



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

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## Committee on the Elimination of Discrimination against Women

Fifty-fourth session

11 February – 1 March 2013

### List of issues and questions with regard to the consideration of periodic reports

#### Austria

The pre-session working group considered the combined seventh and eighth periodic reports of Austria (CEDAW/C/AUT/7-8).

#### General

1. The report states that “a structured dialogue was conducted with civil society” for the preparation of the report (para. 1).<sup>1</sup> Please provide further information on the process of preparing the combined seventh and eighth periodic reports. This information should include the nature and the extent of consultations with non-governmental organizations, particularly with women’s organizations, and whether the report was adopted by the Government and submitted to Parliament.

2. In view of the appeal to the State party contained in the previous concluding observations (CEDAW/C/AUT/CO/6, para. 4), please indicate whether the State party has made any further efforts to withdraw the remaining reservation to article 11 of the Convention.

#### Constitutional, legislative and institutional framework

3. The report indicates that the Equal Treatment Act was amended to include equal treatment between women and men in access to and supply of goods and services (para. 5). Please inform the Committee of any other measures taken or envisaged to ensure that the State party’s legislation covers the prohibition of all forms of discrimination against women in all areas covered in the Convention as recommended in previous concluding observations (CEDAW/C/AUT/CO/6, para. 12). Please also provide data on cases of alleged unequal treatment of women on the grounds of sex that have been brought before the Equal Treatment Commission and the Ombud for Equal Treatment. In addition, please provide information on the number of complaints alleging multiple discrimination against

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<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to the combined seventh and eighth periodic report of the State party (CEDAW/C/AUT/Q/7-8).

women that have been brought before the Federal Social Office since 2007, the grounds invoked and the outcomes of these cases.

4. In its previous concluding observations (CEDAW/C/AUT/CO/6, para. 16), the Committee recommended that the State party ensure the systematic monitoring and evaluation of all measures aimed at promoting gender equality. The report indicates that regular monitoring is assured through reports to Parliament and evaluation reports “as stipulated by the National Action Plans”, and other reports and studies (para. 21). Please provide more information on these monitoring processes. How often are reports submitted to Parliament, and which body is responsible for preparing such reports? Please also describe the findings of the 2010 comprehensive report on the situation of women (para. 21).

#### **Gender mainstreaming and national plan of action**

5. The report indicates that a formal policy of gender mainstreaming has been applied to all government budgets since 2005 in the form of individual gender-specific projects (para. 100). Please provide information on the positive effects of this policy on women’s enjoyment of rights guaranteed in the Convention. Please also explain how de facto equality of women and men is ensured through gender budgeting in the context of the implementation of the Convention.

6. Please indicate any measures taken towards the development and adoption of a general national plan of action on gender equality, as previously recommended by the Committee (CEDAW/C/AUT/CO/6, para. 14).

#### **Stereotypes**

7. The report describes various activities aimed at combating stereotypes regarding the roles of women and men in the family and society, in particular through education. Please indicate whether an assessment of the various initiatives undertaken has been carried out to identify their impact as well as the most persistent obstacles in this regard. In its previous concluding observations (CEDAW/C/AUT/CO/6, para. 18), the Committee encouraged the State party to put in place a comprehensive approach to overcoming these stereotypes, through legal, policy and awareness-raising measures, involving different stakeholders and media. Please indicate whether the State party has adopted or is planning to adopt a comprehensive approach in this regard and if so, please provide details on this plan.

#### **Violence against women**

8. Please provide data on the number of reported cases of all forms of violence, including domestic violence, against women and girls since 2007, as well as the number of prosecutions, convictions and sentences imposed on perpetrators. Please also indicate if the State party has adopted a comprehensive strategy or plan of action to prevent and eliminate all forms of violence against women as recommended in the previous concluding observations (CEDAW/C/AUT/CO/6, para. 24).

9. The report indicates that the State party has initiated a system for the collection of data on domestic violence (para. 73). Please provide more information on the data collection system and explain if data is disaggregated by type of violence and by the relationship of the perpetrator to the victim and whether the data is available to the public as recommended by the Committee in its previous concluding observations (CEDAW/C/AUT/CO/6, para. 24).

**Trafficking and exploitation of prostitution**

10. Please provide more information on the National Action Plan for Combating Human Trafficking 2009-2011 (para. 76). Please inform the Committee on the impact of measures taken and results achieved through the implementation of this second National Action Plan. Please also indicate whether the State party has established a new plan of action and, if so, please provide details on the plan.

11. Please provide information on measures taken to train law enforcement officials on combating trafficking in persons, especially in the identification of victims of trafficking, as recommended in the Committee's previous concluding observations (CEDAW/C/AUT/CO/6, para. 26). Please indicate if such trainings benefit border patrol officials and whether training in the identification of victims or potential victims of trafficking for the purpose of sexual exploitation is provided to asylum officials in order to ensure protection of those women asylum seekers who are victims and thus at risk if returned to their countries of origin.

**Participation in decision-making**

12. The report indicates that the quota set forth in the provisions of the Federal Equal Treatment Act governing affirmative actions for women has been raised from 40 to 45 per cent (para. 9). Please provide detailed information on the impact of this quota system. In particular, please provide statistical data on women's representation in leadership positions in all branches of government, including at the federal, provincial and local levels.

13. Please explain how the National Action Plan for Gender Equality in the Labour Market includes practical steps that will "lead to a higher percentage of women in decision-making positions" as indicated in the report (para. 84).

14. The report indicates that efforts are needed to address the so-called "leaking pipeline", which refers to the gradual disappearance of highly qualified women in the course of their academic careers (para. 85). The report also acknowledges that affirmative action needs to be taken and that compliance with the newly defined quota for representation of women in all university bodies must be assured. Please provide information on the progress achieved and other measures taken to strengthen women's position in leadership roles in academia.

**Employment**

15. Please provide information on how the National Action Plan for Gender Equality in the Labour Market addresses discrimination against women in the field of employment, such as occupational segregation, a marked increase of women working part-time, including minor employment, a high proportion of women employed in the low-pay sector and a continuing high gender wage gap.

16. According to information obtained, the Vienna Equality of Treatment Act provides that in the event of a breach of the principle of equal remuneration between women and men for work of equal value, a public employee is entitled to payment of the pay difference plus interest and compensation (section 11). Please inform the Committee whether any cases have been invoked under this section and the outcomes of such cases.

17. The report indicates that "interruptions of work due to childcare periods" are one of the causes of the income disparity and inequalities between women and men as regards career advancement (para. 35). Please inform the Committee as to what measures the State party is taking to address this situation. Please also indicate how the State party intends to accelerate the expansion of all-day childcare services, all-day schools and/or all-day care at schools and long-term care and assistance services for dependent adults. What actions have been taken to promote equal sharing of family responsibilities between women and men?

Has the State party considered introducing non-transferable paternity leave for fathers and expanding the right to parental part-time work to all employees?

**Health**

18. The report indicates that the 2010 Report on Women's Health identifies the unequal conditions to which women are exposed in the health sector and defines remedial measures (para. 160). Please provide detailed information on this report and explain what these "unequal conditions" are, and also explain what measures the State party is taking to address such inequalities.

**Rural and disadvantaged groups of women**

19. The report indicates that the study "Women in Politics in Rural Areas" confirmed that women are significantly underrepresented in executive positions in agricultural policymaking (para. 168). Please explain what proactive and results-oriented measures have been taken or envisaged to address this issue, and provide information on the share of women in decision-making process under the Programme for Rural Development 2007–2013 (para. 166).

20. The report indicates that due to integration efforts, the number of foreign women without work permits has dropped markedly (para. 89). Please inform the Committee as to why integration efforts have resulted in the decline in work permits for migrant and asylum-seeking women. Please also provide statistical data on the employment of migrant and asylum-seeking women.

21. According to information received, women with disabilities face multiple forms of discrimination in relation to access to employment, health-care services, education and social protection measures, and face a higher risk of becoming victims of violence. Please provide information on measures taken to improve the situation of women with disabilities in all relevant areas covered by the Convention, including in the field of employment.

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