



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

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15 January – 2 February 2007

**Responses to the list of issues and questions for consideration of the
sixth periodic report of Austria**

Re: Reply by Austria to the list of issues and questions in relation to the Sixth Periodic Report under the CEDAW Convention.

Answer to Question 1

As Austria is a federal state, this report gives a description of measures taken both at the federal level and by the Provinces.

The Austrian Federal Ministry of Health and Women (BMGF) informed all federal ministries and Provinces - both in writing and at a co-ordination meeting - about the drafting of the 6th State Party report. All ministries and Provinces made their contributions to the individual recommendations and articles. Subsequently, the report was jointly drafted and co-ordinated, edited and translated into English, by the BMGF.

At a number of meetings with NGOs, which were convened jointly by the BMGF and the Federal Ministry of Foreign Affairs, and dealt with international equality and women's issues, NGOs were informed as to the individual reporting phases. As the 6th CEDAW report was submitted as a state party report, the federal government assumed full responsibility for its preparation. After its submission to the CEDAW Committee, the 6th country report was published in both German and English versions on the homepage of the BMGF. Hard copies of this report were sent to bodies and persons interested in - and dealing with - these issues. These paper versions of the report were also distributed at meetings.

Answer to Question 2

In 2002, the Act on the General Prohibition of Night Work for Women was repealed. The Working Time Act was amended with a view to regulating night work in a non-discriminatory manner. It was therefore possible to withdraw the reservation by giving notice to the Secretary General of the United Nations.

The withdrawal of the reservation is partial, as some of the rules for the special protection of women in the workplace will remain in force. Work in underground mines continues to be prohibited, as Austria is still bound by the ILO agreement to this effect until 2007. The prohibition on women working in environments where exposure to lead exceeds 0.02 mg/m³, as well as to work in jobs involving major physical exertion, will also remain in force as these two scientifically justified prohibitions are indispensable for the protection of women.

Answer to Question 3

The marking of relevant legal proceedings for statistical purposes was introduced on 5th September, 2003, under the programme for the automation of proceedings in the administration of justice "VJ". Since that time, all final court decisions taken pursuant to the Federal Equal Treatment Act (Federal Law Gazette No. 100/1993) or the Equal Treatment Act (Federal Law Gazette No. 108/1979) have been marked by means of the statistical recording system which has been in operation since February 2003. To this end, the code words "EQUAL TREATMENT" were chosen to mark court decisions relating to all relevant cases. An evaluation of all legal proceedings recorded from 2005 to 31st June, 2006 presents the following picture:

Cases settled under the Equal Treatment Act during 2005

Year	Code	Status
1997	EQUAL TREATMENT	Sentence
2003	EQUAL TREATMENT	Sentence
2004	EQUAL TREATMENT	Sentence
2005	EQUAL TREATMENT	Compromise
2005	EQUAL TREATMENT	Compromise
2002	EQUAL TREATMENT	Sentence
2004	EQUAL TREATMENT	Sentence
2004	EQUAL TREATMENT	Sentence
2004	Sexual Harassment, EQUAL TREATMENT	Sentence

Cases settled under the Equal Treatment Act between 1st January to 30th June 2006

Year	Code	Status
2005	EQUAL TREATMENT	Pending
2006	EQUAL TREATMENT	Pending
2006	EQUAL TREATMENT	Pending
2004	EQUAL TREATMENT	Sentence
2006	EQUAL TREATMENT	Withdrawn
2006	EQUAL TREATMENT	Withdrawn

Answer to Question 4

The Equal Treatment Act, Federal Law Gazette No. 66/2004, as amended, prohibits any discrimination on the grounds of sex, ethnic origin, religious faith or ideology, age or sexual orientation, in specific employment relationships or generally in the sphere of employment. In addition, nobody must be directly or indirectly discriminated against because of their ethnic origin in the following areas:

- Social protection, including social security and health services
- Social benefits
- Education
- Access to, and provision of, goods and services available to the general public, including housing.

The competences of the Senates of the Equal Treatment Commission (GBK) are structured along the same lines as stipulated in the Federal Act Establishing the Equal Treatment Commission and the Ombuds-Offices for Equal Treatment, Federal Law Gazette No. 108/1979, as amended, applicable and correctly described in the passage relating to recommendation 235 in the Sixth Austrian CEDAW Report. Accordingly, Senate I of the **Equal Treatment Commission** (GBK) addresses Equal Treatment of women and men in the workplace, Senate II addresses equal treatment in the workplace irrespective of ethnic origin, religious faith or ideology, age or sexual orientation, and

Senate III addresses equal treatment, irrespective of ethnic origin, in other spheres of life.

In the **Federal Equal Treatment Commission** (B-GBK), Senate I is responsible for the equal treatment of women and men in federal public service; Senate II is responsible for equal treatment in federal public service irrespective of ethnic origin, religious faith or ideology, age or sexual orientation.

The Austrian transposition rules, and thus also the provisions concerning the competencies of the Equal Treatment Commission, are oriented to the system defined in the two Antidiscrimination Directives and the amended Equal Treatment Directive of the European Union.

The EU legislators obviously assumed that discrimination on the grounds of race or ethnic origin can be ascribed to other socio-political motives and may also affect other spheres of life, and therefore required more detailed rules. The pertinent Austrian legislation is also based on this concept. Discrimination on the grounds of sex, religious faith or ideology, physical or mental handicaps, age or sexual orientation, calls for legal provisions governing – in particular – the world of work, whereas discrimination on the grounds of race or ethnic origin which also have different socio-political motives and affect other spheres of life, must be combated by more comprehensive legal provisions. The varying motives for discrimination can be ascribed to different causes and have impacts of varying intensity on society so that different legal provisions are justified.

We do not share the fear that the uniform implementation concept could lead to a dilution of the efforts made to eliminate discrimination on the ground of gender. Much rather, it can be expected that the concept of uniform implementation will promote equal treatment and afford protection against discrimination. By concentrating all relevant issues in one act, access to justice has been simplified because victims of discrimination can address themselves to a single, independent body. The Equal Treatment Commission and the Ombuds-Offices for Equal Treatment are tested, independent institutions guaranteeing a high degree of professionalism and the application of expertise gained in dealing with gender issues. Thus cases of multiple discrimination can be processed by a single institution.

The fact that the provisions pertaining to the equal treatment of men and women in the workplace are grouped together in a separate section of the Equal Treatment Act also demonstrates that the aforementioned fear of a dilution is not justified. In addition, the new duties were not assigned to the hitherto unstructured Equal Treatment Commission, but new Senates were established for dealing with the newly defined types of discrimination. In principle, Senate I is exclusively responsible for the equal treatment of men and women. Multiple discrimination also involving gender issues comes within the scope of competences of Senate I as well. After all it is the chairperson of Senate I who co-ordinates the activities of the Equal Treatment Commission.

Efforts to eliminate discrimination against women have not been eroded through the creation of the new Senates, past and ongoing. Separate Senates (Senate II and III, as well as Senate II of the Federal Equal Treatment Commission) were newly established in order to deal with the new grounds for discrimination. All other competences, such as appointment to the Senate entrusted with gender issues, have remained unchanged. Thus

the Equal Treatment Commission and the Federal Equal Treatment Commission have been enlarged through the addition of new Senates. Cases of multiple discrimination are treated by the respective “Gender Senates”, which also underlines their importance and focuses on the experience gained over many years. Furthermore, the chairpersons of the Gender Senates co-ordinate the activities of the competent Equal Treatment Commission. By way of this focus, Austrian law stresses the leading role of the Gender Senates.

Answer to Question 5

The statement made in the report regarding the gender equality principle or gender mainstreaming tried to express, maybe not all too clearly, that this principle needs to be integrated not only into the activities of the Austrian Development Cooperation but also into all policies by the Austrian government that have an effect on third countries, for instance, in Austrian contributions to Peacekeeping Operations and Peace Missions.

During the EU Presidency Austria has also undertaken concrete steps to integrate provisions of SC Res. 1325 into EU peace operations: a specific 1325-check list will ensure that gender issues are taken into account from the planning stage through training, deployment and recruitment. Austria has also started to work on a National Action Plan to ensure implementation of SC Res. 1325 at the national level.

Since the completion of the Austrian CEDAW report, the Austrian Development Cooperation (ADC) has undertaken important steps to further operationalise its commitment to gender equality and the empowerment of women in its work. To that effect, policy guidelines for gender equality and women’s empowerment were formulated and approved and a unit for gender and development was set up in the new Austrian Development Agency (ADA). Since the mid-90s all project applications have been routinely screened for their contributions to gender equality in conformity with OECD DAC guidelines, and the OECD DAC gender marker is applied to all projects. Between 2003 and 2005 financial commitments to projects with a significant gender equality goal grew by 16 million Euros (up 7.4 %) and funds earmarked for projects with a major gender equality goal (according to the OECD DAC definition) were doubled, and have reached the two million Euro mark. In addition, ADA staff - both at its head quarters as well as in field offices – have to undergo gender training. In 2005, a special campaign was launched on gender equality and the empowerment of women in development co-operation (newspaper articles, TV spots, special editions of journals, postcards, as well as a conference). In 2006, outreach activities on the MDGs focussed on gender and conflict. In the spring of 2006 the ADC organised an international symposium entitled “Building Peace- Empowering Women - Gender Strategies to make UN SC Res. 1325 work”.

Answer to Question 6

With regard to cases of violence against women, please refer to the extract from the Austrian Crime Statistics (attached tables 1-4).

The Federal Ministry of Justice has received the following statistical data on acts of violence:

- Since the entry into force of the 1997 Act for Protection against Violence (Federal Law Gazette No. 759/1996), interim injunctions applied for under section 382 Execution Act are marked using a statistical identification system for the automation of legal proceedings in the administration of justice.
- Proceedings for sexual offences pursuant to Sections 201 - 220 of the Austrian Penal Code are also marked for statistical identification.

Proceedings for sexual offences (Sections 201 to 220 of the Austrian Penal Code) in district courts (U) and first instance courts (Hv):

Type of court	Year	Number of cases
Hv	2002	981
Hv	2003	1128
Hv	2004	1054
Sum - total		3163
U	2002	318
U	2003	300
U	2004	237
Sum – total		855
Total number of cases		4018

Stalking

On 1st July 2006 an explicit criminal provision on stalking (Section 107a of the Austrian Penal Code (Federal Law Gazette No. I 56/2006 – “Beharrliche Verfolgung”, “persistent pursuit”) entered into force, thus making an explicit statement that this form of psychological pressure is not tolerated. By way of this new criminal offence such persistent harassment likely to infringe upon the private life of the victim is penalized. Accordingly, it will be a criminal offence to harass a person persistently and for a prolonged period in a way that is likely to seriously disrupt their way of life; namely by

1. Entering into close proximity of the victim
2. Phone calls to the victim or similar such contact using other means of telecommunication or third parties
3. Ordering goods or services for the victim using their personal data, or
4. Prompting others to make contact with the victim through the use of their personal data.

In addition, the legal consequence of dangerous threats within the family – that had been considered mitigating circumstances - has been changed. Such cases are now treated in the same way as other cases of threatening behaviour. Furthermore, the provision on the offence of coercion into marriage has been amended. Previously, forcing someone into marriage was considered a case of coercion, while forcing his/her future spouse into marriage with oneself was considered a crime under the separate provision titled “forced marriage”. The new amendment states that forcing some one into marriage, either with oneself or a third party, is a case of severe coercion. In the case of female genital

mutilation, the period of limitation does not begin to run until the victim comes of age. Thus, such criminal offences against minors can be prosecuted for a long time after they have been perpetrated.

Answer to Question 7

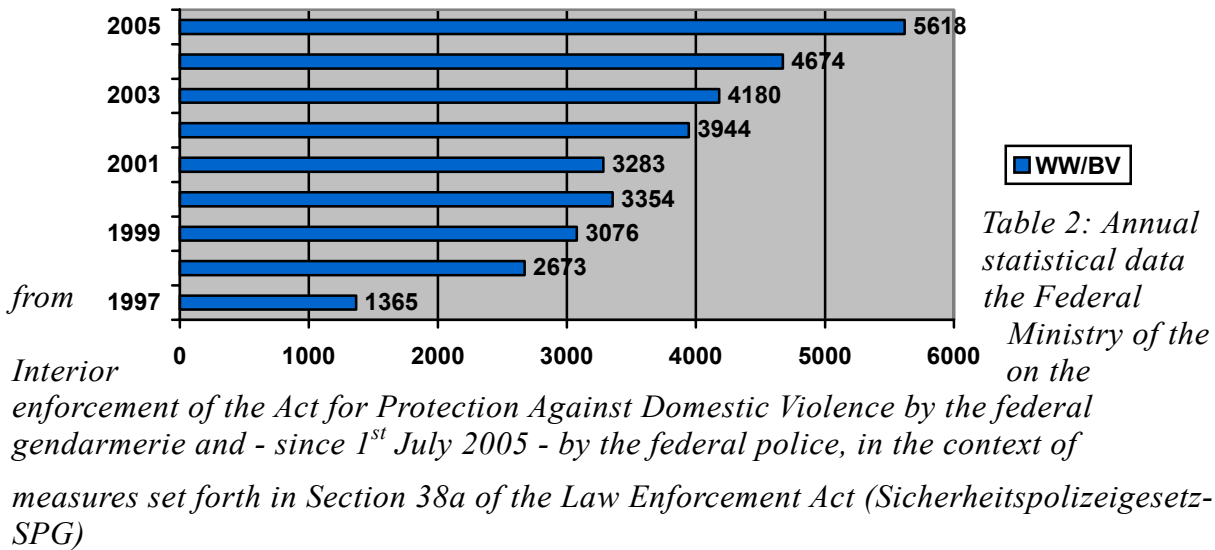
The statistical data indicated below reflect the efficiency of the Austrian Act for Protection against Violence. The core element of this Act is the power given to law enforcement officers to evict a person likely to resort to violence from the common home shared with the potential victim, and bar the violent person from returning (prohibition to enter premises and the immediate surroundings of the home).

The prohibition on such entry of premises is valid for ten days. If the endangered person is a close relative of the perpetrator, he or she can apply for an interim injunction at the competent district court within this period. The duration of the prohibition to enter premises shall be extended until the court takes a decision on the case, but the duration of such individual extensions shall be limited to ten days. The maximum duration of an interim injunction is 3 months. However, if a procedure for divorce or the like is instituted within this period, the court can declare the interim injunction valid until the closing of said procedure.

Statistics from the Federal Ministry of the Interior (BMI) on the Act on Protection Against Domestic Violence of the Law Enforcement Act

Year	Prohibition to enter premises /Measures pursuant to Section 38a of the Law Enforcement Act	Domestic conflict settlement pursuant to Section 26 of the Law Enforcement Act	Administrative penalty procedures, Section 84, Para. 1, No. 2 of the Law Enforcement Act	Repeal by the police, Section 38a, Para 6, of the Law Enforcement Act
1997	1,365			
1998	2,673			
1999	3,076			
2000	3,354	7,638	430	116
2001	3,283	7,517	508	105
2002	3,944	7,391	475	109
2003	4,180	6,558	633	124
2004	4,674	6,195	641	106
2005	5,618	6,171	668	120

Table 1: Annual statistical data from the Federal Ministry of the Interior on the enforcement of the Act for Protection Against Domestic Violence by the federal gendarmerie and - since 1st July 2005 - by the federal police.



Survey on Violence Against Women

Domestic violence in the form of bodily, mental and sexual assaults does not only cause pain to the individual, but has also an economic dimension, which has not been quantified in Austria yet. Therefore the Ministry of Justice and the Ministry of Social Security, Generations and Consumer Protection assigned the task of assessing the economic costs of domestic violence, as a result of violence by men against women as well as of domestic violence against children, to the Institute of Conflict Research (Institut für Konfliktforschung – IKF). The report differentiates between two types of economic cost: some accrue directly - such as the cost of a police intervention, medical treatment, custody of suspects and enforcement of sentences as well as shelters for battered women - and some accrue indirectly - as a result of bodily and mental impairment, such as unemployment, loss of income, reduced productivity, mental-health problems etc. As has been mentioned, there has never been a report like this in Austria before, the updated report relies on all available statistical evaluations and extrapolates costs for the following subjects: police, justice (costs of criminal proceedings, probation, arrest, psychosocial and legal counselling of victims (court assistance services), civil proceedings, legal aid), work, welfare, health and social support for victims of domestic violence (women and children).

Conclusion: The economic cost of domestic violence in Austria (population 8 million) amounts to at least 78 million euros per annum. Of this sum, 1.3 million euros are incurred by the Ministry of Justice - whereby the costs of custody and enforcement of sentences account for the highest expenses. The most cost-intensive elements are women's shelters (14.3 million euros) and medical treatment (9.7 million euros).

Intervention Centres and women's shelters

Previously, the intervention centres were financed jointly by the Federal Ministry of Health and Women and the Federal Ministry of the Interior. The financial resources of the centres are shown in table five (see Annex). Since 1st January 2006 intervention centres have received subsidies for court assistance services from the Federal Ministry of Justice for the first time. Hence significant statistical data on the assistance to victims during court proceedings is not yet available. To date, 411,417 euros have been outlaid to

the intervention centres. In 2005 the Federal Ministry of Justice funded the following associations, all of which run shelters for battered women, for provision of court assistance services to victims.

- *Wiener Frauenhäuser – Soziale Hilfen für von Gewalt betroffene Frauen und ihre Kinder*, Weinheimergasse 4/5, 1160 Vienna, Austria
- *Frauenhaus der OÖ Volkshilfe*, Schillerstraße 30, 4020 Linz, Austria
- *Kolpingfamilie Hallein*, Frauenhaus Hallein, Haus Mirjam, Ferchlstraße 26, 5400 Hallein, Austria.

These associations reported a total of 160 cases of court assistance services involving costs of 40,356 euros.

More detailed reporting as to the number of victims receiving court assistance services is forthcoming.

As regards surveys on violence against women, it is assumed that the findings of the 1991 survey entitled “Violence in the Family, Violence against Women” as to the dimension of this societal problem, and the consequent necessity for measures, still remain valid. On the basis of crime and court statistics, as well as data provided by victim protection bodies and pertinent studies, the 2001 Report on Violence stresses the prevalence of domestic violence, and, inter alia, also describes cases in which women were exposed to violence by their families. Therefore, the priority lies in providing help and support to victims as well as in preventing violence. The statistics of victim assistance institutions such as intervention centres, women’s shelters and the Helpline Against Violence are monitored closely; furthermore, surveys conducted abroad and statistics from other countries are also regularly analysed.

The statistics on victims in Austria who were assisted by the above-mentioned institutions are as follows:

Violence in the Family Intervention Centres

Year	Total number of cases handled
2001	4 849
2002	6 479
2003	7 942
2004	8 916
2005	8 742

Women’s shelters

Year	Persons housed in shelters	of which:	of which:
2001	2 345	1 169	1 176
2002	2 485	1 238	1 247
2003	2 620	1 335	1 285
2004	2 767	1 430	1 337
2005	3 256	1 655	1 601

Helpline against Violence

Year	Calls taken
2001	16 338
2002	17 009
2003	17 072
2004	16 986
2005	16 720

The rise in the number of victims seeking assistance is also - to the greatest possible extent - taken into account, and the budget of the intervention centres was gradually raised by some 30 %. The intervention centres now receive additional funding for psychosocial and legal counselling of victims during proceedings (for a detailed description, please see the answer to Question 8). Every victim of a violent crime is entitled to such assistance since 1st January 2006.

Austria's Federal Provinces provide for the implementation and financing of women's shelters within the framework of their respective local social legislation. Therefore, the Provinces decide on the number and capacity of these institutions. The Ministry of Health and Women grants additional financing to cover the costs of special advisors and public relations for shelters which apply directly to the Ministry (annual grants amount to some 82,000 euros).

Since 2002, three further autonomous women's shelters have been established in Vienna, Styria and the Burgenland. In many Provinces financing is enshrined in law; the Viennese women's shelters, for example, have a perennial funding contract.

Answer to Question 8

Trafficking in human beings in all its forms is an abominable form of exploitation and a severe violation of the fundamental rights and the dignity of its victims.

Austria made the fight against trafficking in human beings one of its priorities during its recently ended EU Presidency and repeatedly addressed this problem; the 2,725th Justice and Home Affairs Council meeting held on 27th and 28th April 2006 in Luxemburg was also dedicated to this issue. Shortly before the end of the Austrian Council Presidency on 28th and 29th June 2006, a conference of experts, jointly organised by Austria and the European Commission, was held in Brussels and dealt with the implementation of the EU Action Plan on Combating Trafficking in Human Beings.

By way of Section 104a of the 2004 Criminal Law Amendment Act, Federal Law Gazette I, No. 15/2004, Austria created new, general and comprehensive penal provisions against trafficking in human beings for the purpose of sexual exploitation, removal of bodily organs, and exploitation of labour, and has thus complied with the obligations of all international acts and agreements on trafficking in human beings as stated in the transposition report of the European Commission concerning the framework decision of the Council dated 19th July, 2002, on combating trafficking in human beings (page 1 of Official Journal L 203 of 1st August, 2002).

In accordance with Section 72, para. 2 of the Act on Settlement and Residence, victims of trafficking may also be granted a residence title - even if they are not willing to cooperate with the authorities - because of personal circumstances or their residence in this country is deemed necessary.

Pursuant to Section 49a of the rules of criminal procedure, victims of trafficking in human beings who, as a rule, are emotionally severely impaired because they are frequently exposed to violence and severe threats, are entitled to psychosocial and legal counselling during criminal proceedings in order that they may be relieved of the burdens associated with criminal proceedings and the exercise of their procedural rights. Under an agreement, the Federal Minister of Justice entrusted appropriate time-tested institutions (amongst these is the LEFÖ, the Austrian intervention centre for trafficked women) with the task of providing such assistance to victims (which is financed by the Federal Ministry of Justice), with a view to offering assistance during proceedings nationwide and providing psychosocial and legal support to victims.

On the very day of its publication, Austria signed the Council of Europe Convention on Action against Human Trafficking at the third summit conference of the heads of states and governments in Warsaw on 16th May 2005. Austria ratified this Convention in May 2006.

Under the COSPOL project, Austria performs a leading function in assuring an efficient fight against trafficking in human beings. In the coming months, operational and strategic action plans will be elaborated jointly by Europol and all European countries participating in the project.

Services for the Victims of Trafficking

The Federal Act Restructuring the Code of Criminal Procedure of 1975 (Criminal Procedure Reform Act), Federal Law Gazette Vol. I, No. 19/2004, which will enter into force on 1st January 2008 provides for the improvement of the status and rights of victims in criminal proceedings, which was a major concern of the comprehensive reform of investigations in criminal proceedings. As a rule, under this Act, all victims have the right to be actively informed about the proceedings and their rights in the proceedings as well as to participate in the taking of evidence open to the parties and in the trial.

Victims who decide to actively participate in the proceedings and who want to assert a claim for compensation can join said proceedings as a civil party claiming damage, and are thus granted special rights of influence and participation such as, for instance, the right to request the submission of evidence.

Victims who are strongly emotionally affected, including - without limitation - persons who have been the victim of a criminal offence, and might have been exposed to violence, intimidation, threats or the infringement of their sexual integrity, enjoy a special status in the proceedings. Said status has to be respected ex officio by the prosecuting authorities. Victims are entitled to assistance during the proceedings, which is granted upon request if and to the extent to which court assistance services during the proceedings is required in order to make the stresses and strains of the proceedings bearable for the victim, and at the same time ensure that the victim can exercise their procedural rights. Victims should be informed as to their essential rights and the prerequisites for assistance during proceedings, and prior to their first interrogation at the latest.

Prior to their first interrogation, at the latest, a victim whose sexual integrity might have been violated shall be informed as to her or his right to request that, if possible, a person of the same sex questions her/him during the investigation. Upon any individual request, the victim shall be questioned and cross-examined with special care during both the

investigation and trial. This option was introduced in 1993 in order to prevent secondary traumatisation, and the questioning takes place in a separate room without the physical presence of other parties, in particular the accused. Any such examination may also be conducted by a psychologist, as opposed to a judge. This provision is mandatory for victims under fourteen years of age, and who may have been sexually violated as a result of the criminal offence with which the accused is charged.

Victims are to be informed as to the suspension and resumption of proceedings and may request the continuation of an investigation by the public prosecutor's office if the criteria for suspension of the proceedings were not met or new facts or evidence have been submitted which are deemed to justify the punishment of the accused or a measure of diversion. In any event, victims have to be summoned to the trial and given an opportunity to inspect the files in order to understand the charges.

Victims whose emotional strain is particularly severe, including victims of domestic violence, are to be informed without delay and ex officio if the accused is released from pre-trial detention before the first instance verdict is passed, stating the reasons for such verdict and the more lenient measures being imposed on the accused. All other victims shall be informed accordingly upon their request.

Many of these improvements resulting from the reform, among which the all-important provision on psychosocial and legal assistance (Section 49a Code of Criminal Procedure) - which has been financed by the Federal Ministry of Justice on an informal and voluntary basis since 2000 - have been incorporated into the current Code of Criminal Procedure which entered into force on 1st January 2006.

The Intervention Centre for Trafficked Women (IBF) offers shelter, support and counselling to female victims of trafficking from the age of approximately 16 years onwards. The IBF's target group comprises victims of all forms of trafficking, whether trafficking for the exploitation of labour or prostitution, or trafficking for the purposes of marriage.

The IBF maintains an "emergency flat" at a secret location in which victims can receive round-the-clock support. Further services offered by the IBF include psychological counselling, coping with the process of traumatisation, crisis intervention and psychological stabilisation, information on the legal situation, health status checks, promotion of the capacity of victims to act responsibly and autonomously, help in obtaining necessary (travel) documents, and preparation of victims for return to their home countries in co-operation with NGOs and other institutions there. Employees of the IBF also accompany victims to court and on visits to authorities. If the victim wishes to stay in Austria, obtain a residence permit, German courses and help with integration are also offered by the IBF.

Furthermore, the IBF also carries out court assistance services, consisting of the preparation of the victim for the emotional distress that a court trial might cause, accompanying the victim to court, and legal representation of the victim. Psychosocial and legal counsel is aimed at avoiding re-victimisation, mitigating victim distress during a trial, as well as protecting the victims' rights and assertion of a right to compensation through legal representation.

Some employees of the IBF are native speakers of foreign languages and can provide counselling in that language; working with interpreters is also possible. To carry out its tasks, the IBF co-operates closely with public authorities such as ministries, police forces, courts, youth welfare offices, health and social aid authorities, and maintains

contacts with international organisations such as the International Organisation for Migration (IOM), UNODC and OSCE.

Intervention Centres for Women Victims of Trafficking

Year	Persons supported	Of which: Women placed in an “emergency flat”
2001	163	34
2002	208	24
2003	142	50
2004	167	37
2005	151	37

The IBF receives funding under a five-year contract. As the Intervention Centres against Violence in the Family (see above), the IBF now receives additional funding for providing psychosocial and legal counselling services during court proceedings. In the 2004, crime statistics - as recorded by the police - documented 248 victims of cross-border trafficking for prostitution, of which only five were male, together with 89 other victims of trafficking of which all were female bar one. The number of convictions in relation to these statistics cannot be assessed, as in cases where, for example, trafficking cannot be proven beyond doubt, convictions may be attained on other criminal provisions, such as (severe) coercion or procurement.

Funding for Assistance during Legal Proceedings

No statistics are available as to the number of women victims of human trafficking who had subsequently benefited from assistance services. The LEFÖ association, an intervention centre for trafficked women (offering counselling, training and support to female migrants) is receiving funding for its court assistance services. For the year 1st October 2005 to 30th September 2006, the Ministry of Justice is committed to providing 30,000 euros in funding; to date LEFÖ has received 14,580 euros for its court assistance services involving 17 cases.

Answer to Question 9

Trafficking in Human Beings

For a detailed description of legislation and criminal law, please refer to the answer to recommendation 228. The Austrian Penal Code governing Sexual Offences has been reformed several times in recent years, most recently by the 2004 Criminal Law Amendment Act, Federal Law Gazette I No. 15/2004. Through its enactment, Austria has implemented several pertinent international instruments of the Council of Europe, the European Union and the United Nations. Regarding the criminalisation of trafficking in human beings, the following provisions deserve special mention: Through Section 104a of the Criminal Code (governing trafficking in human beings) a new general criminal provision has been introduced against trafficking in human beings for the purpose of sexual exploitation, removal of bodily organs and labour. According to para. 1 of this provision, any person who recruits, houses or otherwise accommodates, transports or offers, or passes on to a third party, a minor or a person of full legal age (in the case of the latter by using unfair means) with the intention to exploit that person sexually, by

removing her or his organs or exploiting their labour, shall be liable for a penalty under law. Unfair means are defined as: deceit regarding the facts; exploitation of authority or situations of distress, including mental infirmity or indeed any condition rendering the person defenceless; intimidation; or the granting or acceptance of an advantage for surrendering control over that person. Any person committing such an offence using violence or serious threats shall be sentenced to a term of imprisonment ranging from six months to five years. Any person committing such an offence against a minor, in the course of a criminal conspiracy, resorting to severe violence or treating a minor in such a manner that the offence, either with intent or through gross negligence, jeopardises the person's life, or the offence results in a particularly severe disadvantage for the person, shall be sentenced to a term of imprisonment ranging from one to ten years.

Additionally, Section 217 StGB (cross border trade for prostitution) penalizes any individual who leads another person into prostitution or recruits another person for the purposes of prostitution in a state other than the one of origin, nationality or residence of that person, whether said person is already engaged in prostitution or not.

Austria has taken numerous measures to combat trafficking and exploitation of women through prostitution. The Council of Europe Convention on Action against Human Trafficking was ratified in May 2006. The 30-day recovery and reflection period for victims of trafficking, within which no measures to end the victim's stay in Austria may be taken, is already provided by order of the Federal Ministry of the Interior.

An inter-ministerial Task Force on Trafficking has been established in which representatives from the pertinent ministries co-ordinate measures against trafficking and meet with experts from NGOs and other institutions.

Austrian embassies and consulates in countries which are considered source countries re trafficking in human beings have been instructed to disseminate multilingual information leaflets. In addition to providing information on the issue of visas, these leaflets inform persons of the dangers of trafficking, as well as their rights in Austria and victim protection institutions.

On 25th October 2005, the Federal Ministry for Health and Women hosted a round table discussion at which experts, representatives of NGOs and various Ministries, discussed the issue of trafficking and exchanged information as a basis for further action.

A workshop on trafficking was also held during the Women's Congress of 27th June 2006. Workshop participants were professionals working in victim protection institutions, staff drawn from various ministries as well as students and other interested parties.

As from 2007, police cadets entering into the police services shall receive special training re trafficking in the form of two seminars. One of the lecturers will be an expert from the IBF.

Answer to Question 10

The anticipated amendments to the Act on Equal Treatment in Federal Service, Federal Law Gazette I, No. 65/2004, which entered into force on 1st July 2004 - described in the answer to Recommendation 235 - have been implemented.

In addition to the measures mentioned in the answer to recommendation 232, which are aimed at raising the number of women in academic positions at all levels, mention should also be made of paragraph 2b of Article 5 of the 1989 Act on the Advertising of Vacancies. Under this law, if the proportion of women working in the relevant authority is below 50 percent, public advertising of higher-level vacancy must specifically state that women applicants are especially welcome.

Since January 2004, the Federal Ministry for Health and Women has been carrying out mentoring programmes throughout Austria.

The aims of these programs are:

- Improving the career-opportunities for women, especially in technical spheres
- Advancing equal opportunities and engagement of women at all professional levels
- Promoting and establishing women in senior positions in the workplace
- Building women's networks for the purpose of their own professional advancement.
- Ensuring the closure of the income gap between women and men.

Mentoring, as a measure of human resources development, is a useful and successful instrument in promoting women into leading positions. Mentoring for Women is offered and practised in, amongst other areas, the commercial sector, the federal and regional civil services and universities.

With the third gender-mainstreaming resolution, adopted by the Council of Ministers on 9th March 2004, a cross-mentoring project was established at the federal level. Basically, the project was launched as a crossover programme, which means that mentors and mentees should come from different departments. Open communication, the identification of possibilities for development, the identification of possible future leaders and the opening up of important learning potentials in federal civil service, are amongst the advantages offered by inter-ministerial and inter-departmental co-operation. In the second phase, from January 2006 onwards, subordinated authorities and eight Provinces have also taken part in the cross-mentoring programme.

The Federal Ministry for Health and Women acts as a platform for mentoring and, in addition to founding a club for mentors and mentees, is organising many accompanying activities and events such as the mentoring exhibition, the Mentora Award, Mentoring Points meetings, as well as issuing additional documents, providing accompanying public relations services and establishing websites (<http://www.frauenmentoring.net/>, <http://www.crossmentoring.net/>, <http://www.clubmentoring.net/>).

Answer to Question 11

Evaluation of the Introduction of the Equality Between Women and Men in Education Principle

The first evaluation study was conducted in the 1997-98 and 1998-99 academic years. This study also analysed the question as to the persons responsible for the application of this principle at different levels within the education system and the conditions for its implementation. It has transpired that responsibility for this principle is primarily assigned to persons dealing with women's issues at the school board level within Austria's Provinces. Some of these persons were able - on account for their positions in

the hierarchy of schools - to promote projects and endorse initiatives, as well as simply be heard on this issue.

At teacher training institutions, those responsible for education for equality were a very well informed and for the most part highly motivated group. The survey, which was based on a questionnaire demonstrated some problem areas: the principle of gender equality was familiar and perceived as important by the majority of the professors and students interviewed; however, assessment of its practical application in education and teaching varied widely, and the instruction materials produced by the Federal Ministry of Education and Arts were hardly known by the interviewees at the time of the survey.

A summary of the findings of the first evaluation study which involved different educational institutions revealed that while the objectives formulated in the decree on the didactic principle “education for gender equality” had been legitimated by superiors, these did not correspond to the present needs of school teachers, which in the period under review meant that the application of this principle was confined to just a small number of committed educators who devoted much enthusiasm and energy into achieving these objectives.

The study constituted a basis for further activities aimed at sensitising teachers to this topic; in the meantime, the authors have been entrusted with carrying out a follow-up study.

As mentioned above, teaching materials containing food for thought and information for applying this principle - which were addressed to teachers in primary schools, in secondary schools from the fifth grade onwards, and in vocational schools - were also published.

Furthermore, a series of seminars, events and initiatives were organised with a view to raising awareness of this educational principle.

Survey: Introduction of the Principle of Education for Gender Equality

1995	<ul style="list-style-type: none"> • Commercial schools and academies • Colleges for nursery school teachers • Secondary-modern schools • Higher-level general education schools
1996	<ul style="list-style-type: none"> • Social education colleges
1997	<ul style="list-style-type: none"> • Technical and industrial colleges • Polytechnics
1999	<ul style="list-style-type: none"> • Primary schools • Special schools • Technical schools for fashion and apparel • Schools for the hotel and catering industry

	<ul style="list-style-type: none"> • Higher-level schools for fashion and apparel • Higher-level schools for tourism (including special types of schools) • Three-year technical schools for commercial occupations • Higher-level schools for commercial occupations
2001	<ul style="list-style-type: none"> • Vocational schools
2004	<ul style="list-style-type: none"> • Colleges for nursery school teachers (also see 1995) • Higher-level schools of agriculture and forestry

The reasons for the introduction of this educational principle, as well as its objectives and contents and its practical application are stated in the fundamental decree of 1995 issued by the Federal Ministry of Education, Science and Cultural Affairs, Elisabeth Gehrler.

Gender Stereotypes in the Media

Creating and raising awareness with regard to the construction of gender stereotypes is an essential part of the department of media pedagogy. Thus education should raise awareness of the frequently biased and cliché-ridden presentation of social and gender roles by the media. Pupils and students would become sensitised to the issue of the extent to which the media is realistic in its presentation of everyday life situations (e.g. relations between women and men, between employees and bosses, between young and old, etc.). They should realise that social- and gender-specific roles are subject to stereotyping.

Even though the media cannot, in itself, effect a change in the understanding of role distribution prevalent in our society, they are still important in influencing and enlightening the public. By reflecting certain values, they contribute to maintaining mainstream value conceptions and may either strengthen or weaken ideas, models and views (2001 Decree on the Principles of Media Education, issued by the Ministry of Education, Science and Cultural Affairs).

The department provides a steady flow of information in the form of handouts, contributions to the quarterly *Medienimpulse* and a subject-specific homepage: <http://www.mediamanual.at/mediamanual/themen/index.php> for teaching and teacher training. The articles which can be downloaded cover a wide range of materials as to how gender is constructed in the media, and deals with other integral elements such as health/beauty role models, identification models, sexism/racism, gender/migration, gender/advertising, gender/virtual space, gender/sports etc.

The network of women in the media (Frauen-Netzwerk medien) was set up in 1999 and serves to exchange information and provide mutual assistance through mentoring. Prizes are awarded with a view to advancing the careers of young female journalists. One important event on the media scene is the annual conference of female journalists which draws an international audience. This year, and for the first time ever, the “Lioness 2006” prize was awarded to female journalists who address women’s issues in the printed media.

Answer to Question 12

Human Rights Education in Austrian Curricula

Curricula:

Human rights education is enshrined in a number of curricula for Austrian Schools:

1. The general educational goal of primary schools (first to fourth grade) and secondary schools, as well as the lower cycle of general education (fifth to eighth grade), re human rights consists of actively familiarising pupils with the concept and notion of democracy and commitment to human rights.
2. The principle of “political education”, which comprises human rights education as well as the principle of gender equality, enjoys universal application at all levels and in every educational establishment.
3. Curricula for 9th to 13th grades - both general and vocational secondary schools - explicitly contain the subject human rights.

Materials and Publications:

In the context of the principle of political education, the Department for Political Education, with the aid of its service unit, supports teachers in all schools in dealing with the theme of human rights. A newsletter covering the topic “Teaching Human Rights” has been published, while workshops on human rights education in schools have also been organised. Publications, such as *Understanding Human Rights*, *A Manual of Human Rights Education* by Wolfgang Benedek (410 pages; ISBN 3-7083-0371-7, NWV 2006 - revised second edition), are also offered to schools.

The first copy of the magazine „Polis Aktuell“, published in Vienna in 2006 by the service unit “Zentrum Polis” (this unit operates in Vienna under a mandate of the Federal Ministry of Education, Science and Cultural Affairs), was devoted to the topic of forced marriage. In addition, separate materials dealing with women’s human rights have been prepared for teachers and can be downloaded from the Zentrum Polis homepage for use in education.

Answer to Question 13

Assessment of the gender-sensitivity of the “standard conditions” applied in the award of research grants, and measures taken to eliminate factual discrimination.

With reference to the recommendations of the Council for Research and Technology (RFTE) of 18th January 2005, the Federal Ministry of Education, Science and Culture created a project plan entitled *Grants Reform* which is aimed at a fundamental restructuring of the grant system in order to eliminate existing structural shortcomings, the duplication of contents and the overlapping programmes, with a view to “strengthening the competitiveness of scientific research in Austria through the development of human resources”. One of the key recommendations concerns transparent and uniform award criteria. An important aspect is the effort to strive for gender balance, having due regard for age limits and atypical career paths.

At present, the APART-extra programme consists of three-year grants, which have been awarded to six persons to date. A continuation of APART-extra on this scale was no longer considered meaningful.

Under the terms of the “grant reform project”, the merging of minor programmes is being considered in the course of the fundamental restructuring of the Austrian scholarship and grant landscape.

Therefore, the Federal Ministry of Education, Science and Cultural Affairs intends to increase the number of DOC-fFORTE grants which are awarded by the Austrian Academy of Sciences.

At the end of 2005, the Federal Ministry of Education, Science and Cultural Affairs mandated a gender-budgeting study which aims at identifying qualitative and quantitative effects of research subsidies on women and men, as well as assessing their potential contribution to bringing about gender equality as stipulated by law. The findings of this study should be available in late 2006.

The Research Division of the Federal Ministry of Education, Science and Cultural Affairs initiated the project “Gender Mainstreaming in Research Programmes and Subsidies” with a view to stepping up gender-relevant research and striking a balance between the varying degrees of involvement of women and men in research. The Division’s research programmes are elaborated on the basis of the guide “How Does Gender Gain a Footing in Research?” This guideline offers support in the application of gender mainstreaming in research funding, from programme formulation and tendering to project awards, including the monitoring of research programmes.

At the end of 2005, the Federal Ministry of Education, Science and Cultural Affairs mandated an explorative study designed for measuring excellence and assessing achievements in science. The results are expected for early 2007. The goal of this study is to identify institutionalised evaluation and selection methods that hinder or prevent equal opportunities for women and men.

Answer to Question 14 (1)

Reconciliation of Work and Family Life

Attendance by children of all age groups at out-of-home childcare facilities has continued to rise relentlessly over the past few years; between 2003 and 2005, numbers increased from 11% to 13% in the under two years age group; from 84% to 85% in the three to five year-old age band, and from 17% to 20% amongst six to nine year-olds.

A survey conducted by Statistik Austria (the federal statistics office) in co-operation with the nation’s provincial authorities and the federal government, revealed an additional demand for 18,000 places in childcare facilities (a figure which excludes Vienna). In the years to come, funding will be provided by the Provinces (especially for places for the under two year olds) and the federal government (primarily earmarked for the care of school children in the afternoon) thus meeting varying needs for such places in the different Provinces and regions.

The federal government has made available funding for innovative pilot projects (flexible opening hours, mixed-age childcare jointly provided by several local communities, inter-generational care options). From 1st January 2005 onwards, private providers of innovative facilities receive subsidies totalling 700,000 euros per annum.

Childare Facilities

Table: Childcare Ratios in 2004 – Children in Day-care Centres

	2004		
	(0-2 years)	(3-5 years)	(6-9 years)
Resident population ^{*)}	237,253	242,085	357,325
In day-care centres ^{**)}	21,790	198,652	39,534
Childcare ratio (as % of total)	9.2	82.1	11.1

Source: Statistik Austria – Kindertagesheimstatistik 2004/05

*) Total number of children; age classification as of 1st September 2004 according to the population register

**) Children in day-care centres as at 15th October 2004; age qualification (in completed years) as of 1st September 2004

In line with the **Schule Neu** (New School) initiative important adjustments to the world of work were made in the educational system at the beginning of the 2006-2007 academic year. In compulsory education, the five-day week was introduced across the board.

For the six to fourteen age group, needs-oriented tutoring is offered in the afternoon. Every child who needs **daycare** is entitled to it. Accordingly, the number of daycare facilities has been and is being further increased with parents having the choice of making use of such facilities or not. These efforts have already borne fruit: in 2006, as many as 67,500 pupils are benefiting from tutoring in daycare facilities. Thus the number of pupils in daycare centres has risen by 70% within just five years.

From the 2006/07 academic year onwards, informing parents as to daycare options is mandatory under the pertinent legislation, whilst actual demand for daycare must be regularly identified. As daycare is now organised for all forms, grades and schools, it is easier to make up groups. The federal government pays ten tutoring lessons per week for 15 pupils per school.

In 2005, the “Family Alliance” was founded. This Alliance represents a platform involving representatives of politics, business, the labour market, the media and science. It seeks to advance sustainable reconciliation of work and family life in the interest of all parties concerned. Conceived jointly with the EU as a pilot project, *Familie & Beruf Management GmbH* was set up in January 2006 as a co-ordinating body with the task of providing operative support to the Family Alliance. In addition to co-ordinating existing measures and offers, it promotes and develops further new initiatives and activities at the national, regional and local level.

The childcare benefit scheme (Kinderbetreuungsgeld – KBG) introduced in 2002, and related reforms carried out in 2004, made it easier for parents of small children to continue employment or return to the job market. The exemption threshold of €14,600 per annum for childcare benefits has raised the work participation rate of mothers of small children. Entitlement to part-time work for parents was introduced in 2004. Other support policies include family allowance, childcare facilities and family hospice leave. In 2004, better work-life balance was also achieved through labour market policy tools

such as childcare subsidies (Kinderbetreuungsbeihilfe) and subsidies to private childcare facilities.

Family hospice leave (Familienhospizkarenz, FHK), a scheme that enables people to take leave from work or to reduce their working time for nursing dying family members or seriously ill children (up to three months, with the possibility to prolong up to 6 months), was introduced on 1st July 2002 and has now seen its first evaluation. 1,159 individuals used the scheme (84 % of them women aged 41-50 years). Following the evaluation results, some new measures were implemented in 2006. In the case of seriously ill children the leave is now five months and can be prolonged to up to nine months. In addition, the household earnings exemptions have been raised from € 500 to € 700 amount for grants provided under the FHK scheme for families in distress (Härteausgleich), which permits more families to obtain such grants.

Answer to Question 14 (2)

The last income report of Statistik Austria contains data evaluations until the year 2003. In the period from 2000 to 2003, the gap between the gross annual incomes of male and female full-time employees working throughout the year was reduced from 23.1 to 22.1.¹

Table: Median gross annual earnings of full-time workers (working a whole year)

Year	Women	Men	Difference (%)
2000	22,820	29,690	23.1
2001	23,440	30,370	22.8
2002	24,500	31,240	21.6
2003	25,360	32,160	21.1

The “five-point programme on female employment” was presented at a round table discussion on “female employment and equality in the labour market”, initiated by the Ministry of Health and Women in June 2005. Its goals are to:

- Improve access and counselling for women in each regional labour market service office, enhance programme delivery, tailor courses to women’s needs, encourage more women to join executive ranks;
- Raise awareness, support young women in their career choices;
- Provide skills development to those groups most at risk of losing their jobs in order to give them a second chance to complete compulsory schooling; offer language and integration courses to female migrants or further and additional training to women wishing to change their jobs;
- Open up the growing market of health and nursing occupations through upskilling and further training;
- Offer part-time training options; improve the framework for reconciling work and family life, grant tax concessions for expenses on childcare; ensure needs-compliant opening hours in childcare facilities, provide affordable care during school holidays.

It is of central importance to create pathways (in transition labour markets) that offer the best-possible transitions between various forms of employment (e.g. part-time / full-

¹ Source: Statistik Austria, Allgemeiner Einkommensbericht 2002 und 2004. (General Reports on Incomes in 2002 and 2004)

time, or self-employment / general employment) and from different labour market positions (e.g. training, private households or unemployment). This requires gender-compliant and multi-dimensional approaches involving enhanced regional mobility, etc., to prevent people from being trapped in dead-end situations.

In Austria, the social partners are primarily responsible for wages policy. One of the main objectives of labour market policy is to overcome the gender-specific segmentation of the labour market and bridge the gender income gap between women and men. Labour market policies can contribute to improving conditions in the labour market for women. With regard to labour market promotion funds, in 2005 women, on average, received 50.18% of the sum-total of subsidies and grants that can be statistically traced as having been allocated to women or men, which compares with 49.4% in 2004. Of the total number of persons who received subsidies and grants, in 2005 the proportion of women rose to 54.7% as opposed to 54.3% in 2004. With regard to **upskilling**, approximately 138,400 women were the main beneficiaries, receiving 55.5% of the sum-total of subsidies and grants, which represents a year-on increase of 16.7 %. Thanks to the programme for the **upskilling of wage and salary earners** women are to receive in-company training in order to safeguard their jobs and benefit from career opportunities (in 2005 43,800 female employees underwent such training, which corresponds to a 20.4% rise on the previous year).

In 2004, a total of some 201 million euros were spent on upskilling programmes for women, which compares with approximately 204 million euros in 2005.

This money came from the active labour market policy fund. In addition, in 2004, a priority labour market policy goal was to integrate women into the labour market immediately after they had completed upskilling courses. One labour market policy goal in 2005 was to facilitate the reintegration of women into the sphere of work. To this end, the drive “re-entry with a future” was developed and implemented. It is hoped that this programme will empower women to resume a job after a career break, which would safeguard a career at least at the same skill and income level as prior to the interruption. More than 42 million euros were paid out of the active labour market fund for this target group alone.

A comprehensive upskilling and employment campaign for women was launched in 2006. An additional amount, of approximately 77 million euros in 2006, has been earmarked for upskilling programmes and the advancement of the reintegration of women into the labour market after career breaks. This sum shall also be paid out of the active labour market fund.

Measures Intended to Narrow Gender-specific Income Gaps:

- Reducing gender-specific segregation. The programme *Frauen in Handwerk und Technik* (Women in Craft Trades and Technology) 2006-2008 launched by the Labour Market Service is based on a pronounced quality-oriented concept (orientation, preparation-training-assistance). In line with the upgrade-drive for women, which began in early 2006, training for higher qualifications is also being stepped up. Numerous educational programmes (the fForte series) are aimed at strengthening the position of women in research and technology.
- With a view to combating gender-specific job stereotypes, efforts were concentrated on a number of drives (such as Girl’s Day; the on-line test for choosing an occupation

or profession; the Talent Check, the “Girls are capable of more than you think – girls in crafts and technology” vocational information fair; seminars and courses aimed at careers and vocational guidance instructors; the Hedy Lamarr Award for Special Achievements by Women in Communications Engineering).

- The mentoring programme will be enlarged in order to strengthen the individual bargaining power of women; accompanying measures will also be taken by the Federal Ministry of Health and Women and shall include, for example, women’s business mentoring fairs, cross-mentoring in the private sector, and the granting of awards.
- Provision of information on awareness-raising with regard to equal treatment and gender-specific remuneration (i.e. the brochure *Ihr gutes Recht*, “That’s your due”).
- The KLARA project, within the framework of the EU’s EQUAL programme, involves the training of equal pay agents whose work will contribute to reducing income differentials in various spheres of work.
- Representatives of all social partners at the EU level were invited to the international conference “*Closing the Gender Pay Gap*” organised by the Austrian Presidency and held in Brussels on 22nd May 2006 in order to stimulate contributions in areas falling within the scope of competences of the social partners.

The guide entitled *Equal Pay for Equal Work and Work of Equal Value* was sent to all representatives of social partners, amongst these the Federal Chamber of Labour, the Ombuds-Offices for Equal Treatment, women’s desks of the Labour Market Service and the governments of Austria’s provinces. It was also posted on the homepage of the Federal Ministry of Health and Women, which can be accessed at <http://www.bmgf.gv.at/> as well as downloaded.

Furthermore, in December 2004, pertinent target groups were informed as to contacts from whom both the *Non-discriminatory Job Assessment and Work Organisation* research report as well as the above-mentioned guide could be ordered. The guide was also updated, translated into English and distributed to the conference participants on the occasion of the Conference “Closing the Gender Pay Gap”.

Answer to Question 15

The pension security reform of 2003 resulted in a number of measures having a highly advantageous effect on women. These are described below:

Since 1st January 2004, the first 24 months after childbirth (six months more than prior to December 2003) have been considered as contribution periods creating entitlements to pension payments, provided that the mother has a right to claim childcare benefits during this period. This provision applies to children born from 1st January 2002 onwards. It is primarily women who devote themselves to the upbringing of their children, thus this provision was motivated by the desire to avoid interruptions of periods counted towards a woman’s pension rights as well as to help women to build up their old age pension entitlements.

The basis of assessment for periods devoted to the upbringing of children is being increased annually by 2% until 2028. At the same time, the period of assessment for calculating the basis for old age pension benefits is shortened by three years for each child, with overlapping periods being irrelevant. With regard to multiple births, this reduction corresponds to six years for twins and nine years for triplets. Such a reduction

of the period of assessment has a positive effect on the ultimate level of pension benefits, as it leads to a higher basis of assessment. In addition, the previous “substituted qualifying periods” for maternity allowance, as well as up to 60 months for childcare, are credited towards pension entitlements.

The federal government’s pension harmonisation model consistently maintains a departure from traditional old-age pension concepts and fosters the idea of **independent and equitable old-age provisions for women**.

The federal government is spending a total of one billion euros on the pension entitlements of women, taking into account a maximum four years of childcare per child and an income of 1,350 euros per month. This **assessment basis applies in addition** to earnings from any gainful employment during the child-care period.

Accordingly, not only independent old-age provisions for women who interrupted or gave up their careers in order to care for their children are financed, but it also facilitates **reconciliation between family obligations and employment**.

As this concept is **gender-neutral** in its effect, and addressed to **men and women who assume responsibility for childcare**, said approach also provides an **incentive for fathers to take on work in the family**.

In line with a **family policy** focused on partnership between the genders, the Pension Harmonisation Act also provides the **option of voluntarily splitting pension claims** through the transfer of partial credits to one or the other parent.

The General Pension Harmonisation Act entered into force on 1st January 2005.

All persons who have been gainfully employed for 45 years and are 65 years of age receive 80% of their average life-long incomes as pensions.

The Pension Harmonisation Act applies to all individuals below the age of 50 years.

Prior to retirement (after 45 years of gainful employment) the pension entitlement is calculated twice: once in accordance with the legal provisions that applied prior to January 2004 (the so-called prior entitlements) and pursuant to the new system in force since 1st January 2005 (credited entitlements after the pension harmonisation).

Actual entitlements are computed on the basis of the number of years during which a person was gainfully employed under the old and the new system taking into account both pension entitlements. The new contribution basis for pension credits corresponds to a maximum of four years for the upbringing of one child and a **rounded women-specific median income of 1,350 euros per month**. Compared with the previous assessment basis, which corresponded to the standard rate of equalisation payments, this represents a more than **100% increase**.

In 1999, this rate amounted to 589.52 euros (ATS 8,112) for single persons.

The monthly contribution basis of 1,350 euros per month is **added to any earned income** of women and applies **ex post facto to children born to women below the age of fifty** (the age limit up to which the Pension Harmonisation Act applies).

Until 2009, compensation for childcare periods is financed equally from the Family Burdens Equalisation Fund (FLAF) and the federal budget. From 2010 onwards, 75% will be paid from the Family Burdens Equalisation Fund, and the remainder will derive directly from the federal budget.

Regarding equalisation supplements we would like to draw attention to the fact that women are - in every respect - in a more advantageous position than men under the Austrian pension system. The equalisation supplement affords preferential treatment to women in that eligible women have a legal title to the payment of equalisation

supplements. If the total of a woman's pension benefits, other net earnings and other amounts that are counted towards her income (such as maintenance payments) is below a certain threshold, she is entitled to an equalisation supplement corresponding to the differential.

In 2006, the monthly standard rate of equalisation supplements amounted to 690 euros for singles and 1,030 euros for couples (remunerated 14 times per annum). In addition, an additional 70 euros are paid monthly for each child. The standard rate for singles corresponds to approximately 60% of the median net income earned in Austria. Some 230,000 persons (70% of whom are women) receive equalisation supplements.

Due to those benefits, the retirement pensions are significantly higher than the risk-of-poverty threshold defined by the Organisation for Economic Co-operation and Development (OECD).

Answer to Question 16

Two reports in the series entitled *Austrian Women Affected by Poverty* were published during 2002 and 2003. These reports focus on the social dimension of the health of disadvantaged women.

Women and Health Care Institutions described the behaviour of socially disadvantaged single mothers in the context of health care, and concentrated especially on their acceptance of health care institutions. The results confirm the findings of other studies stating that socially disadvantaged women use fewer health care services than other women, even if the services offered are customized to their needs. Alongside lack of education, the main access barriers are limited time budgets and economic aspects; further reasons emanate from structural deficits and the respective social backgrounds, especially in rural areas.

The second report entitled *Health and Risk of Illness* investigated women from lower social strata in the context of their elevated risk of chronic illness and psychosomatic symptoms. Overall, women from lower social strata have a lower life expectancy than women living at more elevated social levels. These studies constitute the basis for further publications on female health and provide ongoing flow of information. The recently published *Austrian Women's Health Report* covering the period 2005 to 2006 revealed the change in women's health data over the past decade and the gender-sensitive measures for prevention and health strategies. Recommendations and a summary of all relevant counselling centres for socially disadvantaged women are included in a separate chapter of this report.

Answer to Question 17

In five Austrian Provinces, seven women's health centres have been operating since 2006, and these offer a wide range of services and adequate support. The tasks vary from improving early detection of cancer, especially of breast cancer, augmenting psychosocial mother-and-child care services and services for pregnant women, enhancing the mental health of women, offering better health care to female migrants, health promotion for mothers, to improving the quality of life for women aged over 60, and the provision of preventive measures against drug addiction and violence against women. The Federal Ministry of Health and Women provides subsidies to all Austrian women's health centres. The annual federal subsidies are the same for every Province,

approx. 14,600 euros. One of the important objectives of the Federal Ministry of Health and Women is the perpetuation of the same level of subsidies for all women's health centres over the years, due to the fact that the health needs of women are a very important part of the health system and Austria's health policy for women. Accordingly, the government tries to avoid a any shortfall in subsidy earmarked for women's health centres.

Answer to Question 18

AIDS Cases			
- Broken down by gender and transmission of other diseases			
	Males	Females	Total
MSM	868	0	868
IVDU	423	188	611
MSM + IVDU	22	0	22
Haemophiliacs	80	0	80
Transfusions	27	23	50
Heterosexuals	229	236	465
From mothers to their children	13	13	26
Nosocomial	0	1	1
Unknown	303	61	364
Total	1965	522	2487

Drug Users			
	Males	Females	Total
1983	1	0	1
1984	0	0	0
1985	4	1	5
1986	1	1	2
1987	17	7	24
1988	26	5	31
1989	24	17	41
1990	30	11	41
1991	41	9	50
1992	44	17	61
1993	38	14	52
1994	32	15	47
1995	22	19	41
1996	16	10	26
1997	13	9	22
1998	23	4	27
1999	13	8	21
2000	8	4	12
2001	13	10	23

2002	9	4	13
2003	9	6	15
2004	22	13	35
2005	15	4	19
2006	2	0	2
Total	423	188	611

Heterosexual Transmission

	Males	Females	Total
1983	0	0	0
1984	0	0	0
1985	0	0	0
1986	0	0	0
1987	0	3	3
1988	3	4	7
1989	11	1	12
1990	7	11	18
1991	13	17	30
1992	13	15	28
1993	16	12	28
1994	9	15	24
1995	15	23	38
1996	9	12	21
1997	2	14	16
1998	14	14	28
1999	15	14	29
2000	11	14	25
2001	11	9	20
2002	19	17	36
2003	11	9	20
2004	35	23	58
2005	11	7	18
2006	4	2	6
Total	229	236	465

MSM - men having sex with men (homosexuals)

IVDU - intravenous drug users

MSM + IVDU - corresponds to young male prostitutes

Nosocomial - inadequate hygiene in hospitals

Answer to Question 19

The Situation of Particular Groups of Women

The statements below are based exclusively on the 2006 report by Statistik Austria entitled *Einkommen, Armut und Lebensbedingungen, Ergebnisse aus EU-SILC 2004* (Incomes, Poverty and Living Conditions, Findings of EU-SILC 2004).

According to this report, 14% of women and 11% of men are threatened by poverty.

Women living as singles, sole parents and the main breadwinners, are all represented as risk groups and account for the lion's share of persons threatened by poverty.

Migrants of both genders run a very high risk of falling into the poverty trap, with the acquisition of Austrian citizenship hardly changing this situation.

One fifth of individuals threatened by poverty live in migrant households; 35% of children exposed to the threat of poverty come from immigrant families.

Disaggregated Data

Source of data: *Einkommen, Armut, Lebensbedingungen, Statistik Austria, Ergebnisse aus EU-SILC 2004, Einkommenssituation aus dem Jahr 2003*. (Findings of EU-SILC 2004, Income Situation in 2005)

LAEKEN-INDICATORS	2004 (%)
¹ Poverty indicators, based on social transfers broken down by age and gender and expressed as a percentage of total	12.8
Males: total	11.3
Females: total	14.2
Sum-total 0-15 years	15.0
Sum-total 16-24 years	12.8
Sum-total 25-49 years	11.2
Sum-total 50-64 years	10.3
Sum-total 65+ years	17.1
Sum-total 16+ years	12.3
Sum-total 16-64 years	11.2
Sum-total 0-64 years	12.0
Men - 16-24 years	11.1
Men - 25-49 years	10.7
Men - 50-64 years	9.2
Men - 65+ years	12.8
Men - 16+ years	10.8
Men - 16-64 years	10.4
Males - 0-64 years	11.1
Women - 16-24 years	14.6

Women - 25-49 years	11.7
Women - 50-64 years	11.4
Women - 65+ years	20.0
Women - 16+ years	13.7
Women - 16-64 years	12.1
Females - 0-64 years	13.0
^{1a} Breakdown by types of household	
Singles < 65 years	20.1
Singles 65+ years	22.7
Singles - male	15.6
Singles - female	24.7
Singles - total	21.1
2 adults, no children, both < 65	11.0
2 adults, no children, at least 1 person 65+	14.3
Other households with more than two adults and no children	4.8
Single parents with at least one child	25.1
2 adults, one child	10.4
2 adults, two children	9.2
2 adults, three or more children	22.4
Other households with children	10.1
Households without children	12.9
Households with children	12.7

Measures and Objectives

Many measures are explicitly targeted at eliminating discrimination against women. However, also gender-neutral measures and objectives are listed since women are affected disproportionately in a positive manner.

The economic situation of women and families with children is closely connected to the extent to which the mothers are integrated into the working world. Households with mothers who are not working face a three times greater risk of falling into poverty than households with working mothers.

The labour market policy of the Federal Government aims at eliminating the gender-specific segregation of the labour market. The Labour Market Service (AMS) is obliged by law to counteract the gender-specific division of the labour market and the discrimination against women in the labour market. The AMS has launched a three-year programme entitled "Frauen in Handwerk und Technik 2006-2008" (Women in Manual Trades and Technology) to assist women and girls in expanding their range of job options and encourage them to take up non-traditional jobs.

In labour market policy, gender mainstreaming has been implemented on a broad basis. When labour market policies are defined, objectives are set in a way that takes into account the needs of both genders.

In 2005, women accounted for 43% of the unemployed but received 50% of the funds provided under the labour market support schemes. This disproportionately high share in subsidies will be maintained in 2006.

An important focus of the labour market support schemes for women is to provide assistance to persons with obligations to provide care, in particular to support women re-entering the labour market after a baby break. It is planned to offer upskilling for 25,000 female re-entrants. In the years 2006 and 2007, an additional amount of around € 18 million will be used for the assistance of re-entrants into the job market under the government programme "Unternehmen Arbeitsplatz" (Enterprise Workplace). The aggregate funds spent on women's issues under the government programme amount to around € 76 million.

In the year 2002, the child-care benefit, a family benefit for mothers and fathers of children up to the age of 3, was introduced. All parents, irrespective of whether or not they were gainfully employed prior to the birth of their child, are entitled to the child-care benefit. It is an important contribution to ensuring the subsistence of families with a low family income. The evaluation of the child-care benefit revealed that 13% of the families who were paid child-care benefits were raised above the poverty risk threshold just because they received the child-care benefit.

The opportunity to earn extra income of up to € 14,600 per calendar year increased the number of gainfully employed mothers. Around 17% of the women are gainfully employed above the marginal earnings threshold while they receive child-care benefits. With regard to the equalisation supplements see answer to question 15.

Unemployment benefit and relief payments

Unemployment insurance does not provide for any minimum benefit when it comes to unemployment benefits and relief payments. However, when calculating the unemployment benefit the generally applicable rate is raised from 55% to 80% (supplementary contribution) if the recipient of the benefits has maintenance obligations in respect of family members.

Advance on maintenance payments for single parents

The causes of the higher-than-average risk of falling into poverty of households with single parents include, amongst others, an insufficient willingness to pay maintenance on the part of fathers and gaps in the relevant legislation. In order to reduce the risk of falling into poverty that households with single mothers are faced with if the fathers

default in paying maintenance for their children, the Federal Ministry of Social Security, Generations and Consumer Protection and the Federal Ministry of Justice have set up a working group to amend the Act on Advances on Maintenance Payments. This working group will work out solutions for cases in which there is presently no entitlement to advances on maintenance payments because the person owing the maintenance payments is unable to respond or is deceased. In addition, the procedures are to be simplified and speeded up.

Social care in situations of crisis

The Austrian Provinces provide graded social care offers for families in situations of crisis that range from low-threshold anonymous counselling facilities to specific individual support. The services are provided as outpatient, partly inpatient and inpatient services. These offers aim at both reducing the risks for children and young people and enabling the parents and guardians to care, provide for and bring up their children themselves.

The Provinces provide women threatened by violence and their children with temporary shelter in women's shelters. In Styria, an act on the protection from violence entered into force on 1st April 2005 which ensures that every abused woman and her children have a legal right to a place in a shelter and governs the financing by means of fixed remuneration. In addition, there are children's protection centres and emergency apartments in the Provinces. Also men's counselling centres have started, amongst other things, to work with perpetrators of violence.

In order to minimise potential negative consequences of divorces for the children, the Federal Government has introduced the concept of shared custody. The shared responsibility of both parents for the children, also after their separation, is to be supported by public assistance measures (mediation, guidance for children and visitation escort services). Model projects are being offered at four district courts.

The Ministry of Social Security, Generations and Consumer Protection has commissioned a study with the title "Auswirkungen von Scheidung auf Kinder, Frauen und Männer" (Consequences of divorces for children, women and men), which examines how a divorce impacts the individual persons involved. The objective is to support those affected by such a difficult situation. The survey will be presented to the public in 2006.

(Female) migrants

In order to improve the labour market opportunities of migrants and to reduce the difference between the unemployment rate of Austrians and that of migrants, more assistance specifically for this target group is to be offered to migrants in addition to the general labour market policy measures. This includes orientation measures for persons whose mother tongue is not German, courses to obtain a secondary school leaving certificate, specific courses to improve the chances of accessing higher qualified labour market areas or career and application counselling for migrants. The Service Unit for Migrant Women set up within the Federal Ministry of Health and Women gave support to projects and institutions assisting migrant women and made available funds totalling 341,536 euros in 2004, and 359,800 euros in 2005.

Support measures for persons with a migrant background are part of all ESF focuses.

Increased participation of persons with special needs

The central objective of the Austrian disability policy is that the public authorities create the conditions needed to ensure that the opportunities of persons with a disability do not differ from those of persons without a disability or differ only as little as possible. It has to be made possible for persons with special needs to attend kindergartens, schools and educational facilities together with non-disabled children and young people. The employment assistance provided should aim at the first labour market. Employment alternatives for severely disabled persons must be offered. Non-discriminatory infrastructure must be established in order to enable persons with special needs to participate in public life.

Access to the healthcare system

The Austrian healthcare system is characterised by its low-threshold, basically equal access to all medical and therapeutic services for all persons and by the principle that the services must not be rationed according to criteria such as age, gender, income, social status, religion, ethnic minorities, etc.

In spite of the high health care coverage in Austria, around 2% of the population (no exact figures can be given as the available data are insufficient) is not covered by health insurance. Social Welfare (competence of the Provinces) either pays the health insurance contributions or bears the costs of medical treatment for some of the persons without health insurance. For other members of this group, statutory measures have already brought about considerable improvements such as the inclusion of asylum seekers who are in need of help or protection into the health insurance scheme or the possibility of social insurance for persons in atypical employment by means of the services cheque. The inclusion of recipients of relief payments into the statutory social insurance scheme is being negotiated. In order to make sure that low-threshold access to the healthcare system can also be provided in the future, the welfare associations, in cooperation with public authorities, have specialised in providing people without health insurance with emergency and primary health care.

Answer to Question 20

The figures quoted cannot be directly compared. The number of agricultural holdings does not necessarily correspond to farm size and willingness or ability to invest. The reason why women receive fewer investment promotion funds than could be expected in view of the number of holdings can be ascribed to the fact that, on average, holdings managed by women are relatively small and hence are focused on subsistence farming. As a result, investments are lower and fewer applications are made for investment promotion funds. In addition, the partners of female farmers as a rule work outside agriculture. Moreover, this category comprises many holdings managed by women whose partner is already retired and who keep on working until they have acquired a pension entitlement. As with many of these predominantly small holdings succession is not assured, no more investments are made because the holding will be closed down as soon as the owners retire.

Answers to Question 21

In some of the Austrian programmes financed by EU Structural Funds specific measures are devoted to the promotion of gender mainstreaming (GM). GM is also an issue treated in the National Strategic Reference Framework prepared for the 2007-2013 programming period of EU Structural Funds. The main gender concern in Austrian regional policy is women's employment in peripheral areas in general. As far as experience shows, however, gender mainstreaming is not primarily a question of funding, but requires a complex set of measures tackling the general framework of institutions as well as attitudes deeply rooted in regional cultures.

The legal basis for the implementation of the EU Structural Funds Programme in Austria during the forthcoming 2007 - 2013 structural fund budget period is currently being re-negotiated (this is an agreement between the federal government and the Provinces pursuant to Article 15a of the Federal Constitution). This agreement will enshrine the principle of promotion of gender equality at all levels of implementation of the operational programmes and the persistent application of gender mainstreaming in all spheres. It is expected that this agreement will be signed by the end of 2006 and ratified in 2007.

In the elaboration of the National Strategic Reference Framework for EU Cohesion policy in Austria, gender mainstreaming is treated as a horizontal issue. To the greatest possible extent, this strategy focuses persistently on gender equality and thus defines the strategic orientation and basis for the elaboration of the operational programmes, the design of specific measures and projects, as well as the revision of guidelines for the advancement of women, and the further development of implementation structures.

Answer to Question 22

Proceedings against law enforcement officers

By decree of December 15, 1995, JMZ 430.001/30-II 3/1995, the Federal Ministry of Justice, inter alia, reviewed the existing forms for reporting cases in which preliminary judicial investigations or a preliminary examination were instituted against officers of law enforcement agencies on grounds of alleged ill-treatment on the one hand or against the persons who had raised such allegations on grounds of defamation. The reports now reveal how many persons were actually investigated in the course of preliminary judicial investigations or examinations on the basis of a complaint in cases in which the proceedings were dismissed.

In order to counteract the frequent practice of first trying to settle "allegations of ill-treatment" against law enforcement officers by investigations conducted by the law enforcement agencies themselves, the Federal Ministry of Finance, by decree of September 30, 1999, JMZ 880.014/37-II 3/1999, JABl. 1999/31, asked the public prosecutor's offices to clarify such allegations by means of preliminary judicial investigations and if required by means of a motion to institute a preliminary examination. This also applies to cases in which there are indications giving rise to suspicion - even without a precise allegation - for instance in the course of the referral of an arrested person to a penal institution or during the interrogation by the examining judge. If there are any visible signs of injuries, an expert opinion about the possible causes of the physical harm will have to be obtained without delay.

At the same time, the Federal Ministry of the Interior, by decree of November 10, 2000, Zl. 64.000/231-II 20/2000, asked the law enforcement agencies and offices to provide

the responsible public prosecutor's office with a description of the facts of the alleged ill-treatment and/or the other indications for ill-treatment without delay, if possible within 24 hours. This description of facts must be prepared by officers who are not directly affected by the allegations. The measures taken by the law enforcement officers must be limited to documenting the allegation and to taking necessary measures to secure irretrievable evidence that cannot be delayed.

By decree of December 21, 2000, JMZ 880.014/48-II 3/2000, the Federal Ministry of Justice requested the directors of the penal institutions to comply with the defined procedures in cases of allegations of ill-treatment against criminal law enforcement officers. In such cases, the clarification of the allegation by way of preliminary judicial investigations must be started without delay.

Allegations of ill-treatment raised against law enforcement officers and similar cases of suspicion

	2003	2004	2005
Cases dealt with by the public prosecutor's offices	1,083	1,224	1,047
<i>of which new cases within the reporting year</i>	988	1,167	978
Dismissal of proceedings (charges dropped)	983	1,094	960
<i>of which without preliminary judicial proceedings</i>	713	763	643
Motion for sentence or indictments	11	16	18
Found not guilty	6	3	8
Found guilty	1	2	2

When evaluating these data it must be taken into consideration that, according to the reports by the public prosecutor's offices, the interventions by the officers resulted in minor injuries, for instance inflicted by the use of handcuffs or pepper spray, in many of the reported cases – partly without any allegation of ill-treatment being raised against the intervening officer.

The Federal Ministry of the Interior, as the central body for further and advanced training for all members of its department, is aware of its responsibility regarding basic and advanced human rights education and training of its civil servants.

Thus the comprehensive structural concept of "human rights education" was drawn up to guarantee structured basic and advanced training measures.

Amongst other activities, an essential component of that concept is the seminar programme "A World of Difference", which was implemented in 2001 and is being carried out in cooperation with the Anti-Defamation League.

In early September the Federal Minister of the Interior extended the term of the contract for the years 2007-2009. The duration of the seminars was extended by one further day and the range of subject areas dealt with was expanded as well.

In these seminars, which are held with the involvement of the Human Rights Advisory Board, all civil servants are sensitised to all forms of discrimination. Attendance is compulsory both during the basic training and as a part of further training.

The major fundamentals of this training include promoting empathy and understanding for individuals and their circumstances of life. Solution models and alternative behaviours are developed by way of interactive individual and group work, role playing, case studies, films and simulation exercises. The cooperation with the Anti-Defamation League guarantees contact with external experts who have relevant skills and experience. Also in consultation with external experts, a regular evaluation is made in order to assure quality and guarantee that the topics are selected and treated in an optimal way.

The (internal and external) speakers are kept up-to-date by means of obligatory training measures, which also provide a permanent evaluation of processes and topics.

When it comes to communicating legal standards in the course of the basic and advanced training of law enforcement officers, the systematic approach laid down in the structural concept for human rights education is applied. In addition, external experts are included in all basic and advanced training events on human rights education and in many cases also act as trainers.

In addition, the Federal Ministry of the Interior periodically sets temporary prioritised objectives. As in recent years, one of the focuses defined for the years 2006 and 2007 was "Menschenrechte und Berufsethik als Bestandteil polizeilichen Handelns" (Human rights and professional ethics as an integral part of police actions"). This focus represents a very broad basis of topics which in past years have repeatedly been included as focuses of the basic training and advanced upskilling. The area designated as "temporary prioritised objective" is designed to emphasise the special importance of this topic for advanced education and will be implemented by means of various forms of further training measures. This will cover the familiar area of conflict between human rights and police interventions comprehensively and also include topics such as racism, intolerance and discrimination in general and within law enforcement agencies.

As an important supplement to the training measures initiated, a prominent member of the Human Rights Advisory Board has prepared the human rights education manual "Handbuch Menschenrechtsbildung", which is available as a loose-leaf binder.

Additional measures:

In-service further training for employees of police detention centres ("PAZ", training associations, two-day seminars); symposia – e.g. experience with intercultural psychiatry, drug treatment courses for police doctors and heads of police detention centres, the combating of narcotic substances, human rights – ethics and police actions, corporate culture, personality and team development, awareness training for members of the legal profession in the area of anti-discrimination; intercultural guides are typical examples.

For years, the main focus of further training defined by the Federal Ministry of the Interior has been human rights. In their demand analyses, the offices responsible for further education monitor Austrian interests as a whole.

In addition, numerous local projects have been organised and implemented independently by dedicated civil servants.

The Federal Ministry of the Interior has contracted a private company (European Home Care), which is responsible for the provision of care and other services to asylum seekers.

In the course of a comprehensive series of seminars criminal law knowledge, intercultural communication strategies, de-escalation and conflict prevention methods as well as seminars on specific groups of refugees (for instance the ethnic group of Chechens, which is strongly represented in Austria) are offered. Each counsellor had to attend at least one seminar in the first half of 2006.

Answer to Question 23

Under Article 10, Letter e, three initiatives taken by the Federal Ministry of Education, Science and Culture are described.

Educational measures in adult education

- Measures for developing reading and writing skills prior to courses for obtaining a secondary school leaving certificate:
These courses are addressed to women and men alike (CEDAW p. 43 “These courses are open to women **and** men alike”) as well as to immigrants and Austrians without distinction.
- Educational measures for immigrants:
Courses for the acquisition of basic competences and key qualifications which are **exclusively** designed for immigrants are supported.

Educational measures at school level

The gender aspects addressed in your inquiry concern support programmes for the acquisition of improved reading capacities for pupils (“Lesefit”).

Every year, the **Federal Ministry of Health and Women** uses part of its budget for women-specific projects to fund educational projects that are especially targeted at immigrants.

In 2005, the Ministry launched an initiative against violence caused by harmful traditions in cooperation with the Foreign Ministry, the Ministry of the Interior, the Ministry of Justice and the Ministry of Education and Generations. Representatives of several departments and experts from various fields deal in particular with issues such as forced marriage and female genital mutilation.

For awareness training, sensitisation and mutual assistance in these areas the “NAHT – Network Against Harmful Traditions” was set up. NAHT is an information and networking portal for government representatives, citizens’ initiatives, affected women and girls, non-governmental organisations (NGOs), existing networks and institutions that are fighting against all forms of harmful traditions.

The school counselling centre at the Provincial School Board for **Tyrol** is open to all foreigners (pupils, parents, schools). It offers both individual counselling for pupils, mothers and parents and assistance for schools. The centre has no official mandate to implement the gender mainstreaming strategy and/or specific measures for women and children.

Nevertheless, the centre takes individual measures, such as separate German courses for women, mothers; individual counselling for women and girls that deal with the specific situation in patriarchal families; referral to victim protection facilities, etc.

The special remedial German courses are open to all children of foreign descent and do not deal with gender-specific problems or situations at the moment.

In the area of adult education for immigrants, individual NGOs are presently taking individual measures: offers by the counselling centre for women and girls are now also open to immigrants, and associations like “Frauen aus allen Ländern” (Women from all countries).

The school service centre at the Provincial School Board for **Upper Austria** was set up for **everyone** (Austrians and immigrants alike) and offers individual counselling including legal advice. In addition, a branch office has been set up at the municipal office in Linz.

German courses for pupils of non-German mother tongue are offered at various schools (if required).

These bodies do not have any public mandate to implement gender mainstreaming or special support of girls or women.

However, we would like to point out the fact that in Upper Austria the association MAIZ (Autonomes Integrationszentrum von und für Migrantinnen/Autonomous integration centre run by female immigrants for female immigrants) deals especially with this issue and does not only offer individual counselling but also a great number of German courses for immigrants with various mother tongues. In addition, preparatory courses for obtaining a secondary school leaving certificate are offered to (and used by) young immigrants.

Of course, the women’s associations in the regions of Upper Austria also offer support (counselling) and various (training) measures for immigrants.

In addition, an attempt is made to boost the women’s self-esteem through these support measures.

The impact of these measures cannot yet be assessed.

In 2004, the Office for Women’s Affairs in Salzburg provided funds in the amount of € 2,180 to the association “VIELE” (Interkulturelle Beratungsstelle für Mädchen und Frauen, Stadt Salzburg/Intercultural counselling centre for girls and women, City of Salzburg). With these subsidies the association was able to offer German courses for female immigrants.

The VIELE association also received additional subsidies from the Office for Women’s Affairs and Equal Opportunities in the amount of € 750 for the “Kulturprojekt Salzburg für Ausländerinnen” (cultural project Salzburg for foreigners).

In 2004, the Province and the city of Salzburg carried out six projects in the course of the EU-project “Equal Opportunities” as strategic partners in an equal partnership (first funding period). One of the six modules of this project was entitled “female immigrants”. A forum for immigrants with decision-makers from the fields of politics, administration and NGOs was organised.

As a result of this forum in the area of education a kindergarten teacher with a migration background was hired by a public kindergarten to support the team and to familiarise the children with the different cultural backgrounds. The success of this project required

intense cooperation with the parents. The additional care person was financed by the city.

Another consequence of this forum was that the Labour Market Service (AMS) set up a forum to evaluate the implementation of the Act Governing the Employment of Foreign Citizens on the basis of precise examples and to ensure uniform quality of these measures. Labour market counsellors have conducted a systematic survey as the basis for further measures.

In summer 2004, in a cooperative venture between the Province of Salzburg, Caritas and other NGOs, applications for subsidies under the EU-funded programme "FluEqual – Salzburg integriert Flüchtlinge" (FluEqual – Salzburg integrates refugees) were filed and accepted. The programme includes the following focuses:

- Language acquisition for immigrants, specifically taking into consideration gender aspects.
- The IKT project, offered by the city of Salzburg, which teaches immigrants computer skills.
- Career orientation in the area of charitable communal employment projects. The aim is to integrate immigrants and to offer them possibilities to enter the labour market.

The impacts achieved suggest that the measures have been successful.

As already presented in the 6th Austrian CEDAW report, the Province of **Vienna** offered special language acquisition measures for immigrants that were oriented towards the needs of the participants in the course of the language programme "Sprachoffensive" in the reporting period 1999-2003.

In order to enable women with child-care obligations to attend these courses, separate child-care was offered during the courses and the attendees' family and/or job obligations were taken into consideration when determining the course times. These educational measures were offered at different levels, and the topics treated in these courses were based on the daily lives and environments of the attendees in order to take into account the different initial situations, potentials and needs of the women. The evaluation of the language learning measures provided very positive results (regarding the learning success, the practical relevance of the acquired knowledge and/or skills in everyday life and at the workplace, etc.).

The share of women in the overall attendees of the courses offered under the language programme during the reporting period was around two thirds.

In addition, the educational measure RADITA for young women with a migration background was implemented in the reporting period which aims at assisting young female immigrants in the labour market.

Answer to Question 24

The Federal Ministry of Health and Women (BMGF) has made the CEDAW Convention, the Optional Protocol and information regarding its application available to the public on its website www.bmgf.gv.at. In addition, an informative letter about the communication procedure pursuant to the Optional Protocol was mailed to the chairwoman of the working group for equality issues, the representatives for women's issues of the Provinces, women's service centres, women's organisations of the social partners and to NGOs working in the area of women's rights. The brochure "Frauen haben Recht(e)",

BMGF 2005 (Women have rights/women are right) highlights the CEDAW Convention, the Optional Protocol and the possibility of a communication to the CEDAW Committee.