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PART 1
**SUMMARY OF THE AUSTRIAN FOCAL POINTS IN THE IMPLEMENTATION OF THE
BEIJING ACTION PLATFORM**

The Austrian Federal Government has taken a number of measures for the implementation of the Beijing Platform for Action. The topics as illustrated below can be emphasised as particularly successful strategies of the past years.

Violence against Women

The activities in connection with combating violence against women and children were continued and intensified in the past years.

With the **Federal Act on Protection Against Domestic Violence**, which came into force on May 1, 1997, the legal prerequisites were considerably improved so as to ensure a rapid and efficient protection of victims of violence in the domestic sphere. It now authorises law enforcement personnel in situations of domestic violence to ban violent persons from the family home and to issue a restraining order against said persons. This means that since the implementation of the law it is no longer the woman who is forced to flee from a violent spouse in order to bring herself and her children to safety, but instead the attacker or perpetrator is forced to leave the family home.

In the time from January 1998 through December 1998, law enforcement has made use of its new powers in **2,673 cases**. After the internal review of these police orders,

123 cases were repealed. Police records show that a further 252 police orders were ignored, which led to administrative criminal proceedings against the perpetrator. It should be noted that several of these proceedings related to one and the same perpetrator.

As a concomitant measure to this Act, so-called "**intervention agencies against violence in the family**" were set up. These institutions act as pivotal and networking points between all institutions that deal with this matter, such as law enforcement agencies, courts and homes for battered women, in order to provide quick and unbureaucratic help for women and children affected by violence. Currently, five such intervention agencies exist throughout Austria. The further expansion of these institutions has already been initiated so that by the end of 1999 there will be complete coverage throughout Austria with one intervention agency for each province.

For the purpose of consolidating and further developing the measures for preventing violence in our society, the Federal Government additionally decided in September 1997 on an extensive action programme against violence in society. The central items of this **25 point catalogue of measures** are expanding the services for the protection of victims, working with offenders, reform of penal law on sexual offences, measures for the protection against trafficking in human beings, prevention of misuse of weapons, enhanced training and research, sensitisation and networking for avoiding and combating violence as well as measures against violence in the media.

The implementation of the programme signed by five Members of the Federal Government is reviewed in regular intervals by the **Advisory Council for Principal Questions on the Prevention of Violence** as set up in the Federal Ministry of the Interior. Activities have been undertaken in virtually all of the aforementioned areas.

For example, in 1998 a **separate intervention agency for women affected by trafficking** was set up in Vienna. As a result of the new Alien Act that came into force in 1998, victims of trafficking now additionally have the possibility of being granted a limited residence permit for humanitarian reasons. This will ensure that victims of

trafficking in human beings are available as witnesses for criminal prosecution and have the opportunity to file claims under civil law against the perpetrators.

Penal provisions against the sexual abuse of children and youths as well as the intensification and extension of the possibilities to reduce mental stress to sexually abused children and youths in giving evidence at court were tightened in the **penal law on sexual offences** by the 1998 amendment to the penal code. Moreover, the statute of limitations concerning criminal liability was changed in the respect that the time limit will only start to run once the victims have come of age.

The topic of "combating violence against women" was purposefully promoted during Austrian EU Presidency by two conferences: the "**East-West Conference on Trafficking in Women**" in Vienna focused, on the one hand, on determining the status of the development since the Declaration of the Council of Ministers in The Hague in April 1997 and, on the other hand, the intensification of the networking of the NGOs between east and west, i.e. even beyond the European Union. The co-operation of the law enforcement and judicial agencies, preventive and repressive measures of the police against violence against women, special aspects of violence against women migrants and the co-operation of the NGOs were the main topics of the experts' conference "**Police Work for Counteracting Violence Against Women**" in Baden near Vienna.

The Federal Minister for Women's Affairs and Consumer Protection also started a comprehensive **anti-violence campaign** at the end of 1998 which has the preliminary focus on violence in the domestic sphere and aims at setting up a central and easily accessible contact point for the entire country. The help line's objective is to provide competent answers to inquiries made and to direct the callers to the correct local institutions (intervention agencies, homes for battered women, service agencies for women, etc.) which offer specialised counselling and individual personal support.

Since the beginning of the anti-violence campaign of the Federal Minister for Women's Affairs and Consumer Protection, an **information folder** has been available which contains information on the legal situation since May 1997 for

The **joining of the public award of contracts with the goals of promoting the employment of women** is regarded as a possible approach in order to influence the willingness of companies to implement and perform special company policies for in-company promotion of women by way of criteria and preliminary conditions placed on the award of the contract. Upon the initiative of the Federal Minister for Women's Affairs and Consumer Protection, an official inquiry took place on October 24, 1997 on the topic of "Award of contracts by the public sector as an instrument for the promotion of women". This event aimed at clarifying the EU, federal and provincial legal framework conditions which would preferably allow the award of contracts by the public sector to such companies which pursue an active company policy for the promotion of women.

At the beginning of 1999, a decision was made on the basis of these principles to issue supplementary guidelines for the consideration of **measures for the promotion of women in proceedings for the award of contracts in accordance with ÖNORM A 2050**, thus securing in future that all regulations under labour law,

penalties will be imposed and the tenderers will be barred from the award proceedings.

Implementation of the Gender Mainstreaming Strategy

The topics of equal opportunities and employment were among the focal points of the Austrian Council Presidency of the European Union in the second half of 1998. During the informal meeting of the Ministers for Labour, Social and Women's Affairs from July 8 to 9, 1998 in Innsbruck, important impetus could be given for a restructuring of the EU's guidelines in respect of labour policy.

Both at national as well as European level, a separate guideline for gender mainstreaming was created in the pillar of "equal opportunities for women and men" in the 1999 employment guidelines on the basis of the results of the Austrian EU Council Presidency and, particularly, due to the efforts of the Austrian Federal Minister for Women's Affairs and Consumer Protection. Member states are urged in this guideline to base gender mainstreaming in the implementation of the other guidelines in all four pillars and to ensure that suitable data survey systems and methods are available. Further items that were included in the employment guidelines as a result of the Innsbruck meeting are measures for the reduction of differences in income between women and men, the reduction of segregation, mutual sharing of responsibility for family welfare between spouses, and the demand of affordable, available and high-quality offers for child care.

The employment guidelines are to be implemented by the member states of the European Union in a National Action Plan for Employment (NAP) to be newly drafted each year. The Austrian Federal Government has already applied the principle of gender mainstreaming in the 1998 NAP and will further specify it in the 1999 NAP.

Respective gender-sensitising measures will be implemented in order to create adequate prerequisites in future for the implementation of the gender mainstreaming

experts, educational measures, workshops, training and conferences which allow international comparisons of best practice models of the gender mainstreaming strategy, process-concomitant and -implementing structures such as the evaluation of gender-specific effects of all measures as well as the drafting of reports by all ministries and involved institutions.

Women and New Information and Communications Technologies

The Austrian Federal Government, and the Federal Minister for Women's Affairs and Consumer Protection in particular, focused on the topic of women and new information and communications technologies.

This further focal point in 1998 was taken into account by a number of events and by drafting a recommendation by the Federal Minister for Women's Affairs and Consumer Protection.

Within the scope of Austria's EU Presidency, experts and politicians from the entire

PART 2

FINANCIAL AND INSTITUTIONAL MEASURES

Financing of Measures for the Implementation of the Beijing Platform for Action

The budget of the Federal Minister for Women's Affairs and Consumer Protection has been increased over the budget of the preceding years.

With these funds, the Federal Minister for Women's Affairs and Consumer Protection finances studies and events on topics that are relevant to women politics, the production of information brochures on women's affairs and the promotion of women projects. Moreover, grants are given within the scope of EU programmes with joint financing of the European Union as long as respective competence is given and within the terms of available funds.

Important measures and projects concerning women politics which are not explicitly disclosed as budgetary measures for the promotion of women are funded by other ministries such as the Federal Ministry of Education and Cultural Affairs, the Federal Ministry of Science and Transport and the Federal Ministry of Labour, Health and Social Affairs.

Institutional Co-operation for the Implementation of the Beijing Platform for Action

The implementation of the Beijing Platform for Action is given particular attention in

governments and NGOs, were staged for the implementation of the Beijing Platform for Action.

Accordingly, **an international conference**

PART 3

IMPLEMENTATION OF THE "12 CRITICAL AREAS OF CONCERN"

Austria's measures for the implementation of the Beijing Platform for Action as illustrated below supplement and update Austria's national report which was issued in March 1998 by the Federal Minister for Women's Affairs and Consumer Protection.

A. Women and Poverty

A predominant reason for the feminisation of poverty is due to the more unfavourable labour market situation for women. It applies generally that lack of opportunities for gainful employment, unemployment, inadequate qualifications and low income are the main reasons for poverty. Households with working mothers are considerably less threatened by poverty than households with only one earner.

Men achieve a considerably higher income than women. According to the data of the Main Association of the Social Security Institutions, men earn 45% more than women, based on median income without adjustment of working time. If part-time workers are omitted, the income advantage of men decreases from 45% to 29%. The gender-specific differences in income (as a result of an approximate adjustment for part-time work) are caused to approximately one third by women's higher rate of part-time work.

Since the amount of pension is primarily determined by the amount of the income and the term of insurance, serious gender-specific differences can be observed. Although there has been an improvement in the crediting of times for raising children, there is still a serious gender-specific difference in the amount of pension between men and women (concerning further measures for providing women with equal opportunities in the labour world please see Chapter VI. "Women in the Economy").

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the efficiency of family promotion and to counteract the threat of poverty, the distribution effects of state allowances granted in the field of family politics are continuously examined. A study performed in 1998 confirmed the vertical distribution efficiency of family allowances. Accordingly, the rate of poverty of children was reduced from 11.5% to 6.25%, for children from families with only one earner from 20% to 9% and for children from single-parent families from 21% to 12%. It was also noticed that an above average number of single-parent families, as well as families with several children, are still affected by poverty.

Following the full implementation of the family package in the year 2000, families will annually receive ATS 6,000.—more per child in comparison with 1998 by the increase of family allowances. The amount of the family allowance is graded according to age and number of the children. Moreover, a monthly mark-up of ATS 400.—(from the third child) has been introduced for low-income families with several children. An additional monthly allowance in the amount of ATS 1,800.—is granted for handicapped children.

B. Training and Education of Women

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set up a company by improved approach of interested women, easier accessibility for information, help in gaining an overview of existing opportunities for advice and

C. Women and Health

The causes of women's illnesses is frequently determined by the way women live. The improvement of the social framework conditions for women is also an important key for the improvement of their health situation. In five Austrian provinces there are women's health centres which care for women's health and provide information, advice and courses on many health and women-specific topics.

D. Violence against Women ¹

combating trafficking in women, particularly by making potential victims of trafficking aware of the risks in connection with migration.

F. Women in Business

Statutory regulations:

Since 1994 most Austrian provinces, following the federal equal opportunities law which partly acted as a role model for the provincial regulations, decided upon own provincial equal opportunities laws for persons employed by the respective provinces as well as mechanisms for supervision and consultation for implementing the legal regulations and promoting equal opportunities for women in the civil service of the provinces.

In contrast to this, **the equal opportunities law for private industry** only contains a demand for equal opportunities, but not for the promotion of women.

The **fourth amendment to the Equal Opportunities Act** which came into force on **May 1, 1998** introduced improvements in the enforcement of the equal opportunities law by the equal opportunities spokesperson and equal opportunities committee.

The most important item of the amendment is the regionalisation of the equal opportunities spokesperson by setting up regional offices of the spokesperson for equal opportunities affairs. This is to help in the practical enforcement of the existing

Currently, an **amendment of the federal equal opportunities law** is being drafted. It is intended that in future the capping on claims for damages will be dropped in future for the best qualified applicant. Moreover, the burden of proof will be eased in committee proceedings in the case of sexual harassment and an extension of the scope of the law will be made. Up until now only employees were protected under the law. In future, persons without a service contract such as students and trainees will be included in the scope of the law.

Award of Contracts by the Public Sector and Promotion of Women

The promotion of women in private industry is substantially based on a voluntary obligation on the part of the enterprises in Austria. Only a small number of Austrian companies currently have promotion plans for women. Very few have actually established informal structures for the active promotion of women employees. In accordance with the newly introduced § 92 of the "Arbeitsverfassungsgesetzes" (Austrian Labour Relations Act), company owners are now at least obliged to consult the works council on measures concerning in-company promotion of women (hiring practices, training and further education, promotion, reduction of any existing underrepresentation of women in the total number of employees or in certain higher-level positions) and the compatibility of child-care duties and occupation. The works council has the right to submit proposals in these matters and to file measures. The conclusion of plant agreements in these matters, however, is voluntary.

In Article 2b of the Austrian Equal Opportunities Act it is additionally stipulated that subsidies by the Federation will only be granted to companies that meet the provisions of the Austrian Equal Opportunities Act.

On the initiative of the Federal Minister for Women's Affairs and Consumer Protection, the federal ministries that are headed by social democratic government members will give preference, concerning the award of contracts from the public

- equal opportunities for women in access to employment
- improved compatibility of occupation and family

An important measure of the latter item is formed by the special programmes for women returning to the labour market (1996 and 1997).

Dedicated budget funds in the amount of ATS 160 million were available in 1996 for the implementation of additional measures. In 1997 this amount totalled ATS 100 million.

Whereas in 1996 the emphasis was placed on a general extension in the range of offers for the target group (in total approx. 3,500 women were additionally supported in their return to the labour market), measures in the areas of qualification and employment were emphasised in 1997.

Women spokespersons have been appointed at all provincial and regional branches of the Austrian Labour Exchange **as experts for questions relating to women in the labour market**. This was done in order to define the equal opportunities for women on the labour market within the Austrian Labour Exchange's areas of action. It is their duty to support the organisation in the planning, appropriate design and implementation of specific measures for women.

National Action Plan for Employment

The Austrian **National Action Plan for Employment**² contains a whole range of measures for securing and **promoting the employment of women**:

- **Qualification** of unemployed and job-seeking women by information, support, qualification and employment of women **in non-traditional areas** as well as improved qualification of women **in traditional occupations** in order to secure and strengthen existing jobs and to open up accessibility to other professions.
- Extension of **regional women's foundations**
- Development of models for **discrimination-free evaluation of work**

² also see "Implementation of the gender mainstreaming strategy"

that of men³), the Federal Minister for Women's Affairs and Consumer Protection will also take specific action in the year 1999 for the improvement of employment opportunities for women.

Equal opportunities and employment: Campaign by the Federal Government for part-time work

The Federal Government has undertaken to promote part-time work in federal civil service within the scope of the 1998 National Action Plan for Employment in order to promote the employment of women and the compatibility of job and family for both parents.

Federal civil service already had better legal framework conditions than private industry for part-time work. Female civil servants have a legal claim to part-time work until the child reaches school-entry age.

On the initiative of the Federal Minister for Women's Affairs and Consumer Protection and in co-operation with the State Secretary for Finances, a campaign was launched by the Federal Government in the summer of 1998 to inform the civil servants in detail, by means of an information brochure, about the various possibilities for claiming part-time work. In addition, the Federal Government decided to ease the conditions for hiring substitute workers for civil servants wishing to switch to part-time work. Despite general hiring restrictions, federal institutions can now hire substitute works for civil servants that switch over to part-time work.

"Business Women Centre"

A "Business Women Centre" was set up in the year 1996 as a pilot project in Vienna and Graz by order of the Federal Minister for Women's Affairs and Consumer Protection.

³ Women 7.5%; men 6.9% (national method of calculation)

In 1998, an amendment of Article 7 of the Federal Constitutional Law of 1929 was made, according to which, measures for the promotion of factual equality of women and men are now also included by the principle of equality. The newly inserted Section 2 of Article 7 of the Federal Constitutional Law of 1929 runs as follows: "The Federation, Provinces and Municipalities profess the actual equality of man and woman. Measures for the promotion of factual equality of women and men, particularly by eliminating any actually existing inequalities, are permissible."

Concerning the question of positive measures in the administrative sphere, reference is hereby made in particular to the information provided above in connection with the **federal law on equal opportunities**ⁱⁱⁱe0.0008 siL38 u.1o5 0s73.8y Tc8culya.3(f)0079 p Gren0t

Currently, 4 women are among a total of 16 government members, three as federal ministers and one state secretary. There are 14 men and 7 women out of the 21 members of the European Parliament. The share of women in the Austrian National Assembly is approx. 26% of the 183 members.

Women farmers also have a well-organised interest representative body/women farmers' organisation (municipal, district, provincial and federal level). Their representatives are represented in public decision-making processes in the development groups of the chamber of agriculture, the co-operatives, in the National Assembly, the "Bundesrat" (upper house of the Austrian Parliament) and the social security institutions.

H. Institutionalised Mechanisms for the Promotion of Women

The concerns and interests of the women in Austria are represented at government level since 1991 by a Federal Minister assigned to the Federal Chancellery's Office. She has three departments of Section VII "Women's Affairs and Consumer Protection" at her disposal.

In 1997 a separate Internet homepage of the Federal Minister for Women's Affairs and Consumer Protection was set up for the presentation of the department (www.bminfv.gv.at) which provides information about the goals, publications, events and other activities of the Minister.

On the occasion of Austria's EU Presidency in the second half of 1998, the Federal Minister for Women's Affairs and Consumer Protection, together with the Federal Minister of Labour, Health and Social Affairs, assumed the chairmanship in the informal EU Council of Ministers for Social, Labour and Equal Opportunities Affairs. With the Austrian focal topic of "equal opportunities and employment", it was intended to make a stronger contribution at the EU level.

I. Human Rights of Women

The **42nd meeting of the UN Commission on the Status of Women** in March 1998 assumed a key role in the ongoing evaluation and monitoring of the implementation of the Fourth World Conference on Women. The Beijing demand for a consequent implementation of the gender mainstreaming principle is taking shape in more and more areas throughout the United Nations. Highly satisfactory progress in the implementation of women's rights are thus noticeable.

The four topics that were treated during this meeting according to the UN Commission's working programme over several years include the most controversial topics of the Beijing Platform for Action: "Human rights - Women's rights", "Women in armed conflicts", "Girls' rights" and "Violence against women".

The Austrian Federal Minister for Women's Affairs and Consumer Protection presented Austrian efforts and achievements in the area of combating violence on the occasion of a panel discussion. Moreover, The Austrian action plan for the implementation of the results of the Fourth World Conference on Women in Beijing was presented. The Austrian delegation to the UN Commission on the Status of Women with observer status stood out with their expertise in all areas of negotiation.

The Austrian delegation also made valuable contributions on the occasion of the **43rd meeting of the UN Commission on the Status of Women in March 1999** which dealt with the last two chapters of the Beijing Platform for Action "Women and Health" and "Institutionalised Mechanisms for the Promotion of Women" as well as within the scope of the **2nd meeting of the preparatory committee for the special General Assembly of the United Nations in the year 2000 "Beijing+5"**.

As a contracting state of the **Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)** Austria undertook efforts both in the year 1998 as well as 1999 to achieve an optional protocol to the Convention within the scope of the workgroup set up by the UN Commission on the Status of Women under

Conference on Women underscores the important role of the NGOs in promoting the implementation of the Beijing Platform for Action.

Two resolutions of the 53rd General Assembly are dedicated to the topic of eliminating violence against women. Special emphasis was placed on the necessity of stronger efforts at the international level to combat trafficking in women and the international co-operation for the elimination of "traditional customs that impair the health of women and girls".

The EU actively supported an initiative by the SADC on the "Rights of Girls". The text stresses traditional aspects of need for special protection for girls. It also contains a specific demand to promote girls so as to ensure the full development of their personality.

A resolution that was negotiated with much attention in the 1998 "year of human rights" is dedicated to the Convention on the Elimination of All Forms of Discrimination Against Women and the work of the UN committee in charge.

All resolutions with relevance to women of the 53rd General Assembly were also contributed by Austria.

J. Women and Media

Measures for furthering and promoting women in cultural areas:

Women artists are underrepresented in the media, classical procurement institutions and the art market, and are paid considerably less. That is why the Federal Minister for Women's Affairs and Consumer Protection commissioned a woman expert in 1998 to draw up a study in which for the first time the social and economic situation of women artists is to be examined throughout the various fields of art in Austria and where the measures and strategies which hinder women are to be analysed as are those that promote them. The goal of the study, which will be completed in April

will be continued in 1999. The purpose of this project is to prevent any secondary victimisation by providing optimal support to the victims and their relatives during the legal proceedings.

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