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COMMISSION ON HUMAN RIGHTS
Intergovernmental working group of experts
on human rights of migrants
Second session
Geneva, 16 - 20 February 1998

INFORMATION AND COMMENTS
RECEIVED FROM GOVERNMENTS,
UNITED NATIONS BODIES, SPECIALIZED AGENCIES,
INTERGOVERNMENTAL AND NON-GOVERNMENTAL
ORGANIZATIONS

Report of the Secretary-General

ANNEX

Submission from the Government of Germany
dated 2 February 1998

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 Office of the United Nations High Commissioner for Human Rights and, with reference to the latter's Note of 2 December 1997 concerning information on the Human Rights of Migrants has the honour to enclose the reply of the Federal Republic of Germany to the questionnaire of the Working Group.

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 United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 2 February 1998

Translation

Questionnaire on the Human Rights of Migrants

Reply by the Government of the Federal Republic of Germany
January 1998

Question 1

First indent

See attached table (Annex 1).

Second indent

No reliable statistics are available on the number of German nationals living abroad. Enclosed are unofficial figures (Annex 2) provided by the Verein für das Deutschtum im Ausland e.V. (Association for the Promotion of German Culture Abroad), which the Federal Government is not in a position to verify.

Third indent

On 31 March 1997 2,022,586 non-nationals, amounting to 7.5% of those in employment, had jobs requiring payment of social insurance contributions. Broken down by nationality, the figures are as follows:

Turkey	559,601
Former Yugoslavia	311,360
Italy	197,591
Greece	110,786
Portugal	50,961
Spain	46,259

These figures do not include people who, since their monthly pay is below a certain level (DM 610 in the old, DM 520 in the new Federal Länder) or because they are self-employed, are exempt from paying social insurance contributions.

Fourth indent

There are no official estimates of the number of irregular migrants in Germany.

Questions 2 and 3

Detailed information on this issue is given in the Thirteenth/Fourteenth Periodic Report of Germany submitted in 1997 under Article 9 of the International Convention on the Elimination of all Forms of Racial Discrimination (CERD/C/SR. 1197). Further information is contained in the UN Special Rapporteur's report on his visit to Germany in 1995 entitled Report on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and related Intolerance (E/CN.4/1996/72/Add.2).

Question 4

Germany has ratified ILO Convention No. 97. It has not ratified ILO Convention No. 143 (principally on account of the obligations contained in Articles 8 and 9) or the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which Germany has also not signed (for reasons set out in an explanatory statement on voting by Germany's representative when the Convention was adopted in 1990 and which are still valid).