



Convention on the Elimination of All Forms of Discrimination against Women

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Summary record of the 1702nd meeting

Held at the Palais des Nations, Geneva, on Wednesday, 10 July 2019, at 10 a.m.

Chair: Ms. Gbedemah

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Ninth periodic report of Austria (CEDAW/C/AUT/9, CEDAW/C/AUT/Q/9 and CEDAW/C/AUT/Q/9/Add.1)

1. *At the invitation of the Chair, the delegation of Austria took places at the Committee table.*

2. **Mr. Tichy** (Austria) said that, since June 2019, for the first time in Austrian history, the head of Government was a woman and half of all government ministers were women. Following the Committee's recommendations, the Government had withdrawn its last reservation to the Convention in 2015. Also in 2015, for the first time, a German language commentary to the Convention had been published, as a result of collaboration among Austrian, German and Swiss lawyers. The Government carried out affirmative action for the advancement of women and ensured gender mainstreaming in various policy areas. With a view to overcoming gender stereotypes, various initiatives were carried out at the national and regional levels concerning the workplace, education, media and politics. Educational and vocational training initiatives included the annual Girls' Day, the aim of which was to encourage girls to pursue careers in science, technology, engineering and mathematics. Teacher training was oriented to reducing gender stereotypes and fostering equality.

3. Regarding measures to address violence against women, law enforcement had been strengthened and a comprehensive victim support system had been developed. Following ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, the Government's report on implementation of that Convention had been among the first to be submitted to the Group of Experts on Action against Violence against Women and Domestic Violence, and the Government had adopted the National Action Plan on the Protection of Women against Violence. To prevent forced marriage, the authorities had enforced the relevant legal provisions, and government institutions were working closely with civil society to combat that practice and to support and repatriate persons who had become victims of forced marriages abroad. A task force had been set up in 2018 to address problems related to violence, including sexual violence. It was composed of representatives of federal government ministries, practitioners and scientists, and one of its aims was to draw up recommendations on victim protection, preventive work with offenders and protection against violence. In February 2019, around 50 measures proposed by the task force, including the categorization of female genital mutilation as a stand-alone criminal offence, had been adopted by the Government, and a ministerial proposal for their implementation had been submitted for public consultation. A bill had subsequently been presented to the National Council and parliamentary discussions were expected to take place in September 2019. It remained a challenge to provide access to victim support services for women with disabilities or migrant women who were victims of sexual violence.

4. Efforts to reduce socioeconomic inequality between men and women included the adoption in 2017 of a law on equal representation of women and men on supervisory boards, one of the aims of which was to raise the proportion of women in leadership and decision-making positions. The country's pay gap remained one of the largest in the European Union. Following an evaluation in 2015, it was reported that employees were generally not aware of the requirement for companies with more than 150 employees to produce income reports, which prompted the launch of awareness-raising campaigns on fair wages and income transparency. Since 2018, the relevant ministries and other various stakeholders had engaged in discussions on the subject. Reasons for the gender pay gap were mainly rooted in stereotypical educational and professional choices, which the Government was addressing through initiatives to encourage girls to study scientific and technical subjects. The gender pay gap also contributed to differences in the level of pensions, which were around 40 per cent lower for women than for men. Social protection measures had been adopted and information services provided to avoid poverty among older women.

5. Regarding reconciliation of work, family and private life, measures had been taken to promote the equal distribution of unpaid work between women and men. Awareness-raising activities had been launched at the national and regional levels to encourage men to contribute more to childcare, care of relatives and housework. Legal provisions had been introduced to improve the sharing of childcare between both parents, including a tax relief provision known as Family Bonus Plus. Specific measures had been implemented for groups of vulnerable women, they included the allocation of funds from the Austrian programme for rural development to social programmes such as childcare activities. The Employment Austria 2014–2020 programme focused on investment to promote gender equality in the labour market and to facilitate employment for women refugees. Counselling and information services were provided for women whose first language was not German. Through the 2012–2020 National Action Plan on Disabilities, support was provided to help women with disabilities enter the labour market and access medical services. Workshops on the prevention of violence, particularly against women and girls, were delivered at schools. With respect to gender mainstreaming and gender budgeting, all federal ministries and the highest national institutions had to define outcome-oriented objectives and specific activities for their annual budgets, and a number of those objectives and activities focused on improving gender equality.

6. Furthermore, the country's foreign and development policy had for many years centred on the fight against gender discrimination and gender-based violence (with a focus on female genital mutilation), the political and economic empowerment of women and the implementation of the women and peace and security agenda of the United Nations. For example, the Government had allocated over €1 million to activities to support women's sexual and reproductive health, benefiting women and girls in Africa, and further funds would be provided. Another €1 million had also been provided by the Austrian Integration Fund in March 2019 for projects to combat violence against women.

7. The country had used its Presidency of the Council of Europe in the second half of 2018 to promote gender equality at the European level. Under the Austrian Presidency, initiatives had been taken to encourage a dialogue on gender equality in the European Union and a conference entitled Gender Equality and YOU had been organized. A particular success of the Presidency had been the signing by 27 European Union member States of a Joint Declaration entitled "Gender Equality as a Priority of the European Union today and in the future". The signatories had called for a high-level, stand-alone European Union Gender Equality Strategy for the period 2018–2023. Gender mainstreaming had been promoted during the Austrian Presidency. The Presidency had worked to advance accession by the European Union to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. As a member of the United Nations Human Rights Council, Austria placed particular importance on the protection of women's rights. It had also announced its candidacy for membership of the Commission on the Status of Women for 2021–2025.

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8. **Mr. Bergby** said that he would like information regarding the absence of a prohibition against gender-based discrimination in the Constitution. He had heard that the European Convention on Human Rights had been incorporated directly into national law, and he asked whether the Government also envisaged giving the Convention the same status as a directly applicable constitutional law. There apparently was a conglomerate of national laws regulating equal treatment of men and women. He asked whether the Government planned to introduce a single anti-discrimination law to cover all areas of society and all grounds of discrimination. He asked whether the coordination between the federal authorities and those of the federal states was sufficiently effective to ensure implementation of all aspects of the Convention and the national non-discrimination legislation throughout the country. How were the best practices of different programmes in the various federal states shared, both with other states and at the national level?

9. **Ms. Ameline** said that she wished to commend the Government for its support for human rights at the international level and asked, in the light of the 2014 administrative and legal reform, whether the Convention had already been invoked before the courts and how it was enforced by them. A judgment of the Supreme Administrative Court of February

2018 awarding compensation to a man who had brought a case against the Government after a woman had won a promotion over him ran counter to the spirit of article 4 of the Convention and demonstrated a possible misunderstanding of the concepts of direct and indirect discrimination. The outcome of that case indicated that the application of the Convention had perhaps not been understood or had been too narrowly interpreted. She asked how the actions of the various bodies dealing with cases of discrimination were harmonized and what mechanism was responsible for enforcing the implementation of international treaties. It would be useful if the delegation could provide the Committee with examples of complaints that cited the Convention and that had been presented to the Ombudsman Board. She asked whether there was the political will to strengthen the powers, independence and resources of the Ombudsman Board so that it could attain A status with the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights. In the light of the restrictions that had been imposed as part of the Government's asylum policies, the resulting decrease in the number of refugees allowed to seek asylum in the country and the Government's withdrawal from the Global Compact for Safe, Orderly and Regular Migration, she asked what specific procedures were in place for women migrants seeking asylum. Was legal support provided for women whose applications were refused, and did those women have access to appeals procedures? She would like to know at what governmental level the strategy for achievement of the Sustainable Development Goals was implemented and how the Government envisaged incorporating the Convention into that strategy. She also asked whether the Government could provide an assessment of the policy it had adopted to assist the Roma community in the period from 2016 to 2020.

10. **Mr. Tichy** (Austria) said that article 7 of the Constitution enshrined the principle of equality between men and women, but gender equality was covered predominantly by anti-discrimination legislation. The incorporation of the European Convention on Human Rights into national law was exceptional, as other ratified treaties were not part of Austrian constitutional law, but were implemented through enabling legislation, adopted by parliamentary action. The Government did not currently envisage changing that situation. In the event of non-compliance with an international obligation at the level of the federal states, power could be devolved to the federal level to enforce observance. The accreditation of the Austrian Ombudsman Board with B status as a national human rights institution by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights was attributable to the fact that its three members were appointed by the three political parties with the highest number of seats in the National Council and were then elected by the National Council.

11. **Ms. Mandl** (Austria) said that harmonizing and coordinating the distribution of competences regarding anti-discrimination law across all levels of government remained a challenge. There were no plans to amend the Constitution to alter the distribution of powers or to harmonize legislation in that regard. The issue of gender equality was dealt with by designated bodies and was covered by federal laws on equality, which covered all grounds of discrimination, unlike the Equal Treatment Act. Awareness-raising activities were conducted to make the purpose and functions of those various laws and bodies better known.

12. **Ms. Niavarani** (Austria) said that there was a state-level forum allowing women and equality commissioners, equal treatment offices, associations of towns and municipalities and the Division for Women and Equality of the Federal Chancellery to discuss best practices in diverse areas. A meeting had recently been held on income transparency, for example. Owing to the word limit, the State party's report contained more information on the situations in some federal states than it did on others. The Government had adopted a mainstreaming approach to the implementation of gender-specific aspects of the 2030 Agenda for Sustainable Development, whereby each ministry was responsible for deciding on the action to be taken. A gender-based approach was also adopted for the achievement of the other targets under the Agenda. Austria had adopted a Roma integration strategy in line with the European Union Framework for National Roma Integration Strategies up to 2020, whereby it sought to improve the situation of the Roma population by promoting equality and combating discriminatory attitudes. The strategy had recently been updated, in cooperation with Roma civil society. Roma contact points had held public

consultations on key areas to be covered by the strategy in the future, in which the empowerment of women and girls featured prominently. The Roma dialogue platform would closely monitor the implementation of the strategy until 2020.

13. **Mr. Ruscher** (Austria) said that his country had received over 100,000 asylum seekers since 2015, which had posed a major challenge in terms of providing adequate accommodation. Nobody had been mistreated or otherwise disadvantaged owing to the length of the application processing times. Female asylum seekers who had been subjected to trauma had the right to be interviewed by women, but most preferred male interviewers and interpreters. It had not always been possible to find interpreters promptly for all the required languages. No protection or assistance afforded to men was withheld from women. On the contrary, unaccompanied women had the option of staying in women-only asylum centres that were supervised exclusively by women and that men were not permitted to enter. All asylum seekers were entitled to a range of services, including health insurance, psychotherapy and legal counselling.

14. **Ms. Fischer** (Austria) said that the indicator framework for the Sustainable Development Goals had been incorporated into the Austrian Development Agency's system for monitoring and evaluating its development projects and programmes. The programmes' contribution towards eliminating discrimination against women, in line with Sustainable Development Goal 5, was specifically measured. The Agency had projects specifically benefiting Roma women in the Western Balkans.

15. **Mr. Reibmayr** (Austria) said that, during the current seven-year programming period of the European Social Fund, the Federal Ministry of Labour, Social Affairs, Health and Consumer Protection was focusing on the integration of the Roma population into the labour market by providing career advice services, including some specifically tailored for Roma women. The Ministry also worked closely with the Federal Chancellery to develop indicators on poverty and social exclusion under the Sustainable Development Goal indicator framework.

16. **Ms. Schaller-Steidl** (Austria) said that the attainment of Sustainable Development Goals 4 and 5 was considered when determining the budget of institutions in the education sector. In higher education, those goals had been integrated in performance agreements with public universities. Furthermore, they were a core part of the Horizon Europe framework research programme of the European Union, meaning that they would be taken into account in funding allocations for future research projects.

17. **Mr. Bergby** said that he would like to know whether the State party would consider adopting the Convention as federal law. He wished to know how frequently meetings were held between the Federal Council and representatives of non-governmental organizations (NGOs), as required by the Equal Treatment Act, the Federal Act on the Equal Treatment Commission and the Ombud for Equal Treatment, and what the results of the dialogues had been. He would be interested to hear whether there had been any change in the budget of the Ombud and the Commission for Equal Treatment and whether the Government considered the current allocations to be sufficient. Did police officers, members of the judiciary and any other relevant stakeholders who were not administrative personnel attend the seminar programme about gender and equality for staff of the federal administration?

18. **Ms. Ameline** said that she wished to know what body monitored the integration and application of the Convention within the national legal system. She asked whether there was a commission responsible for overseeing the implementation of international treaties and said that she would like to hear more about the procedures for caring for female asylum seekers who had been victims of systematic rights violations.

19. **Mr. Tichy** (Austria) said that Austria had adopted the European Convention for the Protection of Human Rights and Fundamental Freedoms as its main source of fundamental rights, and that the European Convention had thus been enshrined in the Constitution. The national parliament had decided that the Convention on the Elimination of All Forms of Discrimination against Women, like other United Nations human rights treaties, should be applied through national law. To ensure that the European Convention took precedence in the event of any discrepancy with other treaties, instruments without constitutional status could not be directly invoked in the judicial system. An informal working group of

representatives of Austrian ministries and regional representatives met to discuss matters such as the implementation of the human rights treaties and reports submitted to the United Nations treaty bodies. The working group was chaired by the head of the Constitutional Service and by the legal adviser of the Federal Ministry for Europe, Integration and Foreign Affairs, in rotation.

20. **Ms. Niavarani** (Austria) said that the meeting of Federal Council and NGO representatives was required by law to take place once a year to discuss key issues and challenges, including activities such as promoting the rights of lesbian, gay, bisexual, transgender and intersex persons and tackling hate speech. The human resources of the Equal Treatment Commission and the Ombud for Equal Treatment had been optimized, in line with the budgetary framework in place, and the Commission had recently appointed two new trainees. Reports on equal treatment – one each on the public and private sectors – were submitted to the national parliament every two years and covered issues relating to equal treatment legislation, the work of NGOs and cases currently brought before those bodies.

21. **Mr. Ruscher** (Austria) said that, when men were granted asylum, their wives were automatically granted asylum as well, regardless of whether they otherwise qualified. In cases where the wife had remained in the country of origin, she was eligible to apply for family reunification at the Austrian consulate in that country. A project had been launched to reflect the fact that the police force was the largest institution for the protection of human rights in the country. Part of the project involved the organization of meetings between the police and NGO representatives to discuss a variety of human rights issues. The police training programme had been reformed to place greater emphasis on human rights. The number of women joining the police force had increased significantly in recent years, thanks in part to gender mainstreaming.

22. **Mr. Manquet** (Austria) said that a court case had been brought by a male candidate claiming that he had been discriminated against following the appointment of a rival female candidate for a position in the Ministry for Transport, Innovation and Technology. While the Equal Treatment Act required women to be selected before men when both were equally qualified and when women were underrepresented in the recruiting organization, the male candidate had won that case because the female candidate was found to be less qualified.

23. **Ms. Haidar** said that she would be grateful if the delegation could share some of the results of the policy requiring all government ministries to have outcome-oriented objectives relating to gender equality. Given that no additional funding had been provided to the Division for Women and Equality, she wished to know how the Government would ensure that the Division received an adequate share of overall funding for gender issues and that sufficient priority would be given to multiple and intersectional discrimination. She would appreciate information on cooperation between the Ombudsman Board and the Equal Treatment Commission on combating multiple and intersectional discrimination. She asked whether information on the women's service helpline offered by the Division for Women and Equality was widely distributed, accessible and available in a variety of languages. The Committee would also like to learn what the budget for counselling and support services for women had been in 2019. Had those services been assessed, and, if so, what had the results been? It would be useful to have information on the link between the work of the Division for Women and Equality at the federal level and the corresponding activities at the provincial level.

24. **Ms. Nadaraia** said that she wished to know why quotas for women in political parties were not mandatory and pointed out that the principle of temporary special measures was recognized in the Constitution. How was the quota for the number of women in the federal service enforced in practice, and what proportion of federal officials were women? She would be interested to know to what extent the requirement for 38 per cent of members of supervisory boards of State-owned and State-related enterprises to be women had been achieved. The Committee would also like to hear whether any incentives were planned to enhance the representation of women in leadership positions in the private sector. It would be useful to have the latest figures on the proportion of women in university collegial bodies following the increase in the quota for women from 40 to 50 per cent in 2015.

25. **Ms. Schaller-Steidl** (Austria) said that, since 2013, each government ministry had been obliged to set five spending targets, including one gender equality target, which had to be accompanied by appropriate implementation measures, including progress indicators. The Federal Ministry of Education, Science and Research had set a basic target for increasing female representation in leadership positions, in decision-making processes and in research and tenure-track positions. In the education sector, priority was given to enhancing the gender-related competencies of teaching staff. Each government ministry was obliged to submit an annual progress report, which was reviewed by the parliament. Ministerial gender equality targets also had to be incorporated into other policy documents, such as performance agreements with public universities, research institutions and education boards.

26. **Ms. Madner** (Austria) said that the federal Government was also working towards achieving gender balance in agricultural and forestry schools, with a view to increasing female representation in the corresponding sectors. The schools in question had launched information campaigns to raise the awareness of prospective female students of the employment options available to them upon graduating. The percentage of female students attending those schools, which had stood at 46 per cent in 2015, was increasing steadily. It was hoped that gender parity could be achieved by 2026.

27. **Mr. Tichy** (Austria) said that the members of the Ombudsman Board often met with members of the Equal Treatment Commission to discuss human rights issues and related projects.

28. **Ms. Mandl** (Austria) said that the different units of the Equal Treatment Commission had begun to cooperate more closely in handling cases relating to multiple and intersectional discrimination. There was likewise a greater exchange of information between the Commission and the judiciary in relation to the outcome of proceedings. Multiple discrimination was currently not defined in the Equal Treatment Act and was mentioned only in the provisions on applicable sanctions. That issue had been discussed at length during the assessment of the Act's impact. The absence of such a definition was considered by some to be an advantage, as a definition might narrow the scope of the Act, whereas others believed that the Act ought to explicitly address multiple discrimination. In any event, the Equal Treatment Commission and the Ombud for Equal Treatment continued to take up cases concerning multiple or intersectional discrimination.

29. **Ms. Niavarani** (Austria) said that the budget of the Division for Women and Equality of the Federal Chancellery for 2019 stood at €10,150,000, 52 per cent of which would be spent on counselling services for women and girls and on specific women's projects. The remaining 48 per cent would be spent on protecting women and girls from violence, for example by funding violence protection centres, and associated awareness-raising and information campaigns. The women's helpline provided advice and support to migrant women in both Kurdish and Turkish and, if they were in need of more comprehensive information, could direct them to the relevant authorities.

30. In July 2019, a new law on the funding of political parties and parliamentary groups had been adopted. Under one of its provisions, parliamentary groups in which more than 40 per cent of members were women would receive a 3 per cent increase in funding. The law was due to enter into force in November 2019. The Government had committed to raising the percentage of women appointed to the supervisory boards of State-owned or State-affiliated companies with a public share of 50 per cent or more. The target had been set at 35 per cent, to be achieved by the end of 2018. Most of those companies had already fulfilled or exceeded the 35 per cent quota in 2017. Similar targets had also been set in some of the federal states. In 2017, just over 40 per cent of federal civil service positions were held by women. In the same year, women had held 30 per cent of leadership positions in the federal civil service, compared with 27 per cent in 2015.

31. **Mr. Manquet** (Austria) said that a new law on the equal representation of men and women on supervisory boards had entered into force in January 2018 and had set a target of 30 per cent representation for each sex in companies that had more than 1,000 employees or that were stock-listed. Women's representation on supervisory boards had increased slowly over the last year. By January 2019, women held just under 25 per cent of positions on

supervisory boards. The slow progress made in achieving the 30 per cent target could be explained by the fact that the composition of existing supervisory boards had often remained unchanged.

32. **Ms. Schaller-Steidl** (Austria) said that women's representation in rectorates of public universities, university boards, habilitation committees, appeals committees and curriculum committees had increased between 2010 and 2018.

33. **Ms. Tisheva** said that, despite the State party's good reputation for innovations in the prevention of violence against women and the laudable legislative and institutional measures that it had adopted in that connection, the Committee remained concerned about the continued prevalence of gender stereotypes and discriminatory and sexist messages, which hindered the enjoyment of human rights by women and girls and undermined the measures in place to protect them against violence. In particular, there was a pressing need for the State party to condemn online discriminatory discourse and hate speech. She asked what legislative and policy measures the State party planned to take to better counter gender stereotyping and sexism in all spheres, and what awareness-raising initiatives it would undertake to support those measures. It would be useful to know whether that issue would be addressed in future human rights and gender equality plans and which public body would be responsible for monitoring and evaluating the impact of such activities. She also asked whether the State party had considered adopting a broader, coordinated strategy to combat gender stereotyping and sexism, to supplement the somewhat limited mandate of the Equal Treatment Commission. Noting that the State party had made commendable efforts to combat sexism in advertising, in particular by prohibiting public and private television broadcasters from showing advertisements containing discriminatory content, she asked whether the Government might consider adopting a broader strategy and extending its monitoring and protection activities to cover advertising in other media.

34. While she welcomed the progress made by the State party in domesticating the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), she noted that the continued prevalence of sexism and gender stereotypes, coupled with the bias faced by female victims of intersectional discrimination, had somewhat undermined the measures in place to protect women against gender-based violence. She understood that financial support for women's NGOs had been cut by almost 7 per cent between 2018 and 2019. What policy and awareness-raising measures did the State party intend to take to guarantee women, including migrant and asylum-seeking women, effective protection from all forms of violence, and how would it guarantee access for vulnerable victims to general and specialized services and to legal assistance and special legal proceedings? The delegation should explain how the effectiveness of such protection would be monitored and evaluated and how the Istanbul Convention's favourable treatment based on residence status and gender-based asylum claims was guaranteed in practice. Did the State party plan to increase budgetary allocations for the protection of women and girls against violence for the following fiscal year? Did it intend to increase funding for women's NGOs?

35. **Ms. Bethel** said that the Committee recognized the State party's diligent efforts to meet the minimum standards for addressing trafficking in women and girls, as set out in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. However, Austria remained a destination and transit country for women and girls who had been trafficked for sex work and forced labour. She asked what protection was given to female victims of trafficking who had been granted a special protection residence permit under article 57 (1) (2) of the Asylum Act and whether the granting of the permit and access to services such as counselling, housing, the labour market and health care were contingent upon the victim's willingness to testify in criminal proceedings. It would also be useful to know whether such a permit would still be granted to victims who instituted civil proceedings and whether legal aid was available to such persons. The delegation should also explain how trafficked women who were nationals of the European Union were protected under the Settlement and Residence Act and how the rights of trafficked women were protected if they were unlikely to fulfil the required criteria to receive a registration certificate. Noting that the primary role of the Working Group on Human Trafficking for

the Purpose of Labour Exploitation was reportedly to raise awareness among supervisory authorities and to teach them how to identify victims of human trafficking, she asked whether those efforts had led to a reduction in the number of women trafficked for the purpose of forced labour and how many perpetrators had been successfully prosecuted. She would be interested to know whether the three emergency shelters and one temporary housing unit for female victims of trafficking, which could accommodate a total of 28 women, were sufficient and, if not, whether the State party planned to build additional facilities.

36. Although the State party met minimum prosecution standards, in many cases, the national courts reportedly handed down only short prison terms to persons convicted of human trafficking, despite the fact that the Criminal Code provided for prison terms of up to 10 years. It would be helpful to learn more about the reasons justifying such light sentencing and to know how many people had been arrested, prosecuted, convicted and sentenced for human trafficking in 2018. She also wished to know whether, in the delegation's view, the programmes to combat cross-border trafficking and to enhance joint investigations with European Union member States, China and Nigeria had been successful, what indicators had been used to measure their success and whether as a result there had been a significant reduction in trafficking in women and girls. Lastly, she asked whether the State party's efforts to raise awareness among female prostitutes of the problem of human trafficking within the commercial sex industry had resulted in the identification of more female victims of trafficking.

37. **Ms. Schaller-Steidl** (Austria) said that, in order to combat gender stereotypes, the Federal Ministry of Education, Science and Research had introduced a new teaching principle on reflexive gender education and equality, for use in teacher training colleges and education boards. The purpose of the principle was to promote gender-sensitive cultures of teaching and learning, to break down gender stereotypes, particularly in relation to study and career choices, and to minimize gender segregation in education as a whole. Practical measures had also been taken in that connection.

38. **Ms. Niavarani** (Austria) said that the report and written replies contained information on the various strategies that were in place to encourage girls to study science, technology, engineering and mathematics and to enter non-traditional professions. The content of advertisements was restricted by both legal regulations and self-imposed restrictions. A "retouch barometer", available on the Austrian Advertising Council's website, could be used to determine the extent to which promotional photographs were real in terms of slimness and beauty. Advertising watch groups that were subsidiary to the Council operated in the different federal states. In 2011, an anti-sexism committee had been set up within the Council to issue opinions on whether or not specific advertisements were discriminatory.

39. **Mr. Ruscher** (Austria) said that 66 persons had been arrested in 2017 for suspected involvement in human trafficking and 75 persons for suspected involvement in cross-border prostitution. For legal reasons, no further information on the outcome of those arrests could be provided. Every police officer in Austria had to follow a mandatory continuous training programme that covered human rights issues and new human rights standards. Following the publication of the Committee's concluding observations in 2013 ([CEDAW/C/AUT/CO/7-8](#)), training on how to identify persons involved in human trafficking had initially been dispensed to some 550 police officers. The same training had subsequently been offered to all police officers working with potential victims of trafficking and, since 2015, to officials of the Federal Ministry for Europe, Integration and Foreign Affairs.

40. **Ms. Prantner** (Austria) said that the main support service for female victims of human trafficking was located in Vienna and could now accommodate a total of 28 women, as 10 additional spaces had been created in 2016. The service was funded jointly by the Federal Ministry of the Interior and the Division for Women and Equality. The funding allocated to the service had recently increased by 15 per cent. In recent years, the number of women availing themselves of counselling services had grown. In 2018, some 300 women had received assistance from the support service. In 2017, 80 women had stayed in the service's accommodation. The 28 spaces were sufficient to meet current demand.

41. **Ms. Mandl** (Austria) said that she was unable to provide information on the impact of the awareness-raising activities of the Working Group on Human Trafficking for the Purpose of Labour Exploitation. The focus of such activities was to provide institutions with the knowledge necessary to identify potential victims. In the future, the Working Group would turn its attention to preventing the exploitation of domestic workers.

42. **Mr. Manquet** (Austria) said that victims of violence and human trafficking had the right to receive psychosocial and legal assistance during court proceedings. The number of persons provided with such assistance had risen from about 3,500 to 8,400 between 2010 and 2018, and the Ministry of Justice had increased its assistance budget from €4 million to more than €7 million during that period. In 2018, six people had been convicted of human trafficking offences and three of offences related to cross-border prostitution-related trafficking. In respect of penalties, a case had recently come before the courts in which the five defendants, all Venezuelan nationals, had been convicted of trafficking offences and sentenced to between 3 and 6 years' imprisonment. Seventeen victims, also from Venezuela, had been identified and awarded substantial compensation for the harm they had suffered.

43. **Ms. Lassmann** (Austria) said that the fifth National Action Plan on Combating Human Trafficking, which had been adopted for the period 2018–2020, acknowledged new challenges, especially in relation to the migration crisis. The Plan recognized that refugees, especially unaccompanied minors, were at risk of exploitation, and it contained several measures for the identification of potential victims. Measures included training and awareness-raising for the staff of police detention centres and reception centres and for the employees of the Federal Office for Immigration and Asylum, and the dissemination of information materials in several languages. All relevant stakeholders were represented in the Task Force on Combating Human Trafficking, established in 2004.

44. **Mr. Ruscher** (Austria) said that under the Asylum Act, victims and witnesses in human trafficking cases were given the right to reside in Austria so that criminal prosecutions could take place. Victims were under no obligation to file a complaint in order to receive a residence permit; proceedings were instituted by the police or the prosecutor. Residence permits were automatically extended in the event of lengthy criminal proceedings. It was not necessary to have a residence permit in order to work.

45. As part of cross-border efforts to tackle human trafficking, the Joint Operational Office against Human Smuggling and Human Trafficking had been established within the Federal Criminal Police Office. About 50 people were currently working there. The Joint Operational Office worked with different police departments, and since opening in 2016 had apprehended 185 persons, 109 of whom had been prosecuted.

46. **Ms. Prantner** (Austria) said that the brochure for sex workers sought to raise their awareness about acts that violated their rights. The brochure was disseminated for example by the health services that carried out sex workers' mandatory health checks, thus guaranteeing that those who were working legally received the necessary information about where to turn if their rights were violated. The counselling services that distributed the brochure had reported that sex workers found the information helpful.

Articles 7 to 9

47. **Mr. Safarov** said that Austria was to be congratulated on the appointment of its first female Chancellor. Given that the country was home to significant national, ethnic, language and religious minorities, he was interested to know what proportion of members of the Government, the parliament and the municipal authorities were women from those groups and what proportion were women with disabilities. The Committee had noted that Austria did not have any legally binding measures to improve the representation of women in politics and that article 7 (2) of the Constitution only provided for a national objective to advance equality between genders and for voluntary efforts to be made. Moreover, according to the analytical report "Balanced Participation of Women and Men in Decision-Making" of the Gender Equality Commission of the Council of Europe, the percentages of senior ministers, heads of regional governments and general consuls who were female had all fallen during the period 2005–2016. He would appreciate an explanation of those trends

and of whether there was a structural reason why women accounted for only about 7 per cent of mayors. He would also be grateful for up-to-date information on the number of female and male ambassadors who were serving in foreign countries and the number of women and men who were heads of NGOs. To what extent were women represented in the armed forces, in law enforcement agencies, in the judiciary and in the management of major organizations? Lastly, he asked whether any education programmes were provided to increase the participation of girls, especially girls from migrant and refugee backgrounds, in sports.

48. **Ms. Narain** said that the Committee was concerned that the income requirements for obtaining Austrian citizenship were set so high that they had a discriminatory effect on women. Moreover, only personal income, legal claims to maintenance and insurance benefits were considered under the heading of “sufficiently secured livelihood”, whereas unpaid labour such as child care, housework and the care of elderly relatives – all forms of work predominantly done by women – were not. Therefore, she asked whether Austria might enact derogations so that unpaid labour would be taken into account and more women could qualify for citizenship. The Committee noted that the income criteria for naturalization had been amended in 2013 so that hardships such as serious illness and disability had to be taken into account. However, the Committee had been informed that the exemption clause was interpreted restrictively and was unlikely to benefit many applicants. She asked whether the Government had carried out any statistical assessments or had otherwise considered the adverse impact on women of the strict citizenship criteria. What did the Government intend to do to ensure that those criteria did not operate unfairly against female applicants?

49. **Mr. Tichy** (Austria) said that his delegation was unable to give specific information on the representation of women from minorities because such statistics were not kept in Austria. He informed the Committee that following an intense political debate on the subject it had emerged that the minorities themselves did not wish to be counted.

50. **Ms. Niavarani** (Austria) said that there were several platforms for regular dialogue between government ministries and NGOs. The Government encouraged NGOs to participate in international forums devoted to gender questions and provided funding for them to do so. The budget allocated to NGOs currently stood at over €10 million and had not changed in recent years. Although the Government had been obliged to make cuts in subsidies, it had made sure that those cuts did not affect projects that directly supported women and girls. Austria had a gender-balanced Government that included five female and six male ministers. Women held 36.6 per cent of seats in the National Council and 37.7 per cent in the Federal Council. At the local level, the proportion of female mayors was low, at only 8.3 per cent. Political underrepresentation was the result of a combination of factors and challenges, including gender stereotypes, the burden of unpaid work and a male-dominated culture. Some political parties had sought to address the situation by voluntarily applying quotas to their electoral lists. Some other measures to encourage female political participation included the provision of mentoring and training programmes to encourage women to enter politics. The Federal Sports Promotion Act placed strong emphasis on the promotion of sports for women and girls. Austria had a centre of excellence, 100% Sport, which was devoted to enhancing gender mainstreaming in the sports system and whose recommendations had led 64 national sports federations to appoint gender equality advisers. Another body was the Strategic Group on Gender Equality in Sports, which implemented European Union recommendations related to gender questions in the world of sports.

51. **Mr. Kienl** (Austria) said that, in light of the fact that women with migrant backgrounds were often the drivers of integration in their families, the Federal Ministry for Europe, Integration and Foreign Affairs had recently increased funding for women’s NGOs and projects from €1.4 million to €2.3 million. It had also earmarked an additional €1 million for projects to combat female genital mutilation and violence against women from migrant backgrounds.

52. **Ms. Fischer** (Austria) said that the Austrian Development Agency had in 2017 adopted a gender equality policy under which it had set several goals to enhance gender equality and the empowerment of women and girls. In that framework, it had committed to allocating 85 per cent of its funding to projects or programmes that had been assigned

gender equality policy markers 1 or 2, meaning that – according to the tool developed by the Organization for Economic Cooperation and Development – gender equality was either the principal objective or a significant objective. In 2018, almost 80 per cent of the Agency’s funding had been allocated to such projects and programmes. Internally, the Agency was aware of the need to increase the number of women in leadership positions. It had committed to carrying out a gender and diversity audit in 2019.

53. **Ms. Scheibhofer** (Austria) said that the share of women in the Austrian armed forces currently stood at 3.8 per cent, more than one percentage point higher than the previous year. The increase was due to measures taken by the Federal Ministry of Defence, including a mentoring programme in which experienced female soldiers assisted younger colleagues, recruitment events, and the “Fit for the Army” project, in which 80 women and girls had received assistance in training to meet the required fitness standards. The Ministry also aimed to increase the number of women that were deployed on peacekeeping missions abroad. Dozens had already thus been deployed.

54. **Ms. Lassmann** (Austria) said that the Federal Ministry for Europe, Integration and Foreign Affairs had recently achieved gender parity among its directors-general and among diplomatic staff born after 1975. The proportion of women in the diplomatic service as a whole stood at 39 per cent and was rising. In 2017, the Ministry had adopted a revised plan for the advancement of women, which provided for measures such as flexitime and job sharing. Steps had been taken to ensure that female diplomats stationed abroad were not obliged to return to Austria in the event of their pregnancy. The share of female ambassadors and of female representatives to the European Union and international organizations was about 35 per cent.

55. **Mr. Manquet** (Austria) said that women had accounted for about 53 per cent of justice system employees in 2018, a share that had risen by 4.5 percentage points over the previous 12 years. They accounted for an even higher proportion – 56 per cent – of judges, prosecutors and judges in training. In the prison service, the share was 14.5 per cent. Women currently occupied leadership positions in a number of judicial bodies, including the Supreme Court, the Central Public Prosecutor’s Office for Combating Economic Crimes and Corruption and the Federal Finance Court, while the Chancellor herself had formerly presided over the Constitutional Court.

56. **Mr. Ruscher** (Austria) said that the rules for obtaining citizenship were the same for men and women. Persons wishing to become nationals must have resided in Austria for 10 years, must not have a criminal record and must be willing to relinquish their previous nationality. Disabilities or chronic serious illnesses that restricted the applicant’s ability to earn a living could not be used as a reason for withholding citizenship, provided that such conditions were substantiated by a medical certificate.

The meeting rose at 1 p.m.