



Permanent Mission
of the Federal Republic of Germany
to the Office of the United Nations and
to the other International Organizations
Geneva

Ref.: (please quote when answering): Pol 381.70/29
Note No.: 160/2012

Note Verbale

The Permanent Mission of Germany to the Office of the United Nations and to the other International Organizations in Geneva presents its compliments to the United Nations High Commissioner for Human Rights and – referring to the latter's Note Verbale CED/SG/GA 67, dated 3 May 2012 – has the honour to transmit enclosed information of the Federal Republic of Germany on the implementation of resolution GA/RES/66/160 entitled "International Convention for the Protection of All Persons from Enforced Disappearance".

The Permanent Mission of Germany to the Office of the United Nations and to the other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 25 June 2012

To the
Office of the High Commissioner for Human Rights
Palais Wilson
Geneva

Response to the letter of 3 May 2012 by the Office of the United Nations High Commissioner for Human Rights – Secretariat of the Committee on Enforced Disappearances

Information on the status of the “International Convention for the Protection of All Persons from Enforced Disappearance” and the implementation of the resolution A/RES/66/160 of 22 March 2012:

- a) Steps taken to consider signing and ratifying or acceding to the Convention as a matter of priority (paragraph 2 of the resolution)

Answer: The Federal Republic of Germany signed the International Convention for the Protection of All Persons from Enforced Disappearance (hereinafter: the Convention) on 26 September 2007. The domestic legislative procedure has been completed: the ratifying legislation required under constitutional law to transpose the convention into national law was promulgated on 5 August 2009 (Federal Law Gazette 2009, part II, page 932 et seqq.); the instrument of ratification was deposited on 24 September 2009¹. The convention entered into force in accordance with article 39 para. 1 on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession on 23 December 2010.

- b) Steps taken to consider the option provided for in articles 31 and 32 of the Convention (paragraph 2 of the resolution)

Answer: The Federal Republic of Germany has submitted its response by a 20 June 2012 Note Verbale to the United Nations regarding Articles 31 and 32 of the Convention and has thus recognised the Committee's competence to take receipt of inter-State and individual communications.

- c) Assistance requested and received by the Secretary-General and the United Nations High Commissioner for Human Rights to become State Party to the Convention (paragraph 5 of the resolution);

Answer: Not applicable (see above, answer to a above)

¹ Declarations regarding: Article 16, Article 17 para. 2 (f), Article 17 para. 3, Article 18, Article 24 para. 4.

- d) Assistance received by the United Nations agencies and organizations, intergovernmental organizations, non-governmental organizations and the Working Group on Enforced Disappearances in the understanding and the implementation of the obligations under the Convention (paragraph 6 of the resolution).

Answer: On 25 April 2012 a Conference on Enforced Disappearances was organized by the German Institute for Human Rights. A series of lectures was followed by a panel discussion concerning the question "The Convention against Enforced Disappearance - A relevant Issue for Germany?". Participants were, inter alia, the Chairperson of the Committee on Enforced Disappearances, Prof. Emmanuel Decaux, and the Federal Government Representative for Human Rights Matters, Ms Almut Wittling-Vogel.

The Federal Republic of Germany is currently preparing its first report within the time limit of 23 December 2012. The report will be prepared in cooperation with the Laender authorities. Before issuing the final report, the Government will also involve interested NGOs.