy initiatives and the programmes and projects aimed at giving effect to the constitutional guarantee of equal rights of women and men. In particular, it welcomes the adoption of the second Equal Rights Act of 1994, the amendment of the Penal Law, making marital rape and sexual coercion a punishable offence, and the action plan to combat violence against women. It commends the Government on its women and work programme aimed at ensuring women's equal participation in all sectors of society. It welcomes the Government's extensive use of temporary special measures, in accordance with article 4, paragraph 1, of the Convention, for the realization of de facto equality for women.

300. The Committee commends the Government on the recent advances made in the participation of women in the political sphere, particularly with respect to the representation of women in the Parliament.

301. The Committee commends the State party on the extensive network of institutional mechanisms at federal, state and local levels that support and promote the implementation of the country's equal rights policies. It appreciates the fact that resources for the Federal Ministry aimed

at realizing equal opportunities for women have increased continuously between 1986 and 1997.

302. The Committee congratulates the State party for having signed the Optional Protocol to the Convention, on 10 December 1999, and welcomes its stated intention to initiate in 2000 the process of ratifying the Optional Protocol and the amendment of article 20, paragraph 1, of the Convention concerning the time of meetings of the Committee.

303. The Committee notes that the Government, in assessing the implication of a decision of the European Court of Justice concerning the role of women in the German armed forces, will evaluate its reservation to article 7, subparagraph b, of the Convention.

### **Factors and difficulties affecting the implementation of the Convention**

304. The Committee notes that there are no significant factors or difficulties that prevent the effective implementation of the Convention in Germany.

### **Principal areas of concern and recommendations**

305. The Committee, while noting the wealth of information concerning legislation, policy and specific measures designed to ensure compliance with the Convention, is nonetheless concerned at the general absence of assessment and evaluation of these initiatives.

306. The Committee urges the State party to place greater emphasis, in its next periodic report, on the assessment and evaluation of all measures taken to eliminate discrimination against women in all areas of their lives, and to set time-frames within which it intends to achieve its goals.

307. The Committee is concerned that, although a series of measures has been adopted, the implementation of the Convention for women living in the new *Länder* continues to lag behind that with regard to those living in the old *Länder*. It is concerned that women in the new *Länder* used to enjoy full employment but now account for 20.7 per cent of the unemployed. That is a disproportionately high percentage compared to that of unemployed men in the new *Länder* as well as to the overall unemployment rate of women in Germany.

308. The Committee urges the Government to continue its targeted efforts to improve the situation of women in the new *Länder* in the area of work and employment, as well as their overall social well-being.

309. The Committee is concerned that the programmes, laws and policies introduced by the Government have failed to ensure that the Constitutional obligation to promote the implementation of de facto equality for women is understood as a societal responsibility and achieved in practice.

310. The Committee urges the Government to take measures to ensure that public officials, including law enforcement officials, contribute to the realization of this principle in the entire territory of the country. It urges the Government to ensure that tertiary and continuing legal education of lawyers and the judiciary adequately covers the evolving understanding of equality and non-discrimination and international norms and standards in that regard. It also urges the

Government to ensure the availability of effective domestic remedies and their accessibility to women, especially in the light of the pending entry into force of the Optional Protocol to the Convention. It also encourages the Government to refer directly to the Convention in its legislative, policy and programmatic initiatives, since the Convention is legally binding and such use would increase awareness of the international commitments entered into by the State party.

311. The Committee expresses its concern at the continuing disadvantages women face in many aspects of work and the economy. In particular, the Committee is concerned at the persistence of the wage gap between women and men, notwithstanding women's high educational achievements, with women earning on average 77 per cent of men's earnings. It is concerned that, in 1997, although women accounted for 42.1 per cent of the gainfully employed population, they comprised 88 per cent of the persons working in part-time employment and 55.9 per cent of the unemployed. The Committee is concerned that those differences are indicative of the persistence of indirect discrimination against women in the labour market. It is also concerned that part-time work tends to be in low-skilled employment, offering fewer opportunities for professional advancement.

312. The Committee calls on the Government to ensure that the definition of discrimination contained in article 1 of the Convention, in particular the Convention's prohibition of indirect discrimination, is fully integrated into its legislation, especially its labour legislation. In this regard, it welcomes the Government's intention to prepare a report on equal pay which will examine the primary causes of wage discrimination. The Committee calls on the State party to examine existing formulae for the determination of equal work and work of equal value, with a view to developing guidelines or directives to assist the partners in collective wage bargaining in determining comparable wage structures in sectors dominated by women. The Committee urges the Government to monitor closely the impact of its new programme on women and work so as to ensure that it achieves its stated aims of advancing equal opportunities of women and men in the working world and in the family and does not perpetuate gender stereotypes.

313. The Committee expresses its concern at the persistence of stereotypical and traditional attitudes about the roles and responsibilities of women and men in private and in public life. The Committee notes that that persistence is reflected in women's predominance in part-time work, their main responsibility for family and caring work, occupational segregation, men's extremely low participation in parental leave, at 1.5 per cent of those taking parental leave in 1997, and the taxation of married couples. The Committee is concerned that measures aimed at the reconciliation of family and work entrench stereotypical expectations for women and men. In that regard, the Committee is concerned at the unmet need for kindergarten places for the 0-3 age group, that the proportion of all-day kindergartens was only 34.8 per cent in 1994 and that childcare centres were available for only 5.1 per cent of school-age children, especially since all-day schools are the exception in Germany.

314. The Committee urges the Government to study the impact of measures aimed at reconciliation of work and family responsibilities so as to create a firm basis for policies and programmes that will accelerate change and eradicate stereotypical attitudes. The Committee urges the State party to develop more programmes and policies targeted at men to accelerate the changing of attitudes and behaviour. It calls on the State party to consider the introduction of non-transferable parental leave for fathers to increase the number of men that share responsibility for childcare and child-rearing. It urges the Government to improve the availability of care places for school-age

children to facilitate women's re-entry into the labour market. It also recommends that the State party assess the current legal provisions on the taxation of married couples ("splitting") and its impact on the perpetuation of stereotypical expectations for married women.

315. The Committee is concerned at the limited efforts and measures in place to extend women's equal rights and equal opportunities into the private sector.

316. The Committee calls on the Government to increase its legislative and regulatory efforts to ensure that women are protected against all forms of discrimination in the private sector and to increase measures aimed at achieving de facto equality. It also encourages the Government to intensify its interaction with the private sector, including through incentives and other non-legislative measures, as well as with unions and with women's organizations to achieve that goal.

317. The Committee is concerned at the often precarious social and economic situation of foreign women living in Germany. It is also concerned at the incidences of xenophobic and racist attacks in the State party and notes the vulnerabilities that foreign women can face on the multiple grounds of sex, ethnicity and race.

318. Noting the Government's intention to commission a study on the living situation and social integration of foreign women and girls, the Committee requests the Government to undertake a comprehensive assessment of the situation of foreign women, including their access to education and training, work and work-related benefits, health care and social protection, and to provide such information in its next report. The Committee calls on the Government to improve the collection of data and statistics disaggregated by sex and race/ethnicity of victims of violence motivated by xenophobia and racism, to put in place adequate protection mechanisms and to ensure that foreign women victims of such attacks are made aware of their rights and have access to effective remedies. It also urges the Government to strengthen its efforts for the social integration of foreign women through educational and employment services, and through awareness-raising of the population. It also recommends that steps be taken to combat domestic violence and violence within the family and to increase foreign women's awareness about the availability of legal remedies and means of social protection.

319. The Committee, while welcoming the Government's action plan on violence against women, is concerned at the remaining gaps in protecting women against violence in the family and in society.

320. The Committee urges the Government to ensure the systematic implementation of the plan and to monitor its impact in the areas of emphasis identified in the plan. In particular, the Committee recommends legislation and measures to ensure that women victims of domestic violence have immediate means of redress and protection. It also calls on the Government to take measures aimed at creating zero tolerance for such violence, and to make it socially and morally unacceptable. The Committee further recommends that measures be taken to sensitize the judiciary to all forms of violence against women that constitute infringements of the human rights of women under the Convention, particularly taking into account the increased vulnerability of foreign women to such violence.

321. The Committee is concerned at the incidence of trafficking in women and girls.
322. The Committee urges the Government to recognize that trafficked women are victims of human rights violations in need of protection and, accordingly, to provide assistance to them. It also urges the Government to increase efforts of cross-border and international cooperation, especially with countries of origin and transit, to reduce the incidence of trafficking and to prosecute traffickers. It calls on the Government to ensure that trafficked women have the support that they need so that they can provide testimony against their traffickers. It also urges that training of border police and law enforcement officials provide them with the requisite skills to recognize and provide support to victims of trafficking. It also recommends that the Government review its procedures for issuance of visas to dependent spouses, taking into consideration that such spouses may be vulnerable to sexual exploitation.
323. The Committee is concerned at the continuing stereotypical portrayal of women, especially of foreign women, in the media.
324. The Committee urges the Government to support the important role of the media in changing stereotypical attitudes to women. It recommends that opportunities be created for the portrayal of positive, non-traditional images of women and to encourage and facilitate the use of self-regulatory mechanisms in the media to reduce discriminatory and stereotypical portrayals of women.
325. The Committee is concerned that, although they are legally obliged to pay taxes, prostitutes still do not enjoy the protection of labour and social law.
326. The Committee recommends that the Government improve the legislative situation affecting these women so as to render them less vulnerable to exploitation and increase their social protection.
327. Noting the Government's intention to amend the Aliens Act on the legal status of foreign spouses, the Committee is concerned at the situation of alien women seeking residence in the State party.
328. The Committee urges the Government to continue to improve the legislative and social protection of alien women, especially of women asylum seekers.
329. The Committee urges the Government to deposit its instrument of acceptance of the amendment to article 20, paragraph 1, of the Convention as soon as possible.
330. The Committee also urges the Government to ratify the Optional Protocol to the Convention.
331. The Committee requests that the Government respond in its next periodic report to the specific issues raised in these concluding comments.
332. The Committee also requests that the Government engage in a broad consultative process with women's non-governmental organizations, including those that represent foreign women, when preparing its next report.



333. The Committee requests the wide dissemination in Germany of the present concluding comments in order to make the people of Germany, particularly government administrators and politicians, aware of the steps that have been taken to ensure de jure and de facto equality for women and the future steps that are required in that regard. It also requests the Government to continue to disseminate widely, in particular to women's and human rights organizations, the Convention and its Optional Protocol, the Committee's general recommendations and the Beijing Declaration and Platform for Action.