

For participants only

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COMMITTEE ON THE RIGHTS OF THE CHILD  
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Pre-sessional Working Group  
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IMPLEMENTATION OF THE CONVENTION OF THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with  
the consideration of the initial report of  
Austria (CRC/C/11/Add.14)

General measures of implementation  
(arts. 4, 42 and 44)

1. In light of the recommendations adopted in the Vienna Declaration and Plan of Action of the World Conference on Human Rights (1993), has the State party considered the possibility of reviewing its reservations to the Convention with a view to their withdrawal?
2. With regard to information provided in paragraphs 5 to 16 of the report, please provide some update on the harmonization, both at Federal and State levels, of domestic law with all the principles and provisions of the Convention.
3. With regard to information provided in paragraph 141 of the report, please indicate the conclusions and recommendations as well as developments, if any, resulting from the study commissioned by the Ministry for the Environment, Youth and the Family regarding the possibility of enacting the principles of the Convention in constitutional law.
4. Please provide further information on existing or foreseen mechanisms to coordinate the activities between all Ministries involved in children's issues as well as between the State and Federal authorities. Please also indicate existing or foreseen mechanisms, both at State and Federal levels, to monitor progress in the implementation of the Convention. Additionally, please indicate how the nine State's Ombudsperson coordinate their work and clarify the status of the Federal Ombudsman with regard to coordination function and independence.
5. In light of article 4 of the Convention and in the context of the integration of Austria into the European Union, please indicate the measures taken by the State party, both at State and Federal levels, to implement economic, social and cultural rights to the maximum extent of [...] available resources. Furthermore, with regard to information provided in paragraph 373 of the report and especially in light of articles 2, 3, 6, 26 and

27 of the Convention, please indicate the measures undertaken or foreseen to prevent and combat child poverty in Austria.

6. Please indicate what measures have been taken, or are planned, to train on the Convention on the Rights of the Child professional groups such as: judges, lawyers, law enforcement, and army personnel, civil servants including at the local level, personnel working in institutions or places of detention for children, health personnel including psychologists and social workers. In addition, please indicate what measures have been taken to raise the awareness of Government officials, legislators, non-governmental organizations and the mass media, as well as the public at large including children themselves on the Convention.

7. Please indicate if the State report has been translated into German and if it is easily accessible to the general public. Please also provide an update of the activities and measures undertaken by the State party to disseminate the Convention. Please further indicate if the Convention is made available in minority languages, such as Sloven, Hungarian, Czech and Croat, to children and adults belonging to those groups.

8. Please indicate how the State party cooperates with non-governmental organizations to implement the principles and provisions of the Convention.

**9. Please indicate if the State party considers increasing its contribution to international development assistance to reach the UN target of 0.7 percent of GDP.**

General Principles  
(arts. 2, 3, 6 and 12)

10. Please indicate how Austrian legislation protects children against discrimination on the basis of all grounds spelled out in article 2 of the Convention.

11. In light of article 2 of the Convention, please indicate measures taken to prevent and combat discrimination against foreign children, including asylum-seekers and refugees, children belonging to minority groups and children with disabilities.

12. With regard to information provided in paras. 102 to 110 of the report, please indicate how domestic courts are interpreting the principle of Well-being of the child@ in light of the provisions of article 3 of the Convention (best interests of the child).

13. Please provide updated information on the ways the principle

of respect for the views of the child (art. 12) is reflected in legislation or actions undertaken by social welfare institutions, courts of law and administrative authorities. Please also provide some examples of implementation of this principle by courts and/or administrative bodies at both central and local levels.

Civil rights and freedoms  
(Arts. 7-8, 13-17 and 37(a))

14. With regard to information provided in paragraph 151 of the report, please provide details regarding the simplified procedures for a stateless child to obtain Austrian nationality. Please indicate if the State party has considered ratifying the Convention relating to the Status of Stateless Persons.

15. With regard to information provided in paragraphs 156 to 162 of the report, please indicate precisely up to what age a child is protected by law from being exploited through pornography. Please also indicate how the State party ensures that privately owned media do not disseminate information harmful to children and participate in self-regulating measures (para. 159).

Family environment and alternative care  
(Arts. 5, 18 para. 1 and 2, 9, 10, 27 para. 4,  
20, 21, 11, 19, 39 and 25)

16. Please provide information on the way the right to periodic review of placement as enshrined in article 25 of the Convention is guaranteed by law and in practice.

17. Please indicate how the principle of the best interests of the child (art. 3) is taken into account by the authorities when the residence permit of one parent is withdrawn, consequently affecting the right to residence of all the members of the family (para. 240).

18. Please provide disaggregated data on domestic and intercountry adoption. Please also indicate if the State party is envisaging to become a State party to the Hague Convention of 1993 on Protection of Children and Cooperation with Respect to Intercountry Adoption.

19. With regard to information provided in paragraph 274 of the report regarding abuse and violence against children, please provide additional information on the measures undertaken and foreseen to provide physical and psychological recovery and social reintegration for child victims as enshrined in article 39 of the Convention.

Basic Health and Welfare  
(Arts. 6 para. 2, 23, 24, 26 and 18 para. 3  
and 27 paras. 1-3 of the Convention)

**20. Please provide updated information on adolescent health problems such as substance abuse, including drugs and alcohol consumption, and suicide. Has any new research been undertaken in**

**these areas ?**

21. Please provide further information on reproductive health issues, including preventive programmes on STDs and HIV/AIDS for young persons.

22. In light of article 18.3 of the Convention, please indicate the measures undertaken or foreseen to increase kindergartens, day-care and other pre-school services and facilities for children of working parents.

Education, leisure and cultural activities  
(Arts. 28, 29 and 31)

23. Please indicate if human rights, including children's rights, are part of the school curricula in Austria.

24. Please provide further information on measures undertaken and resources devoted for the implementation of article 31 of the Convention, especially in relation to the most vulnerable communities, including children living on the edge of poverty.

Special Protection Measures  
(Arts. 22, 30 and 32-40 of the Convention)

25. In light of article 22 of the Convention, please indicate if the State party plans to prohibit by law the possibility of the use of detention for asylum-seeking and refugee children (para. 422).

26. In light of article 37 (c) of the Convention, please provide further information on the legal framework guaranteeing **the separation of detained children from adults (para. 456)**.

27. With regard to the situation of children in detention centres/prisons, please provide additional information on:

- S the way the conditions in detention centres/prisons are monitored;
- the guarantees to ensure the periodic review of placement;
- the complaint procedures in cases of ill-treatment;
- the education, health and social facilities in detention centres/prisons.

28. Please indicate the measures undertaken by the State party to fully implement the provisions of article 40.4 of the Convention, in relation to services and facilities available to children in conflict with the law, such as care, guidance, counseling, probation, foster care, education and vocational training programmes and other alternative to institutional care.

29. Please indicate if the State party has envisaged acceding to ILO Convention No. 138 regarding minimum age for access to work.

30. Please indicate how the State party protects children from all forms of sexual abuse and exploitation once they have reached the minimum legal age for sexual consent but before they attain majority. Please also provide updated information on the amendment to paragraph 64 of the Penal Code regarding extraterritorial prosecution of sexual offenders (para. 473). Finally, please indicate the current status of the Plan of Action to follow-up the Stockholm World Congress against Commercial Sexual Exploitation of Children(para. 474).

31. Please provide more detailed information on the Sinti community and indicate measures undertaken or foreseen to protect the rights of children belonging to this minority group.