

Opening Statement

For the consideration of Austria's Fourth Periodic report under Article 16 of the Convention on Economic, Social and Cultural Rights

Mr. Chairman,

Distinguished Members of the Committee,

Ladies and Gentlemen,

It is a pleasure to present the measures taken by Austria on our efforts to implement the Convention to the distinguished members of the Committee on Economic, Social and Cultural Rights.

At the outset, I would like to stress that we welcome this opportunity to continue the dialogue with your Committee on Austria's last state report. We look forward to discuss our responses to the list of issues, taking also into consideration the conclusions and recommendations your Committee adopted on Austria after our last dialogue in 2006.

Our delegation comprises of representatives of the main competent Ministries:

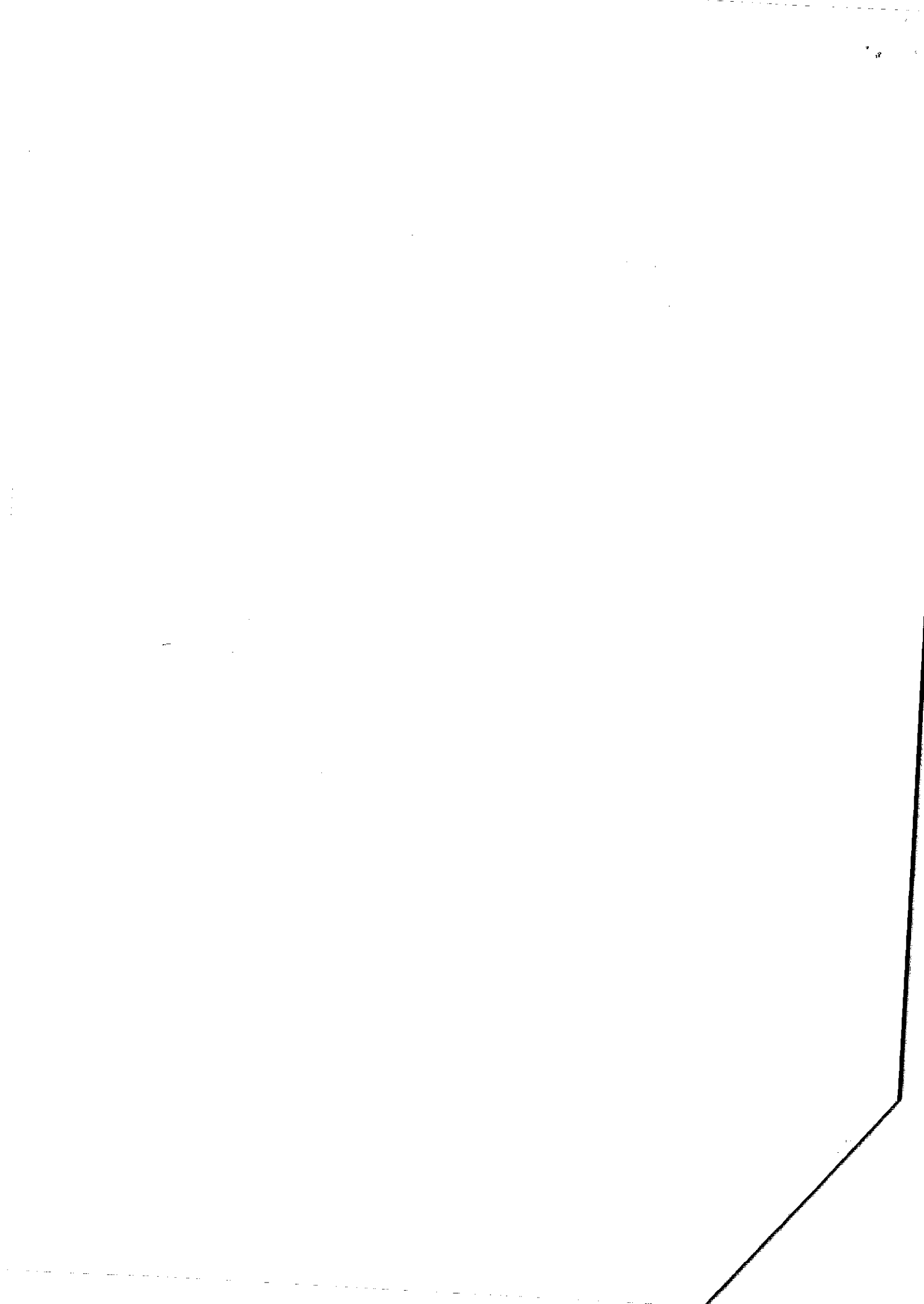
The Federal Chancellery including the directorate for Women Affairs and the Ombuds for Equality Affairs and

the Ministries for

- European and International Affairs,
- Labour, Health and Consumer Protection,
- Education, Arts and Culture,
- the Interior,
- Justice as well as for
- Economy, Family and Youth.

Austria's commitment to protect and promote economic, social and cultural rights

Let me start by underlining once again, that Austria is fully dedicated to the protection of human rights and the rule of law, which constitutes priorities of our foreign policy. The Austrian government attaches great importance to compliance with Austria's international human rights obligations, which also demonstrated by our earnest and profound involvement into the process of



the Universal Periodic Review, in the course of which Austria recently has presented her Midterm Review to the United Nations Human Rights Council.

Austria also attaches great importance to co-operating with Non-Governmental Organisations in many different spheres of human rights and therefore on one hand the Austrian Government has set up an ongoing structured dialogue with NGOs on the implementation of the UPR-recommendations adopted by Austria. On the other hand many ministries conduct their particular dialogues with specialized NGOs, for instance in the field of women affairs, several social affairs issues like disability, on children's rights, on rights of minorities, and in particular on the integration of Roma people.

In my introduction I would like to focus on a few issues, where Austria has significantly scaled up towards better protection and promotion of human and social rights, like

- gender equality,
- labour market policy and combatting poverty and social exclusion and
- children's rights.

1. Equality of Women and Men

Access for women to the Labour Market

Ensuring the **economic, social and cultural rights of women** constitutes an essential element of gender equality. The Austrian Federal Government has taken numerous measures during the reporting period to improve the situation of women in Austria and to get a step further in reaching the aim of gender equality. The situation of women on the labour market is still a big challenge.

The Government is aware of the barriers for equality of women. To this end a **National Action Plan (NAP) for the Equality of Women and Men in the Labour Market** has been passed in 2010. A package of 55 specific measures shall implement the goals of diversification of education and career, increase of women in the labour market and their full-time employment in combination with a reduction in gender-specific differences, increase of the share of women in leading positions and reduction of income differences between women and men.

Despite existing legislation, we have still not been able to fully close the income gap between men and women, a concern which your Committee has raised in 2006 in its recommendations. We believe that the gap is mainly due to structural inequalities such as segregation in work sectors and have therefore taken measures to end these inequalities.

After the abovementioned National Action Plan for the Equality of Women and Men in the Labour Market was presented in June 2010, the Equal Treatment Act has been amended to ensure **greater transparency with regard to incomes in the private**

sector. Since 2011 companies are now under legal obligation to submit reports on the income of women and men.

Furthermore assistance is given for job-seeking women when negotiating their salary by an **online wage calculator**, which is available since October 2011 and provides up-to-date and easily accessible information about pay customary in a sector or place. Moreover, since 2012, job advertisements must indicate minimum wages including the employers' willingness to pay more than the minimum.

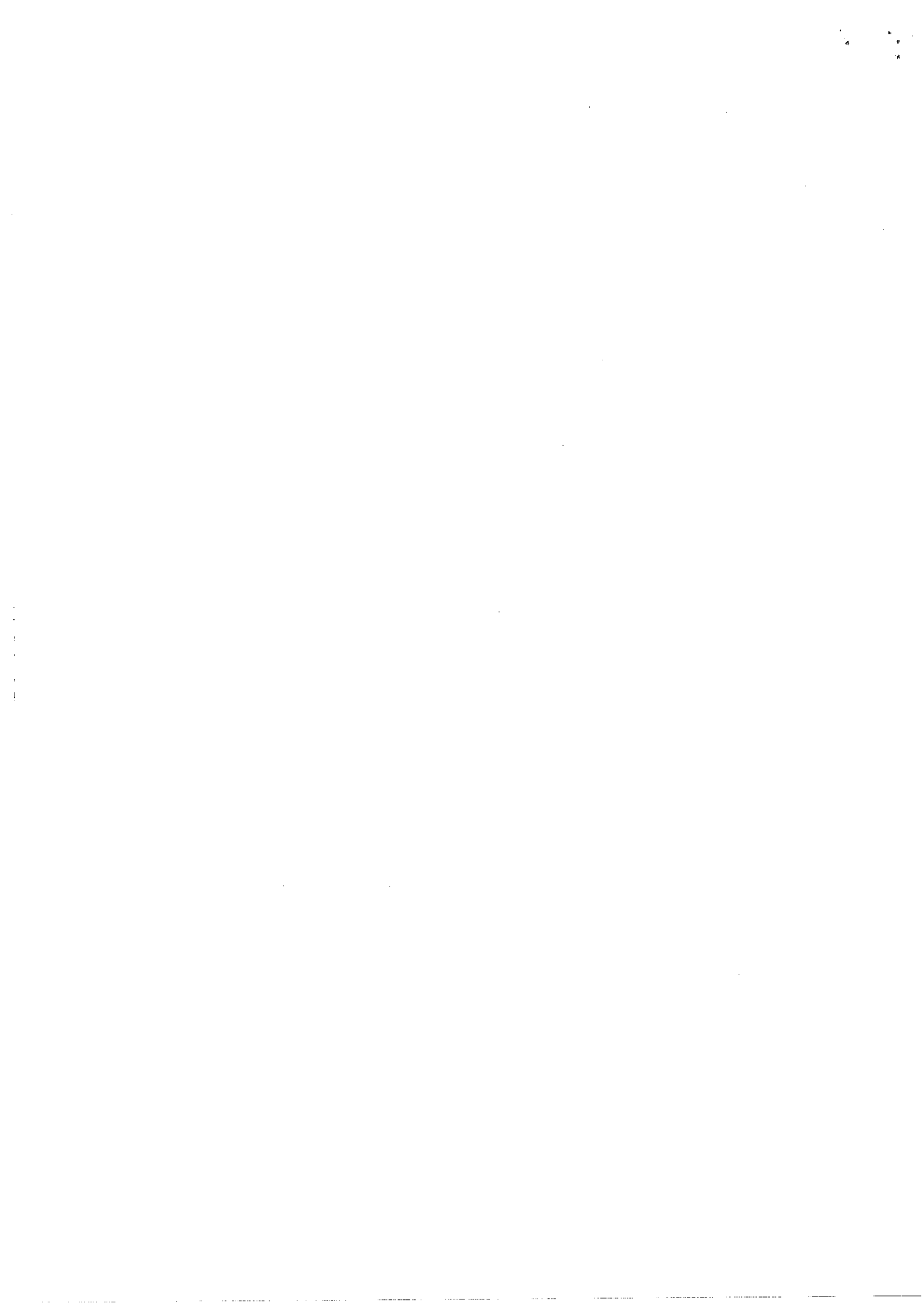
In order to increase the share of women in **supervisory bodies of state-affiliated businesses**, an obligation was introduced for the State. The Austrian Federal Government has committed itself to increasing the share of women in supervisory bodies of enterprises in which the Federal Government holds a 50% or larger share. By this in March 2013 the share of women in those enterprises was already 33% on average.

Reconciliation of work and care responsibilities

Another structural obstacle which hinders women from full participation in the labour market is the unequal share of care responsibilities between women and men. Measures to ensure **compatibility** of work and family life and breaking down stereotypes are an essential elements for improving the situation of women on the labour market. The Austrian Federal Government has therefore increasingly been investing in further **child care facilities**. Additional measures aimed at enhancing paternity leave for fathers in the private sector and the introduction of the "leave month for dads" in the federal civil service and other public institutions have been further important steps.

Combatting violence against women

Another basic prerequisite for economic independence and the possibility of living in a self assured way is to be able to live **without violence**. Therefore Austria is proud having been one of the first European Countries providing for a comprehensive system of legal measures (like the ban order against the perpetrator and free legal and socio-psychological aid for victims of violence) and institutions (like the Anti-Violence-Centres set up in all Austrian regions) to combat violence against women and children. Recently another step has been made to complete the protection of young women: Up to now there was no institution throughout Austria offering girls and young women threatened by **forced marriage** shelter and safety. In 2013 a stricture for providing **accommodation for women in need** (Notwohnung) could be implemented. It comprises accommodation, counselling, care, assistance and crisis intervention (24 hrs) for endangered or affected girls and young women.



2. Labour Market Policy and Combatting Poverty and Social Exclusion

Labour Market Policy

As in all other State Parties the Austrian labour market policy aims at the prevention against unemployment. One has to mention, that the Austrian unemployment rate is one of the lowest amongst the EU-Members and holds around 5% (youth around 8%).

The Labour Market Promotion Act (Arbeitsmarktförderungsgesetz, AMFG) provides for the achievement and maintenance of full employment and an optimal functioning of the labour market in order to ensure labour supply for the economy and employment of all persons available to the Austrian labour market. This also includes economic subsistence during periods of unemployment.

The Public Employment Services (Arbeitsmarktservice; AMS) are guided by the principle "get moving prior to granting passive benefits" ("Aktivierung vor passiver Leistungsgewährung"), and are both responsible for securing subsistence by granting unemployment benefits as well as for the provision of special need allowances.

The leading labour market objectives are:

- In general: To prevent the exclusion of individuals from the labour market,
- to promote gender equality and to combat gender-specific labour market segregation,
- to keep the periods of unemployment as short as possible ,
- to make special job potentials of persons with a migration background visible and applicable,
- to develop instruments of individual counselling and assistance for job seekers with frequent or longer periods of unemployment,
- to offer advice to companies in order to create and promote new jobs and new qualification opportunities and
- to increase labour market transparency.

Combatting Poverty and Social Exclusion

Reducing and preventing the risk of poverty and social exclusion are major concerns of Austria's social policy. Facing 12.6% poverty risk the rate in Austria is still rather low compared to international figures, e.g. the EU average poverty rate is ranking at 16.9%.

When fighting poverty Austria in the first instance counts on the reduction of poverty risks by providing **social benefits within the general social security schemes**, in particular pension benefits and other forms of financial assistance.



Subsidiary a needs-based **Minimum Benefit System** (MBS) is in place, which was introduced in Austria in 2010. It constitutes a reform and harmonisation of the former regionally different social assistance schemes and pursues **several aims** including

- the introduction of **minimum standards** in the field of benefits and conditions of entitlements,
- **increasing the number of recipients** by reducing access burdens,
- strengthening the position of **single parents**,
- securing a **separate health insurance coverage for persons** without regular health insurance as well as the
- **reintegration of Minimum Benefit recipients into the job market** by opening all available labour market policy instruments for these individuals.

Despite of the current financial crisis, no reductions have been undertaken relating to these benefits and allowances.

Nevertheless Austria is aware of the increase in of **poverty and multiple risks** amongst those affected by these phenomena. In order to meet these challenges **coordinated measures** are increasingly being developed to ensure the prevention of poverty and improvement of the situation of those concerned – in particular by job activating measures for recipients of the Minimum Benefits, for young persons switching from education to employment as well as improvements for migrants .

3. The Rights of Children

The main legal improvement in the field of the promotion of the rights of children in Austria constitutes the **Federal Constitutional Act on the Rights of Children** (*Bundesverfassungsgesetz über die Rechte von Kindern*) which entered into force in 2011, and enshrines core elements of the **UN-Convention on the Rights of the Child** at the level of constitutional law by introducing several fundamental civil and social rights for persons up to 18 years of age. The main provisions are:

- Art. 1: The right of the child to protection and care, to best possible development and advancement; The best interest of the child has to have priority within all measures and decisions.
- Art. 2: The right to regular personal relations and direct contacts with both parents as far as this is in the best interest of the child;
- Art. 3: Prohibition of child labour.
- Art 4: Right of the child's opinion to be heard, due to her/his age and stage of development;
- Art. 5: The child's right to education free from violence; prohibition of psychological harm, sexual violations and other forms of maltreatment; protection against economic and sexual exploitation;
- Art. 6: The principle of equal treatment of disabled children in all spheres of daily life as and her/his right to protection and care due to her or his needs.

Mr. Chairman,

Distinguished Members of the Committee,

Human rights standards in Austria are well developed. We are fully aware, however, that there is always room for improvement.

Austria will always remain actively engaged in promoting a policy aimed at further strengthening human rights in our country and the world.

The Austrian delegation therefore looks forward the open and constructive dialogue with your Committee.

Thank you for your attention.

