

**High-level meeting on the rule of law at the national and international levels
Austrian Pledges of 18 September 2012**

Implementation Report by Austria as of 31 December 2014

List of Austrian pledges and implementation measures:

- *Annually*: Voluntary financial contribution for projects of the Rule of Law Unit in the UN Secretariat.

Implementation:

2012: annual voluntary contribution of EUR 12.000,-

2013: annual voluntary contribution of EUR 10.000,-

2014: annual voluntary contribution of EUR 10.000,-

- *By the end of 2012 and by 2014 (joint pledge together with other like-minded States on targeted sanctions)*: Submission of suggestions to the UN Security Council on ways to strengthen the UN sanctions system by further improving fair and clear procedures, especially with regard to enhancing the scope and mandate of the Ombudsperson procedure.

Implementation:

Joint Letter Dated 7 November 2012 from the Permanent Representative of Switzerland to the UN addressed to the Secretary-General and the President of the Security Council (November 9, 2012) UN Doc. A/67/557-S/2012/805.

Joint Letter Dated 17 April 2014 from the Permanent Representatives of Austria, Belgium, Costa Rica, Denmark, Finland, Germany, Liechtenstein, the Netherlands, Norway, Sweden and Switzerland to the United Nations addressed to the President of the Security Council (April 21, 2014), UN Doc. S/2014/286.

- *By the end of 2012*: Incorporation of the specific international crimes under the Rome Statute of the International Criminal Court, as well as the crimes of torture and enforced disappearance, into the Austrian Criminal Code (submission of the government bill to the Austrian parliament).

Implementation:

The work on incorporation of the specific international crimes under the Rome Statute was finalized and submitted to Parliament in 2014. The respective amendments of the Austrian Criminal Code entered into force on 1 January 2015 (see Federal Law Gazette I No. 106/2014).

- *In 2013*: Ratification of the “Kampala amendments” to the Rome Statute of the International Criminal Court regarding the crime of aggression and the war crimes pursuant to Article 8 of the Statute.

Implementation:

On 17 July 2014 Austria deposited its instrument of ratification of the “Kampala amendments” to the Rome Statute with the UN Secretary-General.

- *Annually*: Voluntary financial contribution to international criminal courts and tribunals or residual mechanisms, including the Special Court for Sierra Leone and the Extraordinary Chambers in the Courts of Cambodia.

Implementation:

a) (Residual) Special Court for Sierra Leone (SCSL)

2012: annual voluntary contribution of EUR 30.000,-

2013: annual voluntary contribution of EUR 30.000,-

2014: annual voluntary contribution of EUR 20.000,-

b) Extraordinary Chambers in the Courts of Cambodia (ECCC)

2012: annual voluntary contribution of EUR 20.000,-

2013: annual voluntary contribution of EUR 20.000,-

2014: annual voluntary contribution of EUR 20.000,-

- *Annually (joint pledge together with Switzerland and others)*: Contribution to efforts made at the national, regional and international levels to promote truth, justice, reparation and guarantees of non-recurrence and in particular to lend their support to the work of the Special Rapporteur created by the Human Rights Council to deal with these questions.

Implementation:

Austria is a member of a cross-regional group of countries promoting truth justice, reparation and guarantees of non-recurrence through the framework of the UN Human Rights Council. At its 18th regular session in September 2011, the Human Rights Council adopted resolution (HRC/18/7), in which it decided to appoint a Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence.

In September 2014, a resolution (HRC/27/3) co-sponsored by 86 countries including Austria was adopted by the Human Rights Council extending the mandate of the Special Rapporteur for a further period of three years.

- *By the end of 2012*: Elaboration and start of pilot course of the first interdisciplinary Training Course on Protection of Civilians in Armed Conflict (PoC) for international experts and decision-makers of the armed forces, the police, nongovernmental/civilian organisations, and the political/civilian administration involved in crisis management or peace support operations in order to promote the implementation of Security Council resolution 1894 (2009).

Implementation:

In 2012, the first interdisciplinary Training Course on the Protection of Civilians in Armed Conflict (PoC) was held in Austria. This course was developed to promote the implementation of Security Council Resolution 1894 (2009), in particular to respond to the needs identified for pre deployment and senior leadership training on PoC. Its target audience are international experts and decision-makers of the armed forces, the police, nongovernmental organisations as well as civilian organisations, and the political or civilian administration involved in crisis management or peace support operations. Following the pilot course in 2012, the course has been held on an annual basis.

- *Within the next 6 months:* Ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

Implementation:

On 4 December 2012 Austria deposited its instrument of ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment with the UN Secretary-General. The Optional Protocol was published in the Federal Law Gazette III No. 190/2012.

- *By the end of 2013:* Ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (CAHVIO).

Implementation:

On 14 November 2013 Austria deposited its instrument of ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (CAHVIO) with the Secretary-General of the Council of Europe. The Convention entered into force for Austria on 1 August 2014 and was published in the Federal Law Gazette BGBl. III Nr.164/2014.

- *By the end of 2013:* Compilation and international dissemination of Austrian best practices concerning the protection of domestic workers employed by persons enjoying privileges and immunities.

Implementation:

Austria contributed to the OSCE Handbook “How to prevent human trafficking for domestic servitude in diplomatic households and protect private domestic workers”, which summarizes the discussion and compiles the findings of four workshops organized between 2012 and 2014 in the framework of the extra-budgetary project, “Workshops on prevention of trafficking in human beings for domestic servitude in diplomatic households”. Austria took part in these workshops by presenting its practice as regards the topic in question.

- *By 2013:* Development of best practices for the fight against corruption in the framework of the „EACT – European Anti-Corruption Training“-initiative.

The EACT (European Anti-Corruption Training) initiative was a practice-oriented project of the Austrian Federal Bureau of Anti-Corruption (BAK) supported by anti-corruption authorities of Slovenia and Slovakia. Under the motto "Practice meets Practice", EACT addressed officials of anti-corruption authorities as well as police and judicial authorities from EU Member States, candidate countries, Western Balkan states and other European partner countries, such as Switzerland and Liechtenstein. Representatives of Eurojust and Europol also participated.

The project took place from September 2011 to October 2013 and was carried out in Austria, Slovenia and Slovakia, starting with a kick-off conference in Austria with the aim to provide a platform for exchange on common problems in order to identify best practices in anti-corruption. During two years, each project partner organized a working group, where case studies were prepared in order to generate an exchange of information and best practices concentrating on problem-solving, criminal measures and investigative approaches.

The best practices developed in those working groups were published in a manual, which was presented at a final conference in Slovenia in 2013, and, subsequently, distributed to participants and interested authorities.

- *Annually:* Voluntary financial contribution to the International Anti-Corruption Academy (IACA), for its programmes for anti-corruption education and professional training as well as technical assistance.

Implementation:

Austria's contribution to IACA's general budget in 2014 and 2015 amounts to EUR 400.000,- per year. In addition, Austria provides the rent for the IACA premises, which exceeds EUR 500.000,- per year, and is currently seconding three staff members.

- *Annually:* Voluntary financial contribution to the UN Trust Fund to End Violence against Women.

Implementation:

Voluntary financial contributions of EUR 100.000,- were made in 2012 and 2013 respectively.

- *In 2013:* Cooperation with the UN Secretariat on the commemoration of the 20th anniversary of the 1993 World Conference on Human Rights in Vienna.

Implementation:

To mark the occasion of the 20th anniversary of the 1993 World Conference on Human Rights, a High Level Expert Conference was organized in Vienna from 27 to 28 June 2013, in cooperation with the Office of the UN High Commissioner for Human Rights, as well as the Ludwig Boltzmann Institute for Human Rights (BIM) and the European Training and Research Centre for Democracy and

Human Rights of the University of Graz (UNI-ETC). The Conference was opened by UN High Commissioner for Human Rights Navi Pillay. Participants of the conference included representatives of UN organizations; regional and national human rights institutions; human rights defenders; independent human rights experts from civil society and academia; and government representatives. In three Working Groups (“The rule of law and access to justice for victims of human rights violations”, “Women in public and political life”, and “Human rights and the post-2015 development agenda”), action-oriented recommendations were developed, which were presented by Austria to the UN Human Rights Council and the UN General Assembly in autumn of 2013.

- *Annually:* Continued implementation of existing National Actions Plans (NAPs) in the field of human rights, including women’s rights, integration, human trafficking, rights of persons with disabilities, and consideration of the development of a general National Action Plan on Human Rights to complement existing NAPs

Implementation:

Implementation reports for the revised National Action Plan on Implementing Security Council Resolution 1325 (2000) adopted in January 2012 were submitted to the Government and forwarded to Parliament on an annual basis.

The existing National Action Plans on Integration, on Rights of Persons with Disabilities, on Women, Peace & Security (SC Resolution 1325) and on Equality between Men and Women in the Labour Market have been continuously implemented over the past years, according to the measures and indicators developed therein. In 2014 a second National Action Plan on Human Trafficking, building upon the first plan (duration 2012-2014) was adopted for the period 2014 – 2016. In addition, in August 2014 a new National Action Plan on Violence against Women was adopted for the period 2014 – 2016.

Finally the current Austrian Government included in its work-program for the period 2013-2018 the elaboration of a general National Action Plan on Human Rights, which will put the existing thematic National Action Plans in a common framework and will thus provide for a possibility to close gaps by developing concrete measures and projects for those areas that are not yet covered by the specialized thematic Action Plans.

- *By the end of 2014:* Support for the development of national action plans of partner countries on the implementation of Security Council resolution 1325 (2000) on women, peace and security.

Implementation:

In implementation of the National Action Plan for SC Resolution 1325 (2000) the Austrian Development Agency (ADA) supported various projects in partner countries during 2012 and 2014 in a total amount exceeding EUR 3.7 million. Through a contribution of EUR 1 million by ADA to the “Gender, Peace and Security” programme of the African Union Commission, Austria is supporting

the development of action plans, policies and measures for the implementation of SC Resolution 1325 (2000) across the African continent since 2013.

On 3/4 November 2014, Austria hosted an international symposium on “Enhancing Women's Share in Peace and Security” in Vienna as a contribution to the Beijing +20 campaign of UN Women and the Global Study on the implementation of UNSCR 1325 commissioned by the UNSG. The symposium brought together international experts to discuss the implementation of the women, peace and security agenda and to provide recommendations for the way ahead, including for the development of national action plans. At the margins of the symposium bilateral talks were held with the Special Envoy for Women, Peace and Security of the African Union (AU), Bineta Diop, addressing, inter alia, the issue of the development of national action plans by AU Member States. Efforts are also being pursued at the bilateral level with certain partner countries of the Austrian Development Cooperation to advocate for the development of a national action plan, which could be supported by Austria.

- *By 2013:* Use of gender responsive budgeting practices when developing national budgets, including for justice and security sectors.

Implementation:

Austria has introduced gender responsive budgeting by enshrining it in the Austrian Constitution, which stipulates in Art. 13 that the “Federation, Federal States and Communities are to strive for the effective equality of women and men in their budget management”. In Art. 51 paragraphs 8 and 9 of the Constitution it is further stated that in the budget management of the Federation the fundamental principles of impact orientation, considering in particular the objectives of the effective equality of men and women, are to be observed. In order to comply with these provision, the Austrian Budget Law (beginning with the Financial Act of 2013) requires each Ministry to formulate in the budget documents at least one gender outcome objective. This applies to all Federal Ministries, including those responsible for the justice and security sectors.

- *Annually:* Continued financial contributions by the Austrian Development Cooperation (ADC) to selected projects and programmes with partner countries to support the rule of law, including e.g. for the promotion of justice and the rule of law in Uganda, supporting governance and the judiciary in Bhutan and ensuring effective law enforcement responses to violence against women and children in the SADC Region.

Implementation:

The Austrian Development Agency supported a number of projects in various partner countries with a focus on the promotion of the rule of law in a total amount of more than EUR 15 million.

- *Within the next three years:* Continuation of scholarships for students from developing countries for the study programmes of the Diplomatic Academy of Vienna, as well as the holding of Executive Training Programmes/Special Courses at the Diplomatic Academy for junior diplomats and other civil servants from developing countries, which include rule of law issues.

Implementation:

Austria continues to support special training of administrators in partner countries with the aim to strengthen their knowledge about Europe and European institutions and decision-making procedures. The measures include the participation of the administrators in special courses at the Diplomatic Academy of Vienna, excursions to international organisations in Vienna and European institutions in Brussels, grants for postgraduate studies at the Diplomatic Academy as well as seminars of the Diplomatic Academy held in selected ACP-countries. The measures aim at staff in public administrations dealing with international affairs, as well as students who want to qualify for a job within public services. For the period from 2013 to 2016 a total amount of EUR 1.390.700,- is foreseen for these training measures.

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