

High-level meeting on the rule of law at the national and international levels

Pledge registration form

The rule of law is one of the founding principles of the Federal Republic of Germany. Germany strives to continuously strengthen the rule of law at the domestic level and to promote the rule of law in third countries and at the international level. **Germany** hereby pledges:

A. Strengthening the rule of law at the domestic level:

1. Gender equality and empowering women and children.

Germany commits to review the implementation the 2011 Federal Government Action Plan to Protect Children and Youths from Sexual Violence and Exploitation via a monitoring procedure.

Germany pledges to further strengthen women's protection from gender based violence by ratifying and implementing the Council of Europe Convention to prevent and combat violence against women and domestic violence (CETS 210). The implementation of this pledge includes the following steps:

- Disaggregation of the crime statistics to enhance the data base of reported cases of gender based violence starting with the reporting year 2012
- Publication of the Report of the Federal Government on the support system for women affected by gender based violence 2012 and Parliamentary debate 2013
- Establishment of a nationwide telephone number on violence against women in 2013
- Developing a national monitoring concept to assess the results of all policy measures in the area of protecting women from violence 2014
- Ratification of the Council of Europe Convention to prevent and combat violence against women and domestic violence by the end of 2014.

In order to reduce and eliminate unequal pay between men and women the Federal Government will

- reinforce the awareness of the still existing inequalities in pay between women and men and the causes thereof promote and extend the “Forum Equal Pay Day” where annually, different key issues on gender issues are openly discussed;
- provide enterprises with a software called “Parity of Pay at Work”, an instrument that detects and analyses wage differentials and seeks to find durable solutions in order to enhance fair pay.

Germany commits to further strengthen children’s rights and the protection of children through

- the establishment of participatory structures for young people and in particular the participation of young people in decision making through the internet;
- the implementation of the 2011 Federal Government Action Plan’s goals focussing on prevention, intervention, online networks and child trafficking for the purpose of sexual abuse;
- improvements in communication and monitoring by the joint working group of the Federal Government and the Laender (Bund-Laender-Arbeitsgruppe);
- the promotion of the “Centre for Child Protection on the Internet” („I-KiZ – Zentrum für Kinderschutz im Internet“) which was founded in September 2012 and seeks to protect children and adolescents from internet abuse.
- the support of a nationwide strategy initiated by the German Federal Ministry for Families as well as the Federal Centre for Health Education pursuing the aim to inform and strengthen boys and girls from six to twelve and to raise their awareness to acknowledge potential dangers of the digital world;
- the swift ratification of the Optional Protocol of the Convention on the Rights of the Child regarding an individual complaints procedure.

2. Countering racism, xenophobia and anti-Semitism

Germany pledges to implement broad programs in order to further develop its action against extremism, racism, xenophobia and anti-semitism such as the programs “Promote tolerance – Strengthen competence” (“TOLERANZ FÖRDERN – KOMPETENZ STÄRKEN”) and “Initiative on Strengthening Democracy” („Initiative Demokratie stärken“). The programs aim at the consolidation of central values such as democracy, diversity and tolerance in society. In a preventive and pedagogical way, they particularly seek to engage children and young people for the basic rules of a peaceful life in a democratic society.

Germany will conduct additional programs enhancing integration and diversity in German society.

Until 2014 the Federal Government undertakes to have established more than 365 nationwide projects through its program „XENOS – Integration und Vielfalt“ helping to reduce racism against and discrimination of young people particularly when entering the job market for the first time. Other projects will be promoted as well.

With particular reference to German right-wing extremism, the Federal Government will have supported until 2014 fifteen nationwide projects to help those deciding to leave the right-wing environment.

3. Countering trafficking in human beings.

Germany commits to further enhance the fight against trafficking in human beings and the protection of its victims by ratifying and implementing the Council of Europe Convention on Action against Trafficking in Human Beings (CETS 197) by the end of 2012. The necessary bill shall be passed by the Bundesrat on 21 September 2012 and the instruments deposited by 31 December 2012.

Germany commits to present a draft bill in order to implement the Directive 2011/36/EU of the European Parliament and of the European Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims.

4. Countering discrimination.

The Federal Government undertakes to implement the case-law of the Federal Constitutional Court on equal treatment of Lesbians, Gays, Bisexuals and Transsexuals (LGBT).

Germany commits to implement the rights of persons with disabilities in the coming years through the following measures:

- implement and further develop the National Action Plan of 15 June 2011 based on the “UN Convention on the Rights of Persons with Disabilities” in cooperation with civil society; this includes the creation of a separate action plan for the inclusion of persons with disabilities in development cooperation;
- encourage other states to accede to the UN- Convention on the Rights of Persons with Disabilities.

B. Strengthening the Rule of Law in bilateral and regional cooperation:

1. Support to the Rule of Law in German Development Cooperation.

Support to the Rule of Law is both a priority and a mainstream issue in German development cooperation. The Rule of Law is a necessary requirement for long-term success in the fight against poverty. It is a condition for the unfolding of the full potential of individuals and societies, also in the economic field. Priority areas in the German approach are effective division of powers, administrative law and the fight against corruption, criminal law and criminal proceedings law, legal framework for a social market economy, enforcement of human rights with a view to empowerment and gender equality.

In agreement with its development partners Germany is committed to include the support to the Rule of Law in its development cooperation through numerous programs and projects such as:

- “Promotion of the Rule of Law” in Afghanistan until the end of 2014 and beyond by strengthening justice institutions and building up police forces through a broad range of activities in order to establish a functioning constitutional state with an official state-run judicial system.
- “Prison reform in support of civil rights” in Bangladesh until the end of 2014; the program supports the creation of a modern prison act and seeks to reduce the number of impoverished detainees awaiting trial without date and to counter corruption.
- “Access to Justice for Women” in Cambodia until the end of 2013 which helps the Ministry of Women’s Affairs and NGOs contribute sustainably to the protection of women and girls.
- “Strengthening the rule of law” in Colombia by 2014 by the development of a legal policy centered on human rights, efficiency and the principle of equal opportunity.
- “Assistance in preventing and combating corruption” in Indonesia by mid-2013 by helping to establish an Anti-Corruption Clearing House as well as an Anti-Corruption Learning Center.
- “Promotion of Good Governance” in Kenya until the end of 2013; the program focusses on the enhancement of access to justice, anti-corruption and over-sight, also at the local level.
- “Promotion of Social Justice” in Kenya until the end of 2013 by fighting hate speech and supporting processes such as truth telling, research, investigations and cohesion building.
- “Legal Reform” in Kosovo until the end of 2014 by further developing the legal training system, compiling legislation and supporting the Constitutional Court.
- “Consolidating the Legal Framework for Sustainable Economic Development” in Mongolia until the end of 2013 in order to strengthen the establishment of legal and administrative standards, their quality and thus, their enforceability.
- “Integration of a gender approach in economic and social policy” in Morocco until the

- end of 2013, so that inequalities can be measured and mitigated, particularly in government institutions, NGOs and the private sector.
- “Stabilization of the Gender Crime Center” in the national police office of Pakistan until the end of 2014 by combating violence against women and inequality in gender issues.
 - “Support to the Punjab Prosecution Service” in Pakistan by mid-2014 by strengthening prosecution services and contributing to more effective law enforcement.
 - “Criminal Law Proceedings, Human Rights and Access to Justice” in Peru by mid-2013 in support of the country’s criminal law reform.
 - “Support to the Public Defender Authority” in Peru by mid-2014 by informing and counseling indigenes on government or private business activities affecting their livelihood in order to prevent and reduce social conflicts.
 - “Support to Legal Reform in Serbia” by the end of 2013 by advising on legislation, especially in the field of civil and commercial law, its implementation and public announcement.
 - “Public Service Reform Program” in South Africa by mid-2013 providing legal advisory and technical support to key public institutions and civil society.
 - “Strengthening Human Rights” in Uganda by the end of 2013 by raising political and public awareness on gender-based discrimination and violence as well as on marginalization of persons with disabilities and HIV/AIDS sufferers through training for politicians, capacity building for institutional watchdogs and publicity campaigns.
 - “Democratization, State and Civil Society” in Zambia by mid-2015 by supporting civil society cooperation with government to enhance access to justice for poor people.
 - “Support to the African Court on Human and Peoples’ Rights” in Arusha, Tanzania until the end of 2013 by promoting the work of the Court towards Civil Society and Governments and by exchanging political and judicial knowledge and experience.
 - “Regional/International Law and Access to Justice in Latin-America” by mid- 2015 by assisting in drafting and implementing a regional framework for access to justice that is in line with international standards.
 - “Advice on Legal and Judicial Reform in the South Caucasus” in Armenia, Azerbaijan, Georgia by mid-2014 by exchanging experiences and legal knowledge as well as offering trainings to judges and lawyers and disseminating the Bangalore Principles on Judicial Conduct.
 - “Promotion of the Rule of Law in Central Asia” in Kyrgyzstan Uzbekistan, Tajikistan, Turkmenistan and Kazakhstan by the end of 2014 with a main focus on legal advice for administrative proceedings and administrative process law.
 - Germany undertakes to back development partners in their fight against corruption by routinely offering instruments to align their national legislation with the requirements of the UN Convention Against Corruption (UNCAC). Currently several countries in Africa, Asia and the Middle East make use of this support. Equally, Germany commits to routinely disseminate the Bangalore principles on judicial conduct in the framework of its development cooperation in order to support partner countries’ fight against corruption and quest for legal security.

2. Bilateral dialogues on the Rule of Law.

Beyond development cooperation Germany is committed to support the efforts of a number of partner countries to reform their administration, legislation and justice system through structured bilateral dialogues on mutually agreed issues and through the exchange of know-how and experience. In these dialogues different work- and exchange programs are being implemented and developed in cooperation with partner countries, among them the Republic of China, the Socialist Republic of Vietnam, the Russian Federation and the Republic of Turkey. Programs include specific seminars, mutual visits as well as trainings for staff in the fields of legislation, law enforcement and judiciary.

3. Supporting peace and security in conflict and post-conflict situations.

Germany commits to use resources to build and strengthen the Rule of Law in fragile and post-conflict states. Current activities comprise

- support to constitutional legislation in several conflict affected states worldwide including the detachment of experts, workshops, trainings and seminars (examples under B.1.);
- support to Rule of Law programs in several conflict-affected West African States (Liberia, Niger, Guinea, Cote d'Ivoire and Sierra Leone) through GIZ German International Cooperation until mid 2014; the focus is on better access to justice, training of judicial personnel (judges, clerks, district attorneys), strengthening local government and the publication of legal documents;
- support to a program on "Women's Access to Justice in Conflict and Post-Conflict – Gender & Rule of Law" by UN Women in several conflict affected states worldwide until the end of 2012.

Germany commits to provide similar support in the future.

In the program "Strengthening of the effectiveness of police structures in African countries" Germany commits to support until the end of 2013 the creation of an effective police force in selected African post-conflict countries. Germany also commits to actively consider an extension until the end of 2015. In its three components the program provides support to

- trainings in the area of community based policing and countering sexual and gender-based violence; infrastructure and equipment for national police;
- preparation of police officers from African countries for participation in African peace missions such as AMISOM or UNAMID;
- support to regional organisations and coordination mechanisms (ECOWAS, SADC, EASFOM) to build their police capacities.

Germany supports DPKO OROLSI in the promotion of Rule of Law components in peace keeping operations and commits to continue such support as mutually agreed. Activities have included the financing of trainings, seminars, workshops and conferences. Most recently, Germany hosted the 4th United Nations Conference on Corrections in Peacekeeping as well as the annual meeting of the heads of Rule of Law and Corrections components.

C. Strengthening the Rule of Law at the international level:

1. Gender equality and empowering women and children.

Germany works for gender equality and the empowerment of women and children on the international level and in international fora and undertakes to:

- As a member of the Bureau of the Commission on the Status of Women (CSW) Germany will stand up at the 57th session of the CSW for female victims of violence or women threatened by violence in order to improve their situation. The priority theme for the 57th session will be “Elimination and prevention of all forms of violence”.
- Germany will support the work of the United Nations Entity for Gender Equality and the Empowerment of Women – UN Women – and the core budget as a reliable contributor.
- Germany will support the swift implementation and updating of the EU Guidelines on Children’s Rights. Also for this purpose Germany has become member of the Sub-Working Group on Children’s Rights of the European Council’s Working Group on Human Rights.

In order to enhance its efforts to implement UN Security Council resolution 1325 on Women, Peace and Security Germany prepares to present a National Action Plan on UN Security Council resolution 1325 by the end of 2012.

Germany will furthermore contribute to international efforts to terminate “Female Genital Mutilation” (FGM) as well as so-called “honour-killings”. To achieve this, the Federal Government will

- keep addressing FGM and “honour-killings” at the Human Rights Council;
- raise FGM and “honour-killings” in talks with bilateral partners in order to encourage and support their own efforts against FGM and/or “honour-killings”, also in the framework of development cooperation;
- encourage African states to ratify the Maputo Protocol as a part of the African Charter on Human and Peoples’ Rights in order to counter genital mutilation.;
- support a diverse range of initiatives in selected and highly affected countries which seek to counter FGM, including through intergenerational discussions or the involvement of spiritual leaders in open debates.

In an effort to strengthen and protect children's rights at the international level Germany commits to

- provide political and financial support for activities of the United Nations Children's Fund (UNICEF);
- in the framework of development cooperation implement the Federal Government's position paper on the rights of children and youth as well as to provide about 260 million Euro for education programs worldwide in 2013;
- support measures against forced marriages and help partner countries to improve their birth registration systems;
- back the work of the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative on Violence against Children;
- support local governmental and non-governmental institutions with funds to combat the sexual exploitation of children.

2. Fostering an enabling environment for sustainable human development

The German government commits to seriously examine the signing and ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR) with an aim to accede to the ICESCR.

The German government will support the implementation of the Right to adequate Housing. To this end Germany will further develop the German-Finnish initiative "The Right to adequate Housing". In addition, it will support development programs and initiatives promoting the "The Right to adequate Housing".

Germany commits to promote the human right to safe drinking water and sanitation recognized by the UN General Assembly and the Human Rights Council. In order to underline the human rights aspect in its implementation, Germany will support the work of the Special Rapporteur on the human right to safe drinking water and sanitation. Moreover, one priority of the German development policy will be the inclusion of a human rights based approach in the water sector.

In its effort to establish and implement the Right to Food Germany commits to support the operationalization of the "Voluntary guidelines on the implementation of the right to adequate food in the context of national food security" developed by the Food and Agriculture Organization (FAO). In this regard Germany has propagated the formulation of the "Voluntary Guidelines for Responsible Governance of Tenure of Land and other Natural Resources" including their human rights-based approach. After the guidelines' adoption in 2012 the German Federal Government will support its worldwide implementation.

3. Addressing transnational threats

In its effort to address transnational threats Germany commits the following

- By the end of 2012, Germany will have co-sponsored the installation and training of several Joint Port Control Units in South Eastern Europe within the UNODC Container Control Program.
- By the end of 2012, Germany will have co-sponsored regional anti-corruption experts to strengthen the capacity of several countries in East Africa under the UNODC program 'GLOS48' by providing training and advisory services to local law enforcement agencies.
- By the end of 2012, Germany will – within the UNODC-WCO Container Control Program – have co-sponsored the strengthening of the law enforcement authorities' capabilities of five West African countries and the further training of their Joint Port Control Units.
- By the end of 2012, Germany will – within the UNODC-Terrorism Prevention Branch Programme – have co-sponsored a workshop on counter-terrorism investigations and an online training on relevant UN Counter-Terrorism agreements for criminal investigation authorities in the Sahel region.
- By the end of 2012, Germany will have co-sponsored trainings and other capacity building measures for fiscal and customs authorities in East Africa under the UNODC Global Programme against Money-Laundering, Proceeds of Crime and Financing of Terrorism (GPML).
- By the end of 2012, Germany will – as a donor to the EU-UNODC Counter-Piracy Programme – have co-sponsored several trainings for judicial and criminal prosecution authorities of Seychelles dealing with piracy suspects.

Germany, hereby pledges, jointly with other like-minded States on targeted sanctions, to submit in the course of 2013 to the UN Security Council suggestions on ways to strengthen the UN sanctions system by further improving fair and clear procedures, especially with regard to enhancing the scope and mandate of the Ombudsperson procedure.

4. The International Criminal Court.

The German Federal Government will continue to support the universality and full implementation of the Rome Statute of the International Criminal Court (ICC) at EU level and in bilateral cooperation. The Government will also promote the accession to the Statute. Furthermore, Germany will pay attention to the implementation of the provisions made at the Review Conference on the Rome Statute of the International Criminal Court (ICC) in Kampala. In doing so, Germany will pay particular attention to the needs of victims of genocide, crimes against humanity and war crimes as well as to the work of the ICC's Trust Fund for Victims.

5. Extending the European legal space – a human rights based approach.

On the European level Germany will promote the balancing of the principle of mutual recognition of judicial decisions in criminal matters with EU-wide minimum procedural rights. Such a balance will strengthen the trust in a common European legal space. In addition, Germany will work to advance the comprehensive package of legislative measures of the "Roadmap for strengthening procedural rights of suspected and accused persons in criminal proceedings".

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