



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND

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REFERENCE: PG/SL/FN

20 June 2014

Dear Mr. Lange-Lehngut,  
Dear Mr. Dopp,

On behalf of the United Nations Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT), established in accordance with the Optional Protocol to the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment (OPCAT), I have the honour to present to the National Preventive Mechanism (NPM) of the Federal Republic of Germany the SPT response to the reply of your institution to the SPT visit report.

On 29 July 2013, the SPT transmitted its report (CAT/OP/DEU/1) to the German NPM, on its NPM advisory visit to the Republic of Germany, which took place from 8 to 12 April 2013. The SPT is pleased to have received the reply (CAT/OP/DEU/2/Add.1) from the NPM of Germany on 27 January 2014. The SPT welcomes the decision of the German NPM to authorize the publication of the SPT visit report as well as the publication of the reply of the German NPM, and takes this to be a strong indication of your institution's willingness to cooperate with the SPT to prevent torture and other ill-treatment. In this same spirit of cooperation, the SPT invites and recommends that the NPM approve the publication also of this response, as provided for under Article 16 (2) of the OPCAT.

Taking into consideration your reply, the SPT considers a significant number of issues and recommendations made by the SPT in its report, whilst mentioned, not being addressed directly. The SPT wishes to emphasize, that all of the recommendations made in the visit report are and remain relevant, and contribute towards achieving a comprehensive approach to preventing torture and ill-treatment. In particular, the SPT wishes to stress the importance that, with the shortest possible delay, Germany should have in place a fully operational NPM that is based on an OPCAT compliant mandate and is adequately resourced. In order to facilitate a constructive dialogue between the German NPM and the SPT, the SPT would appreciate receiving your views and suggestions concerning possible forms of direct cooperation between the SPT and the NPM of Germany to discuss progress and the implementation of the recommendations.

.../...

Mr. Klaus Lange-Lehngut  
Mr. Rainer Dopp  
National Agency for the Prevention of Torture  
Viktoriastraße 35  
65189 Wiesbaden  
Federal Republic of Germany



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The SPT wishes to assure the NPM of the Federal Republic of Germany once again that it is committed to exercising its preventive mandate in a spirit of cooperation, and it looks forward to continuing a constructive dialogue with your institution. The SPT kindly requests the German NPM to provide a reply by 22 August 2014 giving a full account of the actions taken to implement the recommendations contained in the report.

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink that reads "Malcolm D. Evans".

Malcolm D. Evans

Chairperson

Subcommittee on Prevention of Torture

cc: Ms. Ms. Aisha Shujune Muhammad, SPT Vice Chairperson and Head of Delegation for the SPT visit to Germany  
Ms. Mari Amos, SPT Member and Head of the Regional Team on European