



**International covenant
on civil and
political rights**

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HUMAN RIGHTS COMMITTEE

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 40 OF THE COVENANT**

**COMMENTS BY THE GOVERNMENT OF GERMANY
TO THE CONCLUDING OBSERVATIONS OF THE HUMAN RIGHTS COMMITTEE**

[5 January 2005]

Response by the Government of the Federal Republic of Germany to paragraph 23 first sentence of the concluding observations of the United Nations Human Rights Committee to the fifth periodic report of Germany under article 40 of the International Covenant on Civil and Political Rights dated 30 March 2004 (CCPR/CO/80/DEU)

Paragraph 23 first sentence of the concluding observations of the United Nations Human Rights Committee to the fifth periodic report of Germany under article 40 of the International Covenant on Civil and Political Rights dated 30 March 2004 (CCPR/CO/80/DEU) reads as follows:

“23. In accordance with article 70, paragraph 5, of the Committee's rules of procedure, the State party should provide, within one year, the relevant information on the implementation of the Committee's recommendations in paragraph 11.”

Paragraph 11 of the concluding observations reads as follows:

„11. The Committee notes with concern that Germany has not yet taken a position regarding the applicability of the Covenant to persons subject to its jurisdiction in situations where its troops or police forces operate abroad, in particular in the context of peace missions. It reiterates that the applicability of the regime of international humanitarian law does not preclude accountability of States parties under article 2, paragraph 1, of the Covenant for the actions of its agents outside their own territories.

The State party is encouraged to clarify its position and to provide training on relevant rights contained in the Covenant specifically designed for members of its security forces deployed internationally.”

Statement by the Federal Government:

Pursuant to Article 2, paragraph 1, Germany ensures the rights recognized in the Covenant to all individuals within its territory and subject to its jurisdiction.

Wherever its police or armed forces are deployed abroad, in particular when participating in peace missions, Germany ensures to all persons that they will be granted the rights recognized in the Covenant, insofar as they are subject to its jurisdiction.

Germany's international duties and obligations, in particular those assumed in fulfilment of obligations stemming from the Charter of the United Nations, remain unaffected.

The training it gives its security forces for international missions includes tailor-made instruction in the provisions of the Covenant.