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CEACR: Individual Observation concerning Convention No. 111, Discrimination (Employment and Occupation), 1958 Germany (ratification: 1961) Published: 1992

Description:(CEACR Individual Observation)
Convention:C111
Country:(Germany)
Subject: **Equality** of **Opportunity** and **Treatment**
Display the document in: [French](#) [Spanish](#)
Published:1992
Subject classification: Non-discrimination (Employment and Occupation)
Subject classification: Women

The Committee notes the communications received in February 1991 and December 1991 from the World Federation of Teachers' Union (FISE), concerning the application of the Convention. Copies of these communications were transmitted by the ILO to the Government in April 1991 and January 1992. The Committee notes that the Government has not yet replied.

FISE alleges that personnel in the public service education system in the former German Democratic Republic are victims of the policy of professional bans which had been applied in the former Federal Republic of Germany. According to the information supplied by FISE, teachers have been arbitrarily dismissed from their teaching posts in violation of Convention No. 111. Personnel in the public service education system in the former German Democratic Republic are being required to complete questionnaires concerning, among other things, their past positions, past national decorations received, whether they had been reproached or suspected of having violated fundamental principles of humanity or of States' rights and whether they were willing to commit themselves to the fundamental liberal-democratic system of the Federal Republic of Germany and to defend its laws. Dismissals of such personnel may result from the nature or content of answers to the questionnaire or from a refusal to answer it.

The Committee requests the Government to forward its observations on the questions raised by the FISE so that it can examine them at its next session. In this regard, it would be grateful if the Government would provide detailed information on the number of public service officials, including teachers, who have been dismissed from their posts following the reunification, the legal basis for their removal from service, the criteria applied in determining removal as well as the procedural protections applicable and followed, and the manner in which the information collected from the personnel questionnaires is reviewed and used to condition continuation of employment in the public service, including teaching. The Committee will examine the issues raised in the communications of FISE, along with the next report of the Government at its next session.

The Committee also hopes that the next report will contain replies to the points which were raised in its observation and direct request of 1991.