

# **Austria's answer to the 2019 CEDAW List of Issues**

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# General Remarks

## Regarding Issue 1

1. Austria's Federal Minister for Women, Families and Youth provided all federal ministries and regional authorities, the Ombud for Equal Treatment (GAW), the Equal Treatment Commission (GBK) and the Federal Equal Treatment Commission with all the information required to be able to put together Austria's CEDAW Report. These bodies then provided feedback, comments and content for the Report in its German and English versions. They received the final Report in both languages in an accessible format. The Report was also made available free of charge on the website of the Division for Women and Equality.
2. The Report was presented in a meeting of the *Platform EU, International Affairs and Gender*, an exchange format where representatives of non-governmental organisations (NGOs), the equal treatment officers of all parties represented in Austria's Parliament and the social partners come together on the initiative of the Division for Women and Equality.

# Definition of Discrimination against Women

## Regarding Issue 2

### **Direct and indirect discrimination based on gender**

3. According to § 5 of Austria's Equal Treatment Act (GIBG), direct discrimination refers to a situation in which a person was, is being or would be treated less favourably based on gender compared to another person in a similar situation. Indirect discrimination refers to rules, criteria or processes that seem to be neutral but could potentially discriminate against people of one gender, especially in favour of the other gender, except for cases in which these provisions are justified by a legitimate goal and the resources to reach this goal are appropriate and necessary.
4. Discrimination also describes cases where a person has been instructed to discriminate, a person is being discriminated against due to their relationship to another person and their gender as well as to cases of sexual harassment and gender-based harassment.
5. In addition to the general equal treatment law, legislation regarding the equality of people with disabilities provides options to proceed against discrimination based on disability.

### **Multiple discrimination**

6. Please refer to paragraph 9 of Austria's Ninth CEDAW Report to find more information about multiple discrimination. Despite the fact that no legal definition of multiple discrimination is found in the GIBG, it has become a term with broad interpretation in judicial and teaching/training contexts. It generally includes forms of discrimination that are based on more than one reason. The GIBG does not specify whether these reasons need to be present at the same time or consecutively.
7. Multiple discrimination does not necessarily lead to increased impairment in all cases. Each individual case must be assessed to determine to what extent multiple discrimination has aggravated the impairment suffered. The law states that in such cases compensation should be defined as an overall amount.

8. While multiple discrimination is a part of Austria's social reality, it still plays a subordinate role in the application of law, mainly because first-instance courts often do not recognise this phenomenon and the person affected might not perceive it as such. It is therefore vital to continue to raise awareness. In 2017 and 2018, the Senate I of the GBK received 24 complaints regarding multiple discrimination. The Commission takes multiple discrimination and intersectional discrimination into account in its decisions.

### **Intersectional discrimination**

9. The GIBG contains neither the term intersectional discrimination nor a final definition of multiple discrimination. Multiple discrimination is a broad term that applies to all discriminatory situations with multiple discrimination characteristics. Intersectional discrimination is therefore also covered by the GIBG. The GBK made a statement concerning intersectional discrimination which can be found in paragraph 198 of Austria's Ninth Report. Austria's Supreme Court has not taken up position in this matter yet.

### **Compensation amount**

10. The legal implications of a violation against the GIBG are governed by Austria's civil law, which means that compensation payments are the primary consequence of such a violation.

11. In general, the affected person has the right to the restoration of a non-discriminatory condition or to receive compensation for the financial loss and the personal impairment suffered. In cases of harassment or sexual harassment, the affected person is entitled to receive compensation from the offender for the damage suffered. If the disadvantage suffered does not only imply a financial loss, the person affected has the right to receive appropriate compensation for the personal impairment suffered amounting to a minimum of 1,000 euros. This means that a minimum compensation limit has been defined.

12. In reality, compensation payments are low. In many settlement processes of cases of harassment, the legal minimum of 1,000 euros contained in the GIBG has not been reached, even in cases of multiple discrimination.

# Constitutional, Legal and Institutional Framework

## Regarding Issue 3

### Evaluation of the tools for the enforcement of equal treatment

13. An evaluation in 2016 showed that the civil-law character of equal treatment legislation should be maintained. The easy accessibility of proceedings before the GBK is a main benefit for affected people as there is no cost risk involved. Awareness among the public has increased considerably thanks to a number of public initiatives that aim to make equal treatment legislation more widely known. In addition to positive aspects, the evaluation outlined several areas that require improvement, mainly concerning legal implications and legal enforcement.

### Levelling-up

14. Gender as a ground for discrimination has been legally covered since 2008 with regard to the access to goods and services also outside the work environment. While regional equality and anti-discrimination laws have been adjusted so as to include all reasons in the protection against discrimination, the GIBG has not been adapted yet. There are currently no debates to amend this Act (see paragraph 21 of Austria's Ninth Report).

### Coordination and responsibility

15. In cases of competence ambiguities (federal or provincial responsibility), it is currently being assessed how to facilitate the relevant process in these cases.

### Regional efforts

16. In **Lower Austria**, a new Anti-discrimination Act entered into force in 2017. Citizens are now protected against discrimination in all areas of life and regarding all discrimination grounds, including discrimination based on gender.

17. The Equal Treatment Act in **Salzburg** was amended in 2017 to increase the protection and rights of affected people. The minimum amount of compensation for personal detriment

has been raised from 720 to 1,000 euros and the legal process has been simplified, among other things.

## Regarding Issue 4

18. The *National Action Plan (NAP) on Human Rights* could not be completed in the previous legislation period. The current government has not included the adoption of a NAP on Human Rights in its 2017-2022 work programme.
19. The continuation of the *NAP on the Equality of Women and Men in the Labour Market* is not part of the current government work programme either. In order to pursue the goals of the previous NAP, several measures are planned to promote the equality of women in the labour market, for example concerning equal pay and the reconciliation of family and work life.

## Regarding Issue 5

### Cabinet decisions on gender mainstreaming

20. In addition to legal provisions, five Cabinet decisions on gender mainstreaming were taken on a political level:
  - *Cabinet decision of 11 July 2000* regarding the establishment of an inter-ministerial working group on gender mainstreaming.
  - *Cabinet decision of 3 April 2002* regarding a work programme to implement gender mainstreaming for the following years.
  - *Cabinet decision of 9 March 2004* to promote gender mainstreaming mainly in the definition of meta goals, the voluntary establishment of gender mainstreaming working groups and the realisation of gender mainstreaming projects in all line ministries.
  - *Cabinet decision of 5 March 2008* regarding the application of the guidelines for gender mainstreaming in legislation processes and the guidelines for gender budgeting in order to integrate gender mainstreaming in routine administrative tasks.
  - *Cabinet decision of 6 September 2011* regarding the sustainable implementation of gender mainstreaming in five main areas: structural integration, gender-specific data collection, legislation processes, subsidies and public procurement, training and information.

## **Public procurement and equality**

21. There is a misunderstanding regarding this issue. The duration of six months does not refer to the equality measures but to the duration of service provision in directly awarded public contracts.
22. The above-mentioned Cabinet decision of 6 September 2011 stipulated that gender-related aspects shall be considered in subsidy and public procurement processes.
23. Furthermore, some federal ministries decreed that the promotion of women and equality must be considered in direct public procurement processes. This means that the recipients of directly awarded public contracts with a service provision period of six months or more are required to introduce measures to promote equality in their organisation.

## **Outcome-oriented budget management**

24. In 2017, the Organisation for Economic Co-Operation and Development, the International Monetary Fund and the University of Klagenfurt, Austria, evaluated the 2009 and 2013 national budget law reforms. Austria is mentioned in the report as a leading international example of how to ensure that equality aspects are considered in budget management.
25. In order to be able to coordinate equality processes across all federal ministries and supreme federal organs, the Austrian Government submits an annual outcome report to Parliament. The report was also outlined as a positive example by the Organisation for Economic Co-Operation and Development.

## **Gender budgeting blog**

26. The blog about gender budgeting contains information about budgets, budget law and equality aspirations as well as current developments in the field of gender budgeting. In addition to the blog and its articles, the website features expert statements, a FAQ page and further reading. Blog content is available in German and English.

## **Budget for women and equality**

27. Despite strict austerity programmes in accordance with Maastricht budget policies, the budget for women's affairs and equality remained unchanged. The 2019 budget for women and equality amounts to 10,150,000 euros.

28. Both the government programme and the strategy report on the federal financial framework for 2018-2021 and 2019-2022 intend to maintain the budget for women and equality. Accordingly, relevant institutions such as violence-protection centres, emergency shelters and counselling services for women and girls should be further expanded.

### **Gender budgeting in the federal provinces**

29. The Equal Treatment Act in **Salzburg** was amended in 2017 to provide a legal basis for a gender mainstreaming strategy to guide the work in all areas of the regional authorities. Gender mainstreaming aspects are taken into account in the allocation of annual budgetary resources.

30. Since 2018, the regional authorities of **Vorarlberg** have defined specific gender budgeting goals for selected departments and offices.

# Access to Justice and Legal Complaint Mechanisms

## Regarding Issue 6

31. Austria ratified the CEDAW Convention under reservation. Therefore, Austrian courts and authorities refer to either domestic laws that implement CEDAW guarantees or they resort to constitutional provisions or EU law that contain guarantees which correspond to CEDAW Convention guarantees.
32. Austrian courts and authorities have developed comprehensive jurisprudence to eliminate discrimination against women, mainly based on the general principle of equal treatment according to Austria's Federal Constitution and the prohibition of discrimination guaranteed by the European Convention on Human Rights and the Charter of Fundamental Rights of the EU.

## Procedures before the Equal Treatment Commissions

Please refer to table 18 in the Annex for recent statistical data.

33. Data on the outcome of the proceedings do not exist. The available datasets only refer to the number of proceedings and the form of discrimination.

## Responsibility of GAW

Please refer to table 19 in the Annex for recent statistical data.

34. The GAW is responsible for providing counselling services and support to people who consider themselves to be victims of discrimination in line with the GIBG. The body carries out independent analyses in the field of discrimination, publishes independent reports and gives out recommendations concerning discrimination issues. With regard to the implementation of CEDAW, its mandate is limited to the equal treatment of women

and men in the area of work and in the access to and supply of goods and services available to the public.

### **Legal aid**

35. Legal aid in civil proceedings is equally accessible to all people if the costs of the proceedings would impair their ability to meet their basic needs. Legal aid is also available to women in rural areas and vulnerable groups of women.
36. Particularly vulnerable victims have an additional right to psycho-social and legal support in criminal proceedings.
37. No data exists regarding the provision of legal aid for legal action on discrimination against women.

# National Instruments for the Advancement of Women

## Regarding Issue 7

38. Austria's national human rights institution is the *Ombudsman Board*. This body deals with citizens' complaints about inactivity, legal opinions or alleged acts of gross negligence of administrative bodies. It reviews whether the administrative bodies concerned operate in accordance with the respective law and adhere to human rights standards. Different instruments, such as the Board's recommendations to the authorities in individual cases, a comprehensive annual activity report to the Parliament and optional reports about certain observations, have proven to be effective tools to raise awareness and to develop appropriate solutions.
39. An independent evaluation report published during Austria's Chairmanship of the Organization for Security and Co-operation in Europe (OSCE) in 2017 contained no significant criticism of the work of the Board regarding the protection of human rights (where it functions as the National Prevention Mechanism, NPM). The report put special focus to the adherence to international torture prevention standards.

# Temporary Special Measures

## Regarding Issue 8

Please also refer to the response to Issue 15 and to table 9 in the Annex for recent statistical data.

### Women in power and decision-making

40. Since 1 January 2018, large and publicly listed companies have had a 30-percent women quota for supervisory board members. This quota applies to new members. Existing mandates remain unaffected. The most recent data on gender and supervisory boards were gathered in January 2019. Current developments after the introduction of the quota can only be shown for publicly listed companies.
41. The share of women appointed by the federal authorities as supervisory board members of state-owned or state-affiliated companies with a public share of 50 percent or more was intended to be raised to 35 percent by 31 December 2018. In 2017, the authorities held a share in 54 of such companies and appointed 289 supervisory board members, 135 of whom were female. The majority of companies (37) fulfilled or exceeded the 35-percent quota.
42. The leadership programme *Future Women* (see paragraph 31 of Austria's Ninth Report) and its database of female supervisory board members have been continued. 668 women are currently registered.

### Regional efforts

43. The 2016-2022 *equality programme for public service* in **Lower Austria** has led to a higher number of women in many areas of public service and to a higher number of men using work-related tools to make family and career more compatible. The goal is to raise the share of women to about 45 percent in all areas.
44. In 2018, the regional government of **Upper Austria** adopted the *2030 Women.Life strategy* which had been developed together with 2,000 citizens. The *KOMPASS*

*competence centre for parental leave and career* cooperates with regional companies to increase the number of women in leadership positions and to improve the reconciliation of work and family life.

45. The inter-regional project *Re: women decide* supported women in leadership positions in **Vorarlberg** until 2017. The project was a cooperation between Vorarlberg, Liechtenstein and Switzerland to raise awareness and collaborate with media representatives.

# Stereotypes and Harmful Practices

## Regarding Issue 9

### Strengthening the contribution of fathers to childcare and household work

46. The EU project *Men and the reconciliation of work and family life: supporting the path to gender equal distribution of parental leave and working time* contributed to a fair sharing of family-related tasks (see paragraph 51 of Austria's Ninth Report).
47. An anonymous survey about paternal leave in the judicial system was carried out among 1,500 judges and state prosecutors to find out the reasons for (not) taking paternal leave and to make this option more attractive.

### Decreasing gender-based stereotypes in education/training and the labour market

Please refer to tables 13-16 in the Annex for recent statistical data.

48. There are numerous initiatives that aim to diversify career paths in all professions and to decrease stereotyped gender roles. Examples include the *Girls' day* and *Girls' day MINI*, which continue to take place in different regional and national formats across the country, and the online platform *My engineering* (see paragraph 68 of Austria's Ninth Report).
49. Furthermore, a book called *My profession ABC* was published to inform children about all potential future career paths.
50. The event series *Equality talks*, a networking and exchange format, has also been continued (see paragraph 241 of Austria's Ninth Report).
51. In order to prevent a stereotyped career choice of adolescents, agricultural and forestry schools have applied measures to achieve a balanced gender ratio.

52. The issue of gender segregation in the educational choice has also been included in the resource, goals and performance plans for the Boards of Education in the form of key figures.
53. The *Social dimension strategy* in tertiary education aims to reduce gender segregation in study choices. Several projects have been defined at public universities for the period between 2019 and 2021.

### **Reducing gender-based stereotypes in public service**

54. In the fields of national defence and military service, two basic training courses exist called *Equality in peace* and *Gender/diversity perspectives in military deployments*. Both programmes aim to raise awareness. As of 2019, these topics will also be part of advanced training for teachers and instructors in national defence. An additional *anti-bullying initiative* aims to address stereotypes and prejudice.
55. Some federal ministries promote equal linguistic treatment in order to increase women's visibility. One example is *the Equality Working Group* at the Federal Ministry of Constitutional Affairs, Reforms, Deregulation and Justice (BMVRDJ).

### **Intersectional and multiple discrimination**

56. In order to prevent multiple discrimination, different events focusing on fundamental and human rights and particularly on the fight against racism take place in the judicial field.
57. The *2012-2020 NAP on Disability* (see paragraph 210 of Austria's Ninth Report) emphasises the fight against stereotyped views of people with disabilities. A study about people with disabilities in Austrian mass media was carried out in this context in 2015/2016, based on which a recommendation to make people with disabilities visible in Austrian media and the internet platform [www.barrierefreiemedien.at](http://www.barrierefreiemedien.at) were developed in order to promote non-discriminatory media reports.
58. Accessibility is another main focus of the *NAP*. Therefore, an *Accessibility Officer* was appointed by each Federal Ministry.

### **Regional efforts**

59. In **Upper Austria** the project *FIT – women in technology* was launched to provide information about regional study opportunities in technology and science.

60. In **Vorarlberg**, the inter-regional project *Re:role stereotypes* addressed gender-based stereotypes in a travelling exhibition, a lecture series and a dedicated campaign.

## Regarding Issue 10

61. The Federal Chancellery (BKA) provides information about non-discriminatory advertising as well as legal foundations, control bodies and complaint options on its website.

62. In 2017, the *Anti-sexism Committee* (see paragraphs 79f of Austria's Ninth Report) drew up 40 position papers. A total of 308 complaints were submitted to the *Advertising Council* in 2018, 126 of which related to discriminatory content based on gender.

63. The *Austrian Press Council* reviews newspaper articles regarding ethical criteria and developed a code of conduct for the Austrian media, which points out that any form of discrimination based on gender is inadmissible.

64. The *Austrian broadcasting corporation* ORF has an equality plan for all its products. Reports should have a differentiated perspective and try to eliminate stereotypes. Programmes are reviewed annually.

65. Gender-specific discrimination is banned from advertising on the public and private TV broadcasters. No violations were reported for 2017 and 2018.

66. *Advertising watch groups* (see paragraph 80 of Austria's Ninth Report) review the advertising landscape in all provinces with regard to sexist content. The results are published on the groups' websites. They have already achieved several withdrawals of different subjects.

## Regarding Issue 11

67. In its judgment from 15 June 2018, the Constitutional Court held that intersex people, who are biologically neither clearly "male" nor "female", have the right to be registered according to their sex characteristics in the civil register or in official documents. A ministerial working group clarified issues related to the civil register.

68. The Court did not comment on legal or medical requirements for medical interventions for intersex people in its decision. From a tort law perspective, any medical treatment that harms a person's physical integrity is considered a bodily injury and therefore unlawful. Only effective consent of the person concerned can justify such an unlawful

intervention. In absence of effective consent, it can be assumed that compensation can be claimed for the treatment of intersex people.

69. There are no statistical data on medical and surgical interventions in intersex people.

# Violence Against Women

## Regarding Issue 12

### **NAP on the Protection of Women against Violence (NAP Violence)**

70. The 2014-2016 government catalogue of measures contained in the *NAP Violence* mainly promoted inter-ministerial cooperation and the use of synergies. More than 60 initiatives focused on all forms of violence except human trafficking and the protection against violence in conflicts and armed conflicts because dedicated action plans had been adopted for these issues. In terms of structure, the NAP was based on the *Istanbul Convention*. The majority of measures could be implemented and the results were put together in an implementation report in 2018, which is available free of charge in German at [www.coordination-vaw.gv.at/nationale-aktionsplaene-2](http://www.coordination-vaw.gv.at/nationale-aktionsplaene-2).

### **Implementation of the Istanbul Convention**

71. Austria was one of the first countries to sign and ratify the *Istanbul Convention*. Austria received a very positive rating in the *GREVIO* Baseline Evaluation with regards to the legislative implementation of the Convention, with hardly any room for improvement.

72. In 2015, a *National Coordinating Body – Protection of Women against Violence* was founded. Its main tasks are the coordination of reporting processes in line with the Istanbul Convention, the illustration of national coordination efforts, the processing of data and statistical material as well as the collection of relevant documents. Moreover, an *Inter-ministerial Working Group for the Protection of Women Against Violence* was founded to ensure a constant exchange of information, to promote coordination and to support the implementation of measures. Both bodies report to the Division for Women and Equality at the BKA and are part of the Office for Gender-specific Violence against Women. The Coordinating Body has its own [website](#).

### **Women's shelters, emergency housing, counselling services**

73. The share of support granted to female victims of violence in the violence protection centres for which the Minister for Women is responsible, remained at 100 percent in 2017 and 2018, which means that every affected woman received help and support. The number of administrative districts with one or more subsidised counselling centre for

women reached a record high of 88 percent in 2017, which could also be maintained in 2018.

74. Two new women's shelters are currently under development in **Tyrol** and **Vienna** and are scheduled to be opened in 2019 and 2022 respectively. The provincial authorities are responsible for funding the shelters. A temporary housing unit for victims of forced marriage has been opened in Vienna in early 2019, funded by the city administration.
75. A concept is currently being drafted about how to build a nationwide counselling network for victims of sexual violence.

### **Further efforts to protect women against violence**

76. Many of the initiatives mentioned in Austria's Ninth Report have been continued or expanded, e.g. funding for the *Federal Working Committee on Victim-oriented Perpetrator Work* and the *Organisation for African Women* (see paragraphs 331 and 95 of Austria's Ninth Report). The project *PERSPECTIVE:WORK – economic and social empowerment for female victims of crime* continues to receive funding. The main aim is to integrate measures into everyday practice (see paragraph 93 of Austria's Ninth Report).
77. Special emphasis has been placed on cyber violence. An online evaluation of cyber violence was carried out at the end of 2017, the main findings of which were published in a brochure. Furthermore, in 2017 and 2018 a training concept for cyber violence was developed for staff working in violence protection and counselling centres.
78. More focus has recently been put on quality standards in the provision of legal support and the integration of gender-specific violence into the curricula of health professions.
79. In 2018, the *inter-ministerial Criminal Law Task Force* was launched. Following the Istanbul Convention, it elaborated a comprehensive catalogue of initiatives. 50 initiatives were considered a priority and agreed upon in the Council of Ministers Decision of 13 February 2019. The initiatives include changes in criminal law, further improvements in victim support and in the work with perpetrators as well as awareness-raising activities. The Ministers in charge were requested to follow up on these measures.
80. Moreover, a study was commissioned called *Experience with and the prevention of violence against people with disabilities*, with a main focus on women. It aims to gather data on violence against and sexual abuse of people with disabilities who use support services for

people with disabilities or live in psycho-social institutions. Another goal is to identify effective prevention measures. The final report should be completed by mid-2019.

81. In the field of integration, female and male immigrants are informed about their rights and obligations at an early stage. The *Austrian Integration Fund* offers several training formats such as value and orientation courses which have been mandatory since June 2017. Furthermore, attendees of different courses also learn about support centres, hotlines and counselling services for victims of violence.

82. There are also specialised counselling services for immigrants that focus on FGM, forced marriage, non-violence and self-determination.

### **Further efforts to fight female genital mutilation (FGM)**

83. Austria has recently placed special emphasis on the fight against FGM. In line with the *2019-2021 triannual programme for Austrian development cooperation*, the fight against FGM, particularly in conflict regions and fragile states, is one of Austria's priorities. One million euros was made available in 2018 for efforts to address FGM and to support affected persons, primarily in the Sahel region and at the Horn of Africa. This is done to achieve the following main aims:

- improve the access to treatment after FGM, e. g. health-related and psychological support;
- support the development of political strategies and legal provisions and ensure appropriate resources to eliminate FGM;
- build awareness regarding FGM-related damage in cooperation with the communities, e.g. with husbands, family members or religious leaders.

84. Also on a national level, numerous FGM projects have received support. One example is *FEM Süd*, a health centre for women that trains multipliers in the fields of prevention and support for affected women. In addition, within the framework of a special project call by the *Austrian Integration Fund*, one million euros will be made available for *measures combatting violence against women in the context of integration and female genital mutilation*.

## Regional efforts

85. In **Carinthia**, a *cyber bullying* project was launched in the context of the 2017 *safer internet day*. It aims to raise awareness among students, parents, teachers and multipliers concerning the safe use of digital media.
86. The **Upper Austrian 2030 Women.Life strategy**, adopted in 2018, comprises measures to support women and girls who are affected by sexism and other forms of violence.
87. A *dynamic risk analysis system* has been implemented in **Salzburg** to define risk levels and to identify high-risk cases. The use of video interpreting services for more than 20 languages is currently being considered in the province's women's shelters, counselling centres and the free legal aid service for women at the offices of the provincial government.
88. **Styria** placed special emphasis on *economic violence* in 2018 as part of the *16 days against violence* initiative. Numerous regional events took place to build awareness and promote networking opportunities between violence prevention actors such as NGOs, administrative bodies, public services, the police and judicial offices.
89. In **Vorarlberg**, information brochures about *domestic violence* were produced in seven languages to support the work of regional coordinators who deal with refugee women, among others.

# Trafficking in Women and Exploitation of Prostitution

## Regarding Issue 13

Please refer to table 20 in the Annex for recent statistical data.

### Fourth NAP to Combat Human Trafficking

90. The fourth *NAP* was, among other things, based on practical experience, recommendations from the working groups on trafficking in children, prostitution and labour exploitation as well as evaluations from international organisations.
91. The chapter *National and international coordination and cooperation* included efforts to further develop the *Task Force on Human Rights*, to strengthen the cooperation with the provincial authorities and the social partners and to support projects at European and international level. Ad-hoc working groups, for example concerning prostitution of asylum seekers, were launched.
92. The chapter *Prevention* aimed to raise awareness of human trafficking among the public and specific occupational groups. Another focus was strengthening the legal framework for preventive measures.
93. The goal of the chapter *Victim protection* was to facilitate the identification of potential victims of human trafficking and to ensure comprehensive information and support for and better social integration of victims.
94. The chapter *Criminal prosecution* focused on the assessment of criminal provisions and the cooperation between NGOs and law enforcement offices.
95. The chapter *Evaluation/monitoring* assessed existing measures and contained additional research activities in the field of human trafficking.

## **Fifth NAP to Combat Human Trafficking**

96. The Fifth NAP for 2018-2020 was adopted by the Cabinet in October 2018.
97. The new NAP aims at taking into account of the changed circumstances the country has faced since the increase of refugee and migration movements in 2015. It identifies refugees and especially unaccompanied minors as potential risk groups and contains training initiatives for staff in initial reception centres, social service institutions and detention centres. Furthermore, plans exist to produce more information material in different languages.
98. International treaties require Austria to implement the *non-punishment principle* on a national level. This principle states that victims of human trafficking who commit criminal offences under coercion must, under certain circumstances, not be punished. The fifth NAP envisages the development of guidelines for the implementation of that principle in Austria's administrative criminal law.

## **Support for victims of trafficking in women**

99. *LEFÖ-IBF (Intervention centre for trafficked women)* provides counselling services and safe shelter for affected persons above 16 years of age from the whole country and independent of the form of exploitation. The headquarters in Vienna ensures maximum anonymity and therefore provides more safety. It also facilitates continuous collaboration with the relevant public bodies. *LEFÖ-IBF* is also involved in the work of the *Task Force on Human Trafficking*.
100. There are currently a total of 28 places available in three emergency shelters and one temporary housing unit. Funding is provided by the Ministry of the Interior as well as the Division for Women and Equality at the BKA. The budget has been continuously increased since 2016 and amounted to 747,117 euros in 2018.
101. As entrusted by the BMVRDJ, *LEFÖ-IBF* supports female victims by providing psycho-social and legal support in judicial proceedings. A total of 126 victims received support in 2017 at an overall cost of 153,000 euros.
102. In addition to that, victims have the right to receive legal aid and psycho-social and legal support in criminal proceedings (see response to Issue 6).

## Cooperation

103. The *Austrian Task Force for Combating Human Trafficking* was launched in 2004. It consists of representatives from all relevant ministries, provincial authorities, the social partners and NGOs. Different working groups deal *with trafficking in children, prostitution and labour exploitation*. A regional conference about trafficking in human beings is held annually. The fourth and fifth NAPs include additional round table events in all provinces.
104. In 2016, the *Joint Operational Office against Human Smuggling and Human Trafficking* was opened at the Federal Criminal Police Office. The Joint Operational Office serves as a link to Europol and will involve international investigators during important investigation phases of an operation. It can cooperate with officers from the Balkan region, in accordance with the *Police Cooperation Convention for South East Europe*, or investigators from EU countries, in line with the EU Police Cooperation Act.

## Residence status for victims of human trafficking

105. In § 57, paragraph 1 (2), the 2005 Asylum Act deals with the residence permit of victims of human trafficking. It states that third-country nationals residing in Austria be given a *special protection right of residence*, either ex officio or based on a founded application, in order to allow for criminal prosecution of punishable offences or for the claim and enforcement of civil-law rights related to such punishable offences. This kind of residence permit particularly needs to be granted to witnesses or victims of human trafficking or cross-border prostitution-related trafficking.
106. The application must be deemed inadmissible and rejected if criminal proceedings have not commenced or if civil-law claims have not been made. According to § 1, paragraph 2 of Austria's Code of Criminal Procedure, criminal proceedings commence as soon as the criminal police or the public prosecutor launch investigations into a case of a suspected criminal offence against a known or unknown person or take coercive action against a suspect. This means that the commencement of criminal proceedings is the decisive moment, not the outcome. The admissibility criteria are relatively simple in order to not inappropriately exclude vulnerable foreigners from the proceedings. From a legal perspective, this means that the foreigner's cooperation with the authorities is not a necessary precondition for granting the right of residence.
107. Victims of human trafficking from the European Economic Area have the same right of residence as all other EEA citizens in line with Union law. However, victims of human trafficking might face difficulties in fulfilling the required criteria to receive a registration

certificate, especially in cases of unemployment, a lack of sufficient means of subsistence or a lack of health insurance.

108. In these cases, the Settlement and Residence Act applies. If a right of residence does not exist due to a lack of provided evidence for the right of residence in accordance with Union law, the authorities must without delay refer the case to the Federal Office for Foreign Affairs and Asylum for the termination of residence, thereby informing the Office about the person's victim status and the person about this process. The Office will then review the admissibility of the expulsion in line with Austria's international obligations. This means in practical terms that an expulsion similar to expulsions of third-party nationals is usually inadmissible.

109. If the Office for Foreign Affairs and Asylum does not terminate residence, the settlement authorities must document the right of residence based on Union law without delay. Therefore, after the Office has commented on the case, a registration certificate must be given out. This is a legal right.

### **Support for female victims of labour exploitation**

110. In 2012, a *Working Group on Human trafficking for Labour Exploitation Purposes* was founded as part of the *Human Trafficking Task Force*. One of the Group's primary goals is to raise awareness among supervisory authorities in addition to the police, e.g. the labour inspectorate, the financial police and the agriculture and silviculture inspectorate, and to foster cooperation between these bodies. To achieve this, an information leaflet for supervisory authorities was produced containing indicators for the early detection of potential victims of labour exploitation as well as information about the human trafficking hotline at the Federal Criminal Police Office and the *LEFÖ-IBF* and *MEN VIA* victim protection institutions. The Working Group has also addressed sectors in which women represent a large share of exploited persons, more precisely in private households, agriculture and the food service industry.

## **Regarding Issue 14**

### **Legal framework and implementation**

111. Comprehensive information about the legal framework of sex work can be retrieved free of charge from the website of the Division for Women and Equality in [English](#) and [German](#).

## Changes concerning medical examinations

112. The previous *Regulation governing the medical supervision of persons engaged in prostitution* contained no information about the methods to be used. This meant in practice that huge differences existed across the country. In some cases, laboratory methods were not up to date.
113. Therefore, a new examination scheme was introduced with the current *Regulation governing health prevention for persons engaged in sex work*, applicable since January 2016.
114. The examination interval was extended from one to six weeks and examination methods have been improved. The medical institution carrying out the examination is required to provide information and advice.

## Advisory service for ending sex work

115. Currently, nine advisory service centres for sex workers across the country receive public funding. They all provide information about how to end sex work. In **Burgenland** and **Lower Austria**, mobile advice is provided by an advisory service centre based in **Vienna**.
116. **Vorarlberg** is the only province with no such service. However, there is no legal way to offer sex work in this region due to implementation practices.

## Recommendations by the *Working Group on Prostitution* regarding the improvement of living and working conditions of sex workers

117. Sex workers work in a self-employed capacity in Austria. They are therefore responsible for their own social insurance, which is mandatory above a certain income limit. In reality, however, many sex workers do not register (sufficiently) with the social security provider. The *Working Group on Prostitution* therefore created a *Sub-working Group on Social Security Issues* with the aim of achieving higher social security coverage for sex workers.

# Participation in Political and Public Life

## Regarding Issue 15

Please refer to tables 6 – 8, 10 – 12 and 17 in the Annex for recent statistical data.

### **Women's representation in the diplomatic service**

118. The number of women in the diplomatic service has reached about 50 percent for the years of birth after 1975. Overall, 39 percent of staff are female. Women account for 36.5 percent of leadership positions.

119. Several measures to support career plans and paths of women have been added to the Foreign Ministry's Plan for the Advancement of Women. These include the following:

- urging the employer to facilitate return to one's overseas position in case of a pregnancy during deployment abroad, in keeping with legal options;
- efforts to make work and family life more compatible, e.g. through remote work, flexible working hours and job sharing within the country;
- preferred admission of women to further training programmes until a 50-percent share is reached;
- inclusion of the goals from the Plan for the Advancement of Women in fundamental training;
- initiatives for a more balanced representation in commissions;
- equal representation is taken into account when appointing members to commissions and advisory bodies responsible for human resources.

### **Women's representation in the judiciary**

120. The share of women in the BMVRDJ stood at 52.6 percent at the beginning of 2018. This includes 55.1 percent of judges and 51.7 of state prosecutors.

121. The BMVRDJ has a Plan for the Advancement of Women until 2022 which includes a promotion rule that aims to achieve a 50-percent share of women. The Plan also aims to support pregnant women and to take account of family interests after a return from parental leave.

122. Furthermore, training courses are offered aimed at supporting women. These should, among other things, make it easier to return to work after parental leave.

### **Women's representation in sports organisations**

123. No additional measures have been reported to support women in the executive boards of sports organisations. There is currently no time frame for the introduction of a quota.

### **Women's representation in political parties**

124. Two parties represented in the Austrian Parliament voluntarily set themselves goals in their party statutes and included ranking instructions for candidate lists and successions (see paragraph 46 of Austria's Ninth Report). The actual share of women is currently above the voluntary goal in one party and below the benchmark in the other one. The remaining three parties currently represented in the Parliament have no such internal rules. Intentions of these three parties to introduce voluntary commitments are not known.

### **Women in decision-making positions in education and science and research**

125. As reported, the 2015 Amendment to the Universities Act raised the minimum share of women in collegial bodies at universities (see paragraph 39 of Austria's Ninth Report). In 2017, the share of women represented in the highest university bodies stood at 48.9 percent in the rectorate, 49.3 percent in the university council and 45.3 percent in the senate. However, at roughly 19 percent at the end of 2016, the representation of women was rather low in the executive management of associated companies of universities.

126. In accordance with the equality target of outcome-oriented budget management in science and research, binding targets have been defined for 2016-2018 for several public universities in order to raise the share of women in leadership positions in science and arts. This led to an increase of women to 24.4 percent in this field in 2017 and should also contribute to closing the gender pay gap in academia.

127. The promotion programme *Laura Bassi 4.0* was started as the successor of the *Laura Bassi Centres of Expertise* (see paragraph 41 of Austria's Ninth Report) and focuses on women and digitalisation. The programme enables women to carry out network-based inter- and transdisciplinary research and to realise innovation projects.

128. The Federal Ministry of Science and Research, based on the results of two studies about cultural change, developed an *action plan to foster gender justice in the science and research landscape in Austria*. The plan addresses the reconciliation of work and family life, including new working hour models, and focuses on strengthening the effect of existing equality measures, promoting gender justice in staff selection processes and establishing and expanding gender competence.

### **Regional efforts**

129. *Mentoring programmes and training courses* for future female politicians have been continued in **Carinthia** and **Upper Austria** (see paragraph 47 of Austria's Ninth Report).

130. A project named *Women – future participation* is being carried out in **Styria** to support young women and promote their contribution to regional development and to empower them in political and societal positions.

131. **Tyrol** and **Vorarlberg** organised a travelling exhibition and produced information brochures on the occasion of the 100-year anniversary of women's suffrage in Austria

# Women, Peace and Security

## Regarding Issue 16

### **Implementation report on the NAP governing the implementation of United Nations (UN) Security Council Resolution 1325 (NAP 1325)**

132. The ninth implementation report provides an overview of the status quo of the implementation of the revised *NAP* and the measures taken to empower women in conflict and post-conflict situations.
133. Special emphasis was placed on the implementation of *UN Resolution 1325* during the Austrian OSCE Chairmanship. Areas of focus were the promotion of women's contribution to conflict prevention, management and resolution and the role of the media in the implementation of the Resolution.
134. Furthermore, the foundation was laid for the adoption of several *OSCE Ministerial Council decisions to combat sexual violence against women* and increase the participation of women in the security sector during the Italian OSCE Chairmanship in December 2018.

### **Implementation of NAP 1325 in the Austrian Development Cooperation**

135. The Austrian Development Cooperation adopted a gender guideline that should contribute to the implementation of NAP 1325. In addition to that, the *Austrian Development Agency* supports a number of initiatives in the field *women, peace, security*, including:
- The project *My right to my future – women for peace* of *CARE Austria*. The project's goal is to achieve equal contribution to peace of women and men.
  - The programme *African women: Changing the narrative*, co-funded by the UN, which focuses on the contribution of African women to development and peace processes.
  - The project *Further advancing women's rights in Kosovo* that aims to strengthen the rights of girls and women in Kosovo.

## **Empowerment of women in national defence and overseas deployment**

136. The Austrian armed forces intend to increase the current 2.7-percent share of women to 10 percent. A corresponding mentoring programme aims to support women wishing to pursue a career in the military. Potential female applicants can take part in numerous information and preparation events and weekends as well as dedicated recruiting events.

137. In 2017, an average of 35 women per month were part of international peace missions of the Austrian armed forces. This is a slight increase compared with 2016. Moreover, out of 19 police officers, two female officers were deployed to the four EU peacekeeping missions and two to a UN peace operation.

138. The deployment of *gender advisors* will be continued. A total of 15 staff members of the Federal Ministry of Defence were trained as gender advisors by the end of 2018, six of whom were female. A gender advisor was deployed to the Kosovo peace mission in 2017. Another deployment is planned for 2019. In 2018, Austria for the first time deployed a gender advisor to the *MINUSMA* mission in Mali.

## **Training**

139. The *inter-disciplinary training programme for leaders* regarding the protection of civilians in armed conflicts has been continued (see paragraph 288 of Austria's Ninth Report). By the end of 2018, 245 national and international participants, including 71 women, had received training. Austria also hosted training programmes for the UN in 2017 and 2016 which focused on the protection of civilians.

140. Several seminars were held concerning the following topics in order to prepare staff for peacekeeping missions: *UN Resolution 1325 and the implementation of NAP 1325, gender equality in peace keeping processes, codes of conduct regarding sexual exploitation and child protection*. Furthermore, information material from the UN campaign *No excuse* was translated into German and distributed.

# Education

## Regarding Issue 17

Please see response to Issue 9 and refer to tables 13, 14, 16 and 17 in the Annex for recent statistical data.

### **Increasing gender competence of teachers**

141. The 2018 *Recommendations for the Development and Broadening of Gender Competency in Higher Education Processes* target the following fields: management, teaching and research in Austrian tertiary education and research institutions. Structural measures, training courses and cross-sectoral collaboration aim to increase gender competence at all levels.
142. The 2018 *Teaching Principle on Reflexive Gender Education and Equality* addresses more diversified career choices and the elimination of gender-based stereotypes. These topics will receive special attention in the training of teachers at the *University Colleges for Teacher Education* and human resource development in the future.
143. Equality and diversity issues have already been added to the framework curricula for the training of future heads of schools.

### **School drop-out rate of migrant girls**

144. Studies about the potential reasons for the high drop-out rate among migrant girls do not exist. Overall, the drop-out rate among boys is higher than that among girls.
145. Measures to prevent drop-outs, which also target migrant girls, have been taken in the form of *youth coaching* and *compulsory school and vocational training*. The Act on Compulsory School and Vocational Training governs the provisions on compulsory education or vocational training for young people until the age of 18.

## **Regional efforts**

146. **Salzburg** authorities have provided funding for the project *Job success* that supports girls on their career path and aims to prevent them dropping out of schools or apprenticeship schemes. Moreover, the Salzburg *integration platform* reaches out to different communities in order to inform them in their native language about the Austrian education system and the importance of education.

147. **Vorarlberg** continues to promote equality in education. Initiatives include the appointment of gender officers in schools, the expansion of full-time schools to make work and family life more compatible, the use of gender-sensitive teaching material and training courses for teachers.

# Employment and Economic Empowerment

Please refer to tables 1-5 in the Annex for recent statistical data.

## Regarding Issue 18

### Income transparency

148. The political decision that requires companies to produce income reports applies to companies with more than 150 employees. There are currently no plans to amend this policy.

### 2015 evaluation study

149. In keeping with the 2013-2018 government programme, an evaluation was carried out of the requirements contained in the GIBG to state the minimum wage in job advertisements and to produce income reports. The study analysed the implementation of the relevant legal provisions from the GIBG and the effect that these tools have on the intended increase in income transparency. The study took the opinions of employees, works council members and employers into account and came to the following conclusions:

- The level of implementation of the legal requirements is high; the legal minimum standards serve as a guideline.
- Stating salaries in job advertisements makes wage differences across different industries more transparent and contributes to more transparency within companies.
- Income reports are rarely used as a basis for the development of further structural measures to tackle the gender pay gap within companies.
- Works council members are not often involved in the development and discussion of income reports. Confidentiality requirements hamper internal exchange.
- The two tools, particularly the income reports, are not widely known amongst employees. Both instruments can be improved in order to increase their effect on income transparency.

## Additional initiatives to close the gender pay gap

150. The current government programme includes, among others, the following efforts to close the gender pay gap:

- review and elimination of discrimination in all collective wage agreements in cooperation with the social partners;
- elimination of stereotypes and re-assessment of fields of work;
- applying a unified national standard to existing income reports.

151. Based on the 2015 evaluation, a project called *Fair wage* was carried out in order to heighten awareness about fair wages and income transparency in companies. A tool box was introduced for the development, analysis and use of income reports. Positive communication about the benefits of fair wages for companies and best practices were another main focus of the project.

152. Starting in autumn 2018, the Minister for Women invited experts from research, administration and the social partners to take part in three *round table sessions on income transparency*. Discussions focused on indicators to measure pay gaps, additional efforts to strengthen income transparency, international best practices and non-discriminatory job evaluation schemes. This initiative will be continued.

153. The same applies to the *Systematic competence programme of the Public Employment Service (AMS)* (see paragraph 155 of Austria's Ninth Report). About 700 women took part in the programme in 2017. The *job centres for women* also continue to offer consulting and support services. About 10,900 women used the services across the country in 2017.

154. The programme *w-fORTE – business incentives for women in research and technology* (see paragraph 163 of Austria's Ninth Report) has been continued.

## Regional efforts

155. **Salzburg** is taking part in the EU project *FIER – fast track integration in European regions* that addresses difficulties in attracting refugees to the labour market. The initiatives of the project mainly target refugee women and include information services in refugee homes, health counselling, qualification measures for the labour market and financial support for language learning.

156. The **Styrian Qualification and employment programme** contains measures to reduce disadvantages faced by women in the regional labour market.

157. The authorities in **Vienna** support organisations and associations which provide advisory services to girls and women regarding the labour market. Examples include *abz\*austria*, an initiative that supports women in their return to the labour market, in changing profession, in advanced training and application processes, and *sprungbrett*, an organisation that provides career information with a focus on technical occupations and skilled trades.

## Regarding Issue 19

### The 2015/2016 tax reform and other tax initiatives

158. The 2015/2016 tax reform already included measures to promote the employment of women (see paragraphs 317ff of Austria's Ninth Report).

159. The 2018 Annual Tax Act introduced changes to the family support scheme. The tax-free child allowance and the deductibility of childcare cost were scrapped in order to reduce the number of steering mechanisms. Instead, a tax-deductible amount called *Family bonus plus* was introduced. It directly reduces the tax burden by up to 1,500 euros per child per year. (Married) couples can share the family bonus. Furthermore, a tax refund of 250 euros was introduced in order to support single parents with low income and single earners.

160. In 2017, a study on *gender-based steering effects of taxes and duties* was commissioned. The results will be taken into account in the tax reform which is currently being drawn up. In addition to existing tax reliefs, the reform aims to reduce the social security burden for low-income earners. A further decrease of the initial tax rates is also planned.

### Fight against poverty

Please refer to tables 3-5 in the Annex for recent statistical data.

161. Increasing employment and labour market integration is the main focus of poverty reduction efforts in Austria. Austria's active labour market policy offers targeted programmes for people who are affected above average by unemployment. These groups include low-skilled women, women re-entering the the labour market, migrants and people with disabilities. The following are examples of Austria's labour market policies:

162. For information about *the job centres for women*, which exist in all provinces, please refer to the response to Issue 18. These centres offer targeted support to people who plan to return to the labour market.
163. The *programme FiT – women in crafts and technology* of the Public Employment Service will be continued. It fosters advanced training of women in non-traditional occupations (see paragraph 162 of Austria's Ninth Report).
164. The *50+ employment initiative* makes sure that unemployed people from this age group have access to all available support mechanisms.
165. At the beginning of 2017, an *Education and training guarantee* until the age of 25 was introduced. Therefore, labour market policies for young adults focus even more on *education and training for a sustainable labour market integration*. Since July 2017, adolescents must complete further training until the age of 18 after the completion of compulsory school. The *Education and training till 18 initiative* comprises comprehensive information and support services.
166. Numerous measures have been taken to promote labour market integration of people with disabilities and to reduce their risk of poverty. The national *Employment initiative for the occupational integration of people with disabilities* aims to secure existing jobs and create new ones. Furthermore, funding is provided for projects which have a needs-based system in place to support people with disabilities and young women and girls at risk of exclusion.

### **Minimum income**

167. Austria's minimum income scheme supports people who are unable to provide for themselves. The provinces define the relevant minimum standards every year. Currently, the monthly minimum income stands at about 863 euros for single individuals and single parents and at about 1,295 euros for couples. The minimum standards for under-age children varied between 152 and 233 euros in the individual provinces in 2018. In the end of 2018, a draft of the framework law for the social assistance was tabled to harmonize the main principles of social assistance nationwide.

## Pensions

168. The higher equalisation supplements in pension insurance for long contributory periods and the pension-splitting scheme were mentioned in Austria's Ninth Report (paragraphs 176ff).

169. The following initiatives aim to further improve the *economic situation of pensioners*:

170. In the beginning of 2017, the target rate for *equalisation supplements* to low pensions was increased. The 2018 target rate stood at 1,022 euros. The entitlement is subject to at least 360 contributory months based on employment. .

171. In addition to a general rate deduction, the *2015/2016 tax reform* supports pensioners with a total pension that is below tax limits. Recipients of a non-taxable total pension can receive a negative tax of a maximum of 110 euros per year.

172. A modulated social scheme was introduced as part of the *2019 pension adjustment*, which leads to a stronger increase in low and medium pensions than in higher pensions. This means that these pensions have not just been index-adjusted but they have been increased. This reduces the poverty risk of recipients in this group, including women, who represent a large number of low-pension recipients.

# Health

## Regarding Issue 20

173. Information about *Austria's Action Plan on Women's Health* was contained in Austria's Ninth Report (see paragraph 306 of the Report).
174. Two *focal point meetings* were held to implement the plan and to define common targets and measures. An ongoing exchange should be enabled between the actors at federal and provincial levels. The primary focus areas are *mental health, equal opportunities* and *strengthening the self-perception of women*.
175. Furthermore, the *Women's health dialogue* took place for the second time, this time concerning *women's health in all regions*. Best practices regarding mental health were presented.
176. Migrants have the same access to healthcare as all other people if they have social insurance. Access may be obstructed due to information and language barriers. However, in many cases information material exists in different languages and interpreting services are offered at healthcare institutions.
177. Persons entitled to asylum or subsidiary protection and asylum seekers have health insurance coverage. This means that, they have the right to obtain medical help in all medical fields, use dental services, services in public hospitals and ambulance services, and receive medication, medical products and health-related equipment.
178. Refugees who are not registered as asylum seekers have no health insurance. In emergencies, these people are treated by local institutions on a voluntary basis, by NGOs or as private patients. This applies to all people without health insurance.
179. Studies clearly indicate that there is a negative correlation between migrant status and health, especially among women. An unclear residency status and experienced discrimination and racism are additional stressors for these people.
180. The *Action Plan on Women's Health* also focuses on equal opportunities in health for socio-economically disadvantaged migrant women and on raising awareness about the specific challenges for women with disabilities. With regard to the access to healthcare,

Austria's health centres for women are the main support institutions, in particular for migrant and rural women.

181. The *NAP on Disability* contains a target to improve the access of women to medical services, especially gynaecological examinations. Affected persons (and their caretakers) must receive sufficient information and must be able to maintain their privacy during doctor's appointments.

182. The protection against discrimination as ensured by the *Federal Act on Equal Treatment for People with Disabilities* also comprises barrier-free access to and accessible facilities of healthcare institutions. The provisions have been continuously implemented in the outpatient sphere. A list of accessible institutions can be found on the website of the *Austrian Society for Medical Quality Assurance and Quality Management*.

# Marriage and Family

## Regarding Issue 21

183. The 2017 judgement by the Constitutional Court repealed the legal provisions that previously denied same-sex couples access to marriage and opposite-sex couples of the access to a registered partnership as of the end of 2018.

184. Legislative measures have therefore not been deemed necessary. However, clarifications were made with regard to the administration of the Civil Status Act. Affected persons now have the option to change from a marriage to a registered partnership or the other way round.

185. The implications of this new legal situation on legislation governing the rights of the child, e.g. parentage and custody, still need to be reviewed. A reform of the legislation governing the rights of the child is scheduled to take place at the end of 2020.

186. In terms of family law, there are no differences anymore between, on the one hand, married couples of the opposite sex and, on the other hand, lesbian, bi-sexual and transgender women as well as intersex people who live in registered partnerships. This also applies to child care allowances and maintenance and distribution of property and assets upon dissolution of the relationship.

## Regarding Issue 22

187. Statistical data about forced marriage do not exist, as the high degree of diversity of cases, e.g. regarding a person's residency status, makes it difficult to have standardised statistics.

188. However, judicial institutions store data about forced marriage cases (complaints submitted to court or the public prosecutor and the closure of cases).

189. In 2018, the public prosecutor dealt with 78 cases of forced marriage and the courts with nine cases. In 16 cases, indictments have been brought forward; four acquittals and four convictions were handed down.

190. The organisation *Orient Express*, which provides emergency shelters for victims of trafficking in women, has received funding from the BKA/Division for Women and Equality and the Federal Ministry of the Interior since 2013. Total subsidies amounted to 319,689 euros in 2018. Since an emergency housing unit was opened in summer 2013, a total of 131 affected women have received shelter, 36 of whom in 2018.
191. There are no statistical data on the socio-economic impact of the divorce regime on women.

# Data Collection

## Regarding Issue 23

192. The Annex contains updated data of the statistics in the Annex of Austria's Ninth Report.

It comprises the most recent data for all areas covered in the Annex of Austria's Ninth Report.

193. If available and relevant, the data have been disaggregated by sex and age. No statistical data are gathered regarding the ethnicity of persons in Austria. The Annex therefore contains no such information.

# List of abbreviations

BKA	Federal Chancellery
BMASGK	Federal Ministry of Labour, Social Affairs, Health and Consumer Protection
BMVRDJ	Federal Ministry of Constitutional Affairs, Reforms, Deregulation and Justice
EU	European Union
FGM	Female genital mutilation
GAW	Ombud for Equal Treatment
GBK	Equal Treatment Commission
GIBG	Equal Treatment Act
NAP	National Action Plan
NGOs	Non-governmental Organisations
OSCE	Organization for Security and Co-operation in Europe
UN	United Nations

# Annex: Statistical data

**i** *Further information, explanations, notes*

**Table 1: Labour market situation and participation**

Annual averages 2018	Women	Men
Total population (15-64 years) <b>i</b>	2,933,303	2,975,269
Population (15-24 years) <b>i</b>	476,518	512,179
Population (50-64 years) <b>i</b>	957,724	940,597
Labour market participation rate in % (15-64 years) <b>i</b>	70.5	81.9
Employment rate in % (15-64 years) <b>i</b>	63.3	75.2
Total number of non-self-employed workers <b>i</b>	1,737,575	2,021,905
Unemployed persons <b>i</b>	143,390	163,921
Unemployment rate in % (national definition) <b>i</b>	7.5	7.6
<b>People with a migrant background</b>		
Employment rate <b>i</b>	58.7	69.7
Non-self-employed workers (15-64 years) <b>i</b>	411,300	449,800
Unemployment rate in % (survey data) <b>i</b>	11.4	13.2
Youth unemployment (below 24 years) <b>i</b>	6.9	6.4
Unemployment rate 50 years and older <b>i</b>	8.0	9.2
Part-time rate, percentage of part-time workers in non-self-employed workers <b>i</b>	53.9	13.4

Source: BMASGK

**Table 2: Professional integration of people with disabilities**

Participated 2018	Women	Women in %	Costs in million € for the year A total of <b>i</b>
Programmes in total	44,047	42	200,120
Project funding	36,042	43	163,107
NEBA <b>i</b>	33,522	43	117,612
Other assistances <b>i</b> – of which	1,497	45	16,870
Advice and information	–	–	7,187
Qualification	1,023	43	21,439
Individual Grants <b>i</b>	8,005	39	37,013

Source: BMASGK

**Table 3: Income and pensions**

Income 2017	Women	Men	Difference in %
Gross annual income of non-self-employed workers <sup>i</sup>	21,178	33,776	-37.3
Gross annual income of full-year full-time employed <sup>i</sup>	36,985	43,838	-15.6
Gender pay gap <sup>i</sup>	–	–	-19.9
Income in selected „low income industries“ <sup>i</sup> 2015	Women	Men	Difference in %
Goods manufacturing	24,590	40,167	-38.8
Retail	18,531	30,872	-40.0
Hospitality industry	9,587	12,324	-22.2
Other services	16,636	29,251	-43.1
Pensions (average) <sup>i</sup> 2018	Women	Men	Difference in %
All pensions	947	1,532	-38.2
Old-age pensions	1,028	1,678	-38.7
Invalidity pensions	934	1,286	-27.4
Widow / widower pensions	787	352	+55.3

Sources: see infoboxes

**Table 4: Rates of poverty and social exclusion**

(2017) Age groups	Risk of poverty or exclusion	Risk of poverty	Severe material deprivation	At-risk-of-poverty gap	One risk	Multiple risks <sup>i</sup>	Persistent poverty risk <sup>i</sup>
<b>Women (20 years and older)</b>	<b>18</b>	<b>14</b>	<b>4</b>	<b>22</b>	<b>14</b>	<b>5</b>	<b>10</b>
20-39	22	18	5	32	15	7	n/a
40-64	17	11	4	21	12	5	n/a
65+	16	16	(2)	19	16	(1)	n/a
<b>Men (20 years and older)</b>	<b>16</b>	<b>12</b>	<b>3</b>	<b>24</b>	<b>11</b>	<b>5</b>	<b>8</b>
20-39	21	17	4	33	14	7	n/a
40-64	15	10	3	24	10	4	n/a
65+	10	9	(1)	17	9	(1)	n/a

Note: <sup>i</sup>

Source: Statistics Austria, EU-SILC 2017

**Table 5: Groups of women particularly affected by poverty**

(2017) Living conditions	single parent households <sup>i</sup>	female pensioners living alone	women living alone (without pension)	women, in-work poverty	men, in-work poverty
Poverty risk after social benefits	31	22	28	7.0	8.0
Cannot afford to go on holiday	32	20	21	–	–
Cannot afford any unexpected expenses	55	24	36	–	–
Cannot afford to eat meat or fish every other day	14	8	12	–	–

Source: Statistics Austria, EU-SILC 2017

**Table 6: Women in leading positions in federal authorities (central offices)**

Federal Chancellery / Federal Ministries Leading functions 2017	Level 1 <sup>i</sup>			Level 2 <sup>i</sup>		
	Women	Men	Percentage of Women	Women	Men	Percentage of Women
Federal Chancellery	5	10	33	25	18	58
Federal Ministry of Europe, Integration and Foreign Affairs	6	10	38	17	28	38
Federal Ministry of Labour, Social Affairs and Consumer Protection	9	11	45	23	28	45
Federal Ministry of Education and Women	4	9	31	18	24	43
Federal Ministry of Family and Youth	2	1	67	4	5	44
Federal Ministry of Finance	7	9	44	15	23	39
Federal Ministry of Justice	1	7	13	9	16	36
Federal Ministry of Health	4	5	44	28	15	65
Federal Ministry of Agriculture, Forestry, Environment and Water Management	4	9	31	20	31	39
Federal Ministry of the Interior	1	13	7	13	36	27
Federal Ministry of Defence and Sports	0	20	0	6	47	11
Federal Ministry of Transport, Innovation and Technology	6	7	46	19	18	51
Federal Ministry of Science, Research and Economy	2	4	33	7	20	26

Source: Federal Equal Treatment Report 2018, own calculations

**Table 7: External service, leading positions in Austria and other countries**

Austria 2018	Women	Men	Percentage of women
Secretary general, section head	5	4	56
Group/area leader, head of department with section head proxy	4	3	43
Head of department, inspector general	15	29	34
Head of unit	32	49	40
<b>Total</b>	<b>56</b>	<b>85</b>	<b>40</b>

  

Other Countries 2018	Women	Men	Percentage of women
Leading Austrian representative to the EU and international organisations	2	4	33
Leading Austrian representative in embassies	29	52	36
Leading Austrian representative in general consulates	2	7	22
Head of independent cultural forum	1	1	50
Head of consular section	2	9	19
<b>Total</b>	<b>36</b>	<b>73</b>	<b>33</b>

*Source: Federal Ministry of Europe, Integration and Foreign Affairs*

**Table 8: Women in boards of sports organisations**

Organisation	2016 in %	2018 in %	2016-2018 Difference in %
Professional associations	13	12	-1
Governing bodies	21	29	+8
Sports organisations	22	26	+4
<b>Total</b>	<b>13</b>	<b>14</b>	<b>+1</b>

*Source: Federal Ministry of Civil Service and Sport*

**Table 9: Women in supervisory and executive boards/executive management**

Body	January 2019
Supervisory boards of top 200 companies	21.4
Supervisory boards all listed companies <b>f</b>	18.22.0
Supervisory boards of listed companies under GFMA-G <b>f</b>	27.5
Supervisory boards of state-affiliated companies (2018)	43.6
Executive boards/management of top 200 companies	8.2
Executive boards/management boards listed	4.9

Source: Vienna Chamber of Labour **f**

**Table 10: Political representation of women and men**

Federal level -	10/2018, Percentage of Women
Federal Government	37.5
<i>female ministers</i>	36
National Council	37
Federal Council	36
Provincial governments	37
Burgenland	29
Carinthia	43
Lower Austria	44
Upper Austria	22
Salzburg	43
Styria	37.5
Tyrol	50
Vorarlberg	29
Vienna	38.5
Provincial parliaments	32
Burgenland	19
Carinthia	26
Lower Austria	27
Upper Austria	37.5
Salzburg	39
Styria	37.5
Tyrol	36.5
Vorarlberg	30
Vienna	33

Sources: BKA III/6 **f**

**Table 11: Female mayors by province**

Province	Number of municipalities	08/2018	Percentage of women
Burgenland	171	12	7.0
Carinthia	132	8	6.1
Lower Austria	573	65	11.3
Upper Austria	440	30	6.8
Salzburg	119	5	4.2
Styria	287	19	6.6
Tyrol	279	16	5.7
Vorarlberg	96	7	7.3
Vienna	1	0	0.0
<b>Total</b>	<b>2,098</b>	<b>162</b>	<b>7.7</b>

*Source: Association of Austrian municipalities*

**Table 12: Austrian delegates to the European Parliament**

European elections	Women	Men	Percentage of women
2014	8	10	44
11/2016 (country report)	9	9	50
Currently (12/2018)	7	11	39

*Source: European Parliament*

**Table 13: Basic data from education statistics**

2016/2017	Total	Percentage of women
Children in kindergarten <b>f</b> (3- to 5-year-olds)	233,089	48.6
Students in first grade of primary school	85,087	48.2
Students in ninth grade	91,007	50.0
Students in A-level (Matura) classes <b>f</b>	47,574	56.8
of whom in colleges	2,559	74.3
New students at university colleges for teacher training <b>f</b>	4,061	71.6
New students at universities and universities of applied science <b>f</b>	64,869	54.2
Students at university colleges for teacher training <b>f</b>	14,280	73.4
Students at universities and universities of applied science <b>f</b>	333,273	52.3
Graduates from university colleges for teacher training <b>f</b>	3,977	79.7
Graduates from universities and universities of applied science <b>f</b>	32,882	56.7
Percentage	Total	Percentage of women
Children in kindergarten (3- to 5-year-olds) age cohort quota <b>f</b>	93.1	93.6
A-level (Matura) graduates, age cohort <b>f</b>	46.1	53.9
Residential population with secondary school diploma <b>f</b>	85.4	82.1
Percentage of university graduates <b>f</b>	19.8	22.3

Source: Statistics Austria

**Table 14: Education level of the population**

Percentages in age groups, 2016

Highest completed education	Compulsory school <b>i</b>	Apprenticeship	Vocational middle school	Higher school <b>i</b>	College, academy, higher education institution
<b>15 years and older – Women</b>	<b>30.7</b>	<b>24.5</b>	<b>16.1</b>	<b>14.4</b>	<b>14.3</b>
15-19	75.9	5.1	6.3	12.7	0.0
20-24	15.1	22.7	11.2	41.4	9.7
25-34	16.2	23.0	12.7	21.0	27.1
35-44	18.3	26.6	15.2	16.9	23.0
45-54	22.1	28.9	20.1	13.2	15.8
55-64	29.4	28.0	21.0	8.4	13.2
<b>65 years and older</b>	<b>48.9</b>	<b>23.7</b>	<b>16.7</b>	<b>5.7</b>	<b>5.0</b>
25-64 years	21.5	26.7	17.3	14.8	19.6
<b>15 years and older – Men</b>	<b>21.4</b>	<b>39.5</b>	<b>11.8</b>	<b>14.2</b>	<b>13.0</b>
15-19	82.2	6.2	4.0	7.6	0.0
20-24	20.2	34.8	8.8	32.5	3.8
25-34	17.8	34.6	10.3	18.9	18.4
35-44	15.0	40.5	11.1	14.5	18.9
45-54	13.3	45.5	13.6	13.2	14.5
55-64	14.7	47.3	14.0	10.8	13.2
<b>65 years and older</b>	<b>22.9</b>	<b>44.2</b>	<b>14.1</b>	<b>8.5</b>	<b>10.3</b>
25-64 years	15.2	42.0	12.3	14.4	16.2

Source: Statistics Austria **i**

**Table 15: Top ten apprenticeship professions in 2018**

Rank	Girls' top ten	Apprentices	Percentage of all female apprentices
1.	Retail Trade Services <b>i</b>	8.058	22,9
2.	Office assistant	3.963	11,3
3.	Hairdresser and wigmaker (stylist)	3.202	9,1
4.	Cook	1.179	3,3
5.	Administration Assistant	1.145	3,3
6.	Pharmaceutical Trade Assistance	1.136	3,2
7.	Restaurant Specialist	1.117	3,2
8.	Metal Technology <b>i</b>	993	2,8
9.	Hotel and Restaurant Trade Commercial Assistant	960	2,7
10.	Cake and Pastry Baker	816	2,3
<b>Total</b>	<b>„TOP-10“</b>	<b>22.569</b>	<b>64,1</b>
<b>Apprentices</b>	<b>Total</b>	<b>35.205</b>	<b>100,0</b>

Rank	Boys' top ten	Apprentices	Percentage of all male apprentices
1.	Metal Technology <b>i</b>	9.848	13,5
2.	Electrical Engineering	8.548	11,8
3.	Motor Vehicle Engineering	7.110	9,8
4.	Retail Trade Services <b>i</b>	4.967	6,8
5.	Installations and Building Technology	3.888	5,3
6.	Mason	2.936	4,0
7.	Joinery <b>i</b>	2.705	3,7
8.	Cook	2.617	3,6
9.	Mechatronics	2.415	3,3
10.	Carpentry <b>i</b>	1.652	2,3
<b>Total</b>	<b>„TOP-10“</b>	<b>46.686</b>	<b>64,2</b>
<b>Apprentices</b>	<b>Total</b>	<b>72.710</b>	<b>100,0</b>

Source: Austrian Economic Chambers **i**

**Table 16: Students and teachers in school types**

School type <sup>i</sup> / childcare facilities (2016/17)	Total number of students	Percentage of female students	Total number of teachers	Percentage of women
Pre-school/school-external childcare (0- to 9-year-olds) total	360,610	48.6	61,877	97.7
Crèche (0- to 2-year-olds)	35,758	48.2	10,119	98.1
Kindergartens (3- to 5-year-olds)	219,336	48.6	36,067	98.3
Day care centres (6- to 9-year-olds)	57,489	48.6	7,315	94.6
All schools in regular school system	1,092,220	47.8	118,744	71.5
Schools of general education	784,221	49.2	92,298	77.8
All compulsory schools of general education	574,486	47.3	68,717	82.4
Primary schools	335,854	48.4	32,092	92.0
New middle schools/secondary schools	209,388	47.0	28,955	72.9
Special schools and special school classes	13,830	35.1	5,641	86.3
Polytechnical schools	15,414	36.0	2,029	55.8
All schools of general education	209,735	54.4	22,105	64.1
Schools of vocational education	313,034	45.3	29,037	51.1
Compulsory vocational schools <sup>i</sup>	115,346	33.3	4,694	34.4
All middle and higher schools	197,688	52.3	23,229	53.6
Technical and commercial schools (in a strict sense) <sup>i</sup>	62,272	14.1	8,492	27.7
Tourism schools	8,935	63.1	1,184	54.4
Business schools	47,483	57.1	5,140	66.2
Schools for commercial occupations	33,045	85.9	4,141	78.1
Schools for social professions	9,008	79.0	209	82.3
Agricultural and forestry schools <sup>i</sup>	16,727	49.7	2,248	54.4
Educational institutions <sup>i</sup>	13,158	91.6	1,814	79.0
Federal Sports Academy <sup>i</sup>	3,434	34.0	-	-

Note: <sup>i</sup>

Source: Statistics Austria <sup>i</sup>

**Table 17: University staff**

Winter semester 2017

Function	Women	Men	Percentage of women
Rector	7	14	33.3
Vice-rector	38	35	52.1
Senate chair	4	18	18.2
Body responsible for study law	7	50	12.3
Head of unit teaching/research/appreciation of the arts	235	829	22.1
Head of unit with other assignment	275	331	45.4

Note: **i**Source: Federal Ministry of Education, Science and Research **i****Table 18: Complaints submitted to the Equal Treatment Commissions**

Number of complaints 2011 bis 2018	B-GBK senate I	B-GBK senate II	GBK senate I	GBK senate II	GBK senate III
Total 1,392	205	208	544	266	169

Note: **i**

Source: BKA III/3

**Table 19: Consultations of the Ombud for Equal Treatment**

Consultations	2016	2017
Part I – gender without multiple discrimination	635	696
Part I + II – multiple discrimination (including gender)	132	105

Source: GAW

**Table 20: Trafficking in human beings – legal proceedings and verdicts**

Proceedings	2017	2018
Complaints against known offenders	62	58
Complaints against unknown offenders	41	16
Verdicts	2017	2018
Not-guilty	2	9
Guilty	3	10

Note: **f**

Source: BMVRDJ

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