



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

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Implementation of the International Convention on the Elimination of All Forms of Racial Discrimination

List of themes to be taken up in connection with the consideration of the eighteenth to twentieth periodic reports of Austria (CERD/C/AUT/18- 20)*

The following is a list of themes identified by the Country Rapporteur in connection with the consideration of the eighteenth to twentieth periodic reports of Austria. The list is meant to guide the dialogue between the State party delegation and the Committee and *does not require written replies*. This is not an exhaustive list as other issues will be raised in the course of the dialogue.

1. The Convention in domestic law, institutional and policy framework for its implementation (arts. 2, 4, 6 and 7):

(a) Lack of up-to-date statistical data on the ethnic and linguistic composition of the State party (CERD/C/AUT/18-20, annex, paras. 1–4, and A/HRC/17/38/Add.2, para. 14);

(b) Update on practical steps taken and any challenges encountered in the implementation the National Action Plan for Integration (CERD/C/AUT/18-20, paras. 15, 17 and 63);

(c) Status of the ministerial draft bill 286/ME 24. GP that seeks to expand the mandate of the Ombudsman Board to include the investigation of alleged human rights violations and transform the board into a national human rights institution (CERD/C/AUT/18-20, para. 24);

(d) Harmonization of institutional complaints mechanism with a view to simplifying mechanisms in place; independence and resource allocation to Ombudspersons for Equal Treatment (CERD/C/AUT/18-20, annex, paras. 12–15; CERD/C/AUT/CO/17, para. 12);

* Late submission

(e) Steps taken to deal with the overrepresentation of non-citizen children in special needs schools (CERD/C/AUT/18-20 para. 81 (a) (v); A/HRC/20/26/Add.1, paras. 77–81);

(f) Verbal abuse of players of African descent and display of anti-Semitic banners in football stadiums; and the limited participation of foreign nationals and minorities in various sporting disciplines (CERD/C/AUT/18-20, paras. 32 and 87 (e)); and

(g) Investigation and prosecution of the use of racially inflammatory or xenophobic language particularly by politicians during election campaigns (CERD/C/AUT/18-20, para. 42; A/HRC/20/26/Add.1, para. 86)

2. Situation of ethnic and minority communities (arts. 2–7):

(a) The need to promote cultural tolerance and access to economic, social and cultural rights for ethnic minority groups (CERD/C/AUT/18-20, para. 103);

(b) Lack of inclusion in history textbooks of the history, practices and traditions of national minorities (CERD/C/AUT/18-20, para. 107; A/HRC/20/26/Add.1 para. 84);

(c) Improving the airtime for programmes in minority languages and staff representation of minority groups in the Austrian Broadcasting Corporation (ORF); and steps to remove barriers encountered by minority groups in obtaining private radio broadcasting licences and cooperation with ORF to develop programmes in minority languages (CERD/C/AUT/18-20 para. 87 (d); A/HRC/20/26/Add.1 paras. 63 and 64); and

(d) Discrimination and stereotyping in the media including the mention of the ethnic origin of alleged perpetrators of crimes from migrant or minority backgrounds particularly African and Roma (CERD/C/AUT/18-20, para. 123; A/HRC/20/26/Add.1, para. 85).

3. Discrimination against non-citizens including migrants, refugees and asylum seekers (arts. 5, 6 and 7):

(a) Discrimination in the employment sector, where the unemployment rate among migrants is twice as high as that among nationals, and the housing sector (CERD/C/AUT/18-20, paras. 27 and 76; A/HRC/20/26/Add.1, para. 45);

(b) Removal of barriers to ensure the election of foreign workers to the Chamber of Labour and Works councils (CERD/C/AUT/18-20, annex, para. 44);

(c) Research on the root causes and address the overrepresentation of non-citizens in the prison population and allegations of bias in the criminal justice system (A/HRC/20/26/Add.1 paras. 74 and 75); and measures taken to ensure that persons belonging to ethnic minority groups are adequately represented in the police service (CERD/C/AUT/18-20, paras. 52, 55 and 58);

(d) Detention of asylum seekers and their treatment by law enforcement personnel (CERD/C/AUT/18-20, para. 22 (b) and annex, paras. 29–31);

(e) Re-establishment of an independent body to investigate allegations of racist or racially discriminatory conduct by law enforcement personnel (CERD/C/AUT/18-20, para. 50 and 51 and annex, paras. 32 and 34); and

(f) Reduction of school dropout rate among migrants, which is at 29.8 per cent and 15.6 per cent among second and third generation immigrants (CERD/C/AUT/18-20, para. 81 (a) (ix)).