

Equal recognition before the law (art. 12)

5. The Committee is concerned that the legal instrument of guardianship (“rechtliche Betreuung”), as outlined in and governed by the German Civil Code (BGB) is incompatible with the Convention.
6. **The Committee recommends that the State party:**
 - a. **Eliminate all forms of substituted decision-making and replace them with a system of supported decision-making, in view of the Committee’s General Comment No. 1 (2014);**
 - b. **Develop professional quality standards for supported decision-making mechanisms;**
 - c. **In close cooperation with persons with disabilities, provide training on article 12 of the Convention in line with Committee’s General Comment No. 1 at the federal, regional and local levels for all actors, including civil servants, judges, social workers, health and social services professionals, and the wider community.**