



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

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**Committee on the Elimination of Racial Discrimination**  
**Eighty-first session**

**Summary record of the 2190th meeting**

Held at the Palais Wilson, Geneva, on Thursday, 23 August 2012, at 10 a.m.

*Chairperson:* Mr. Avtonomov

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*The meeting was called to order at 10.10 a.m.*

**Consideration of reports, comments and information submitted by States parties under article 9 of the Convention** (*continued*)

*Eighteenth to twentieth periodic reports of Austria* (continued) (CERD/C/AUT/18-20; CERD/C/AUT/Q/18-20)

1. *At the invitation of the Chairperson, the delegation of Austria took places at the Committee table.*
2. **The Chairperson** invited the delegation to respond to the questions raised by Committee members at the previous meeting.
3. **Ms. Ohms** (Austria) said that the federal structure of Austria and the division of jurisdiction under the Constitution between the federation and the provinces (*Länder*) had resulted in a variety of enactments in the area of non-discrimination. As they all enshrined the prohibition of discrimination, the provinces were under an obligation to implement the Convention. If a province violated or only partially complied with any provision of the Convention, its competence in that regard, especially in cases where legislation needed to be enacted, was transferred to the federation. The limited number of examples of provincial action cited in the report did not imply that some provinces were dilatory. To mention all examples would have made the report unduly lengthy.
4. **Mr. Rüdiger** (Austria) said that the Government programme for the current legislative period provided, inter alia, for the strengthening of protection against discrimination under the Criminal Code. With effect from 1 January 2012, the scope of the offence of hate speech defined under section 283 of the Criminal Code had been expanded. Section 283, paragraph 1, characterized advocacy of or incitement to violence against a church, a religious society or any group defined in terms of race, skin colour, language, religion, belief, nationality, descent, national or ethnic origin, sex, disability, age or sexual orientation, or against a member of any such group, where the incitement was expressly motivated by membership of the group, as an offence punishable with imprisonment for up to 2 years. The earlier version of the paragraph had stipulated that the offence must be committed in public and in a manner liable to undermine law and order. The amended version added, as an alternative, that it must be observable or discernible by a wide section of the public, for instance a wall poster or graffiti or an item on the Internet or on radio or television. A wide section of the public was defined as about 150 persons. No evidence of the fact that it was actually observed or perceived was required. The reference to individual members of a group was an additional amendment to the previous version of the paragraph.
5. Another key provision of the Criminal Code dealt with acts of violence or hatred attributable to racist or xenophobic motives. Section 3 (h) of the Prohibition Act criminalized the act of denying or grossly trivializing, condoning or justifying the National Socialist genocide or other National Socialist crimes against humanity in the print or audiovisual media, or in any other manner accessible to many people. About 30 persons were deemed to meet the requirement of "many people". Disparagement of religious teaching, incitement to or condoning of punishable acts, libel, slander or insults could also constitute hate speech.
6. It followed that hate speech, including by politicians, was punishable under Austrian law. For instance, in 2008 the top candidate of a political party in municipal elections had made statements during a public campaign speech and in an interview suggesting that the Prophet Muhammad had been, by today's standards, a child abuser, that he had written the Koran during epileptic seizures, and that Islam should be deported to its land of origin on the other side of the Mediterranean. In 2009 the person concerned had been convicted of hate speech and disparagement of religious teachings. In 2009 a lecturer at the educational

institute of a political party represented in Parliament had made Islamophobic comments during her lectures and had been convicted in 2011 of disparagement of religious teachings. In 2012 investigations concerning hate speech under section 283, paragraph 2, of the Criminal Code had been launched against the top candidate of a party in municipal elections in connection with the display of posters with the slogan *Heimatliebe statt Marokkaner-Diebe* (Love of the homeland instead of Moroccan thieves).

7. In 2009 three young people had been prosecuted for disrupting a Holocaust memorial ceremony. They had been required to attend courses concerning the crimes of the National Socialists, because it had been concluded that imprisonment was not an adequate means of rehabilitation for young people. In fact, it could mark the beginning rather than the end of a criminal career.

8. **Ms. Ohms** (Austria) said that the posters with the slogan regarding Moroccans had immediately been removed in response to a strong adverse reaction on the part of civil society and other politicians. A gross caricature on the Internet during the past 10 days had also been removed in response to protests from the media and civil society.

9. **Mr. Ruscher** (Austria) said that the Ministry of the Interior had launched the project *Welle gegen Gewalt* (Wave against Violence) several years previously in coordination with the Austrian Federal Football League. It had proved so successful that in 2010 it had been expanded to include ice hockey. The aim was to promote respectful conduct by fans and to prevent violence, especially racially motivated violence, before, during and after sports events. Specially trained police officers accompanied fans and maintained contact with sports clubs and federations and with the relevant authorities, particularly the Federal Office for the Protection of the Constitution and the Control of Terrorism. Legislation had also been enacted to ensure that repeat offenders were prevented from causing trouble at major sports events.

10. A Viennese police officer had established an association called *Fair und Sensibel – Polizei und Afrikanerinnen* (Fair and Sensitive – Police and African Women), which worked against mutual prejudice and ran intensive programmes to promote respect for human rights. It held discussion evenings, organized cultural events and was represented at major sports events.

11. There was a special unit of the Vienna Police Department run by a high-level officer whose sole task was to ensure that police officers who patrolled the streets of the capital complied with human rights principles. Non-governmental organizations (NGOs) could file complaints with the unit, and police officers were also encouraged to submit queries regarding permissible conduct.

12. He confirmed that the Court of Asylum had a major backlog of cases. However, the number of pending cases had declined from 29,896 at the end of 2006 to 13,633 at the end of 2011. While he was confident that the downward trend would continue, he emphasized that quality was more important than quantity when it came to adopting such sensitive decisions.

13. Long delays certainly occurred in cases of family reunification. However, the quotas had been increased and the applicable legal criteria had been heavily amended. Moreover, no quota was applied in the case of an Austrian citizen or a European Union national who wished to transfer a family member who was a citizen of a third country. If the person applying for reunification was a third-country national, the applicability of the quota would depend on his or her residential status. In cases where the quota was applicable, the maximum delay was two years. If, in exceptional cases, no quota place became available during the following year, the quota requirement was dropped.

14. Each of the nine provinces had an Office for the Protection of the Constitution and the Control of Terrorism. Representatives of the Office were required to be present at major events to prevent any racist or neo-Nazi activities. Any such activities were reported to the Public Prosecution Service and relevant statistics were forwarded every three months to the Federal Office for the Protection of the Constitution and the Control of Terrorism, which produced a report each year. Members of the public were also entitled to file a complaint with the Public Prosecution Service. As the courts were not required to report the outcome of such complaints, any statistical data would be merely indicative.

15. If Austrian parents or a family in which one parent had Austrian citizenship adopted a non-Austrian child, they were required to apply for citizenship for the child. However, it was quite a speedy procedure and just two conditions needed to be met: at least one parent should be an Austrian citizen and the family's principal residence should be in Austria. There were plans to adopt a new version of the Citizenship Act in autumn 2012 which would make the procedures for the acquisition of citizenship in such cases even simpler.

16. The principles of freedom of assembly and freedom of association were enshrined in the Constitution. However, some associations which had been found guilty of illegal activities had been dissolved under the Associations Act. There were no statistics concerning the grounds for dissolution.

17. With regard to racism in the police force, a major change in basic police training had been introduced several years previously. A 56-hour module now dealt exclusively with human rights, and the human rights dimension was also highlighted in other course modules, especially those concerning practical police operations. For instance, the use of violence should be kept to a minimum in all circumstances. The basic training course was followed by further compulsory and voluntary training programmes. A key objective since 2008 had been to convince the police force that it constituted the largest human rights organization in Austria. Representatives of civil society had been invited to support the process, which was piloted by a core team of experts. All police officers were required, every two to three years, to attend a three-day further training course, focusing, *inter alia*, on human rights. Police misconduct was regularly assessed to establish whether the fault lay with the system or with the police officer concerned, and training adjustments were made in light of the outcome. The officer could file an appeal against any disciplinary measures with an administrative court. With regard to the Committee's comment to the effect that disciplinary sanctions tended to be unduly lenient, he said that three of the police officers who had been involved in the case of the Gambian citizen Bakary J. had been dismissed.

18. Police officers were required to have Austrian citizenship. He agreed that it would be desirable to recruit officers with a migrant background, but interviewers were not permitted to question candidates about such matters, and no relevant statistics were therefore available. Voluntary information was, of course, welcome, also concerning linguistic skills.

19. **Ms. Köck** (Austria) said that Austrian prisons accommodated both remand and convicted prisoners. Prison staff, who were subject to the authority of the Ministry of Justice, attended training courses run by the Prison Staff Academy. Programmes dealing with human rights and the treatment of foreign prisoners with different cultures and mentalities had been standard components of the courses for many years. The Academy held seminars to provide advice and information on criteria for the respectful treatment of foreign prisoners. The aim was to ensure that prison staff were aware of socially sensitive situations when dealing with ethnic groups.

20. Prison personnel with a migrant background contributed to awareness-raising efforts among their colleagues and detainees. Individuals of different ethnicities were encouraged

to apply for positions within the prison system. However, their numbers remained low — only 5 out of the 350 people hired in the previous three years — partly because prison personnel had to be Austrian citizens. Moreover, there were no official statistics on the background of staff as that information was divulged on a purely voluntary basis.

21. **Mr. Rüdissler** (Austria) said that the prison population stood at 8,850 detainees, of whom 4,121 did not have Austrian citizenship. One reason for the high proportion of foreigners was that they were more frequently placed in pretrial detention due to the risk of flight, which was assessed on the basis of their employment status and whether they had a permanent address in Austria. However, a study conducted in 2008 had found that citizenship was not a factor in convictions, indicating that there was no practice of racial discrimination by judges. Nevertheless, the Federal Ministry of Justice continued to improve staff development programmes for judges and public prosecutors and the training of future decision makers on issues such as fundamental rights, equal treatment, domestic violence, victim protection, racism, discrimination and the challenges of dealing with persons from different cultures. Under a decree of 23 January 2009, public prosecutors were obliged to report to the Federal Ministry of Justice any cases where race might appear to be a factor in sentencing. Given the low number of reported cases, a working group had been established to raise awareness of reporting obligations and promote more efficient reporting practices.

22. **Ms. Fehringner** (Austria) said that the provision of the Employment of Foreigners Act stipulating that foreign employees were to be laid off before Austrian employees had been rescinded. Relevant statistics were unavailable because the amendment was recent and the previous provision had not been enforced. Furthermore, the Public Employment Service had implemented several special measures for migrants, such as training and mentoring. The terms “nationality” and “race” were not used in the Equal Treatment Act because they were considered as encompassed in the concept of ethnicity. The fact that a business’s operating licence could be revoked on the grounds of serious misconduct was perhaps not well known, but the Act otherwise made broad provision for victim redress. For example, claimants had recently been awarded more than 1,000 euros in compensation for being denied entry to restaurants or bars on account of their race. The Act also stipulated higher compensation for multiple discrimination. The Ombud for Equal Treatment was responsible for reporting to the Government on the implementation of the Act every two years. For historical reasons, the provincial offices of the Ombud only handled cases of gender discrimination; however, individuals could also turn to the Chamber of Labour, trade unions and the Litigation Association against Discrimination for information and even free legal representation. The Government worked closely with civil society, which took part in drafting new legislation; it was aware that the law was only a stepping stone and that more had to be done to change mindsets.

23. **Mr. Ruhs** (Austria) said that the Government had implemented general and targeted measures, in keeping with the Organization for Economic Cooperation and Development Review on Evaluation and Assessment Frameworks for Improving School Outcomes and the European Commission’s green paper on migration and mobility, to address the needs of students with a migrant background. Measures directed at the education system as a whole included introducing educational standards, extending school hours and making kindergarten compulsory. Targeted measures included German as a Second Language classes, for which 48 million euros had been allocated and 440 teaching positions opened, and mother-tongue instruction in 24 languages, including Romani.

24. Only 1.57 per cent of students were placed in specialized facilities, a drop of nearly 30 per cent since integrated education had been introduced in 1995. Poor proficiency in German could not be grounds for placement in specialized schools and decisions to enrol students in such schools were made by trained experts, including bilingual teachers.

Pursuant to the action plan for special education needs, projects aimed at further limiting reliance on specialized schools were being piloted in various regions. A strategy had been formulated to implement the Convention on the Rights of Persons with Disabilities, containing focus areas defined by some 200 Government and civil society experts.

25. As to the education of Roma children, the province of Burgenland had a higher success rate, owing to longer school hours, a tutoring system set up by local Roma associations, the inclusion of Roma experts on school boards and specially trained district school inspectors. As a result, there were no Roma children enrolled in specialized facilities and the number of them who needed special support in mainstream schools had fallen markedly. The University of Graz had produced a dictionary of the Romani language and hoped to make other didactic materials available shortly.

26. The Federal Ministry of Education, Arts and Culture subsidized a variety of cultural events to foster self-esteem, mutual understanding and integration rather than assimilation. One project funded lectures to schoolchildren by 20 survivors of atrocities committed during the National Socialist era, including three Roma. Visits were regularly organized to various memorials and the site of the Mauthausen concentration camp, and students could take part in the March of Remembrance and Hope. The International Day for the Elimination of Racial Discrimination was observed in Austrian schools and an international conference on the Roma and Sinti genocide would be held in Eisenstadt in November 2012, in collaboration with the Council of Europe and the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research. The ratification of the Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organization had been held back because a two-thirds majority was needed to approve any new legislation related to universal education.

27. **Ms. Paschinger** (Austria) said that, after careful consideration of the recommendations resulting from the universal periodic review (UPR), the Government had accepted 131 out of the 161 recommendations. Of the 18 that concerned racism, 5 had been rejected, 4 of which related to a national action plan against racism. Of the 21 concerning discrimination, 4 had been rejected, 2 of which related to same-sex partnerships and adoption. The Government had rejected the nine recommendations calling for it to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Lead ministries had been identified for each cluster of recommendations, and the ministries had invited NGOs to engage in dialogue on specific issues. A steering committee had been set up comprising high-level experts from the Foreign Ministry and the Federal Chancellery and leading representatives of civil society organizations. It was closely monitoring the implementation process and had already made several improvements, including increasing the level of involvement of the *Länder*. The outcome of a public consultation on the status of implementation a year after the adoption of the report had been incorporated into future integration plans and a midterm review would be conducted in 2013.

28. Given the intersectoral and multifaceted nature of racism, racial discrimination and xenophobia, her Government had a strong interest in multilateral cooperation on those issues, especially within the United Nations. Austria had participated actively in the Working Group of Experts on People of African Descent and had taken the Committee's general recommendation No. 34 on racial discrimination against people of African descent into account when preparing its broad-based African image campaign, which had been launched in all major cities in 2011, the International Year for People of African Descent. The campaign had been initiated and organized by the African Network Platform, with funding from the Austrian Development Agency and the Vienna Institute for International Dialogue and Cooperation. There had also been many African cultural events, and projects had included discussions on stereotypes and research into the situation of black people in

Austria, which would be published and submitted to the federal parliament. An information platform on Africa had been set up and would continue to function, as would the “Ke Nako Afrika” (Africa Now) website ([www.kenako.at](http://www.kenako.at)). Together with other European Union member States, Austria was actively involved in discussions on the United Nations Decade for People of African Descent and continued to consider the merits of that initiative. While fully supporting the overall framework, they had yet to be convinced about the practical consequences such a Decade would have and they had significant concerns over the proposed scope and nature of the initiative as set out in the draft Programme of Action. Nonetheless, her Government remained committed to the initiative and would continue to engage constructively in the negotiations in the Human Rights Council and the United Nations General Assembly.

29. **Ms. Ohms** (Austria) said that the Government had used the same methodology with the UPR recommendations as it did with all the concluding observations from the human rights treaty bodies. The ministries responsible for implementing the recommendations met several times a year to report on progress made and obstacles encountered. To date, civil society organizations had submitted only a few projects they wished to launch within the framework of the implementation of the UPR recommendations. The Government hoped there would be more frank discussion with NGOs to find out which specific projects would improve the situation of target groups.

30. **Mr. Kut** asked whether there were any examples of cases in which a *Land* had failed to implement the Convention, resulting in the federal authorities taking over what should be a provincial responsibility. If so, it would be useful to know how that situation was monitored. In particular, he would welcome the delegation’s comments on reports that municipal councils in Vorarlberg and Kärnten had continued to apply the requirement that applicants for municipal housing should have a degree of fluency in German, regardless of court rulings that it went against the State party’s obligations. While knowledge of a country’s official language was an important requirement for integration, the Committee had seen many cases in which integration policies had been used for the purposes of exclusion, which was clearly unacceptable.

31. He commended the society of the State party for its lack of apathy when faced with intolerable situations and violations of human rights. However, the Committee had received reports of several cases in which the implementation of the Anti-Discrimination Act and the punishment of hate speech appeared not to have had the desired effect. For example, Mr. Gerhard Kurzmann had apparently been cleared of incitement after he had created a computer game entitled “Bye-bye, Mosque”, in which players had to shoot at minarets, as part of his election campaign.

32. He would welcome details of the conclusions reached in the biennial reports on policy implementation. In particular, it would be useful to be given examples of policies that had been found to be ineffective and had since been revised.

33. **Mr. Lindgren Alves** said it was interesting to hear that the authorities monitored all public meetings to ensure that neo-Nazi groups did not manifest themselves. He asked when that policy had been introduced and whether it was proving effective. If so, the Committee might use it as an example for other European States during its forthcoming thematic discussion on racist hate speech.

34. **Ms. Ohms** (Austria) said that the constitutional provision that competence would pass to the federal authorities if a *Land* did not fulfil its obligations under the Convention provided a strong political incentive to the *Länder* and had a powerful preventive effect. While she had not been aware of the municipal housing issues in Vorarlberg and Kärnten, there was a range of low-level legal remedies that could be sought by individuals in such cases, including bringing them before the Ombudsman Board.

35. The assertiveness of Austrian society was partly the result of the work of the media, which were self-regulating under the Press Council. The Code of Ethics was effectively applied under that system. A recent Press Council decision concerning the use of the word “nigger” had been reproduced in the publication that had first used the word in its reporting, thus informing the very readers of the original article of the ruling. The Code of Ethics applied to all media, including online media.

36. Replying to the question concerning indicators on the integration of persons with a migrant background, she said that the indicators included the level of education attained by persons aged between 25 and 64; employment rate; net annual income; and risk of poverty. The sub-indicators included language skills; percentage of secondary school students, university students and university graduates; quality of housing; expectation of reaching old age; and use of medical services, including services related to prevention rather than cure. Detailed information on all those indicators had enabled the Government to evaluate the steps it had taken thus far and to develop targeted policies for the future. Significant progress had already been made on integrating people with a migrant background into the labour market in order to ensure they were not cut off from the rest of society.

37. **Mr. Rüdisser** (Austria), replying to the question on Gerhard Kurzmann’s use of his computer game in his election campaign, said that the case had been widely debated and much of the public, as well as the Ministry of Justice and many prosecutors, had questioned the legality of such discriminatory propaganda in an election campaign. The court had examined the game closely and had decided that, since the click of a button made the minaret disappear, as opposed to more overt destruction, while it came close to hate speech, it did not constitute that crime. Many people agreed with that decision, but the independence of the judiciary was paramount.

38. **Mr. Ruscher** (Austria) said that in 2011 there had been 436 cases reported to the police of offences contrary to the Prohibition Act, 84 of incitement to hatred, 368 of offences involving right-wing extremists, 26 of offences contrary to the Insignia Act and 49 of offences contrary to the Introductory Act to the Administrative Procedure Acts of 2008. Out of a total of 963 cases of offences contrary to anti-discrimination legislation, 900 concerned prosecutable acts. The clear-up rate, or percentage of criminals caught by the police, was about 18 per cent. Law enforcement authorities monitored not only groups of the extreme right but also the extreme left. There had been 138 complaints of offences involving left-wing extremists. Of the 54 suspects (some charged with several offences), 39 were men and 15 women. Surveillance of extremist gatherings was one of the core tasks of the provincial security authorities and not only the Federal Office for the Protection of the Constitution and the Control of Terrorism. Thus every police officer in Austria was required to report any such suspect activities.

39. **Mr. de Gouttes** said that courts in European countries such as Austria were apt to cite article 14 of the European Convention on Human Rights rather than the International Convention on the Elimination of All Forms of Racial Discrimination in cases of violations of rights involving discrimination, which was understandable given that the European Convention was directly applicable in domestic law. Furthermore, there were many aspects of the provision that overlapped with the International Convention. Nevertheless, there was a need to further promote, disseminate and raise awareness about the International Convention, including among the courts. While commending the amendments to the Criminal Code relating to incitement of hatred, in particular no longer making the possible threat to public safety an element of the offence, he remained concerned that incitement to hatred must be discernible by a wide section of the public. The wording left the courts too much scope to determine the meaning of that term and might hinder the prosecution of such offences, particularly relating to hate speech. He urged the Government to review the provision to bring it fully into line with article 4 of the Convention. Lastly, he noted with



great interest the Code of Ethics of the Austrian press mentioned in the report, particularly in the light of the significant role played by the media in shaping public views, and would appreciate further details of it in the State party's next report.

40. **Mr. Murillo Martínez** asked for clarification of the criteria used to define a wide section of the public in the cases just referred to by Mr. de Gouttes. It was unclear whether the Ombud for Equal Treatment was competent to resolve cases of discrimination based on ethnic or religious background. He wished to know whether civil society organizations could lodge complaints under the Equal Treatment Act. He asked whether there were any plans to conduct a survey to assess the level of public awareness of principles of non-discrimination. Further information was needed on any plans to change the status of the national human rights institution. He highlighted paragraph 62 of the report concerning the participation of minority ethnic groups in public office and would appreciate more details of the ways in which the State party had implemented the Committee's general recommendations, particularly general recommendation No. 34 on racial discrimination against people of African descent.

41. **Mr. Kemal**, drawing particular attention to article 2, paragraph 2, of the Convention, said that special measures were a useful means for a State party to raise the social and economic status of segments of its population who for various historical and other reasons had been disadvantaged. Affirmative action, as such measures were known in some countries, promoted equality. He would like to know whether any lessons might be drawn from the country's imperial history and the past special measures taken by the State. More active recruitment of minorities in sensitive areas such as law enforcement and in public office would help the State party in its efforts to promote a more harmonious, just and tolerant society.

42. **Ms. Ohms** (Austria) said that the Constitutional Court had based its relevant decisions on the International Convention, as Austria had not yet ratified Protocol No. 12 to the European Convention on Human Rights. By doing so, the Court had extended the principle of proportionality and protection against arbitrariness to aliens. She could provide the Committee with the latest decisions of the Court. There were many people with a migrant background serving in public administrations. However, they were not seen as foreigners or minority members. There were also many people with a migrant background working in the health sector. As the mandate of the Austrian Ombudsman Board had been expanded in accordance with the Paris Principles, she trusted that it would be accredited with "A" status when it came up for review by the Sub-Committee on Accreditation.

43. **Mr. Rüdissner** (Austria) said that more people were protected against hate crimes under the new regulations covering hate speech. The regulations would continue to be assessed in future and amended if necessary. For the time being, the Government considered that hate crimes must be perceived as such by a wide section of the public, which under the law constituted about 150 persons. As the term was used elsewhere in the Criminal Code, it should be very clear to the courts what was meant by it and there was very little room for interpretation. The number of persons needed for an offence to exist under section 3 (h) of the Prohibition Act was set at 30. For historical reasons, the threshold was set lower for offences involving the glorification of National Socialism in an effort to ensure that such offences were suppressed.

44. **Ms. Fehringer** (Austria) said that the Ombud for Equal Treatment was competent to deal with discrimination on the basis of gender, ethnicity, sexual orientation, religion or belief and age. There were three regional Ombuds, who were competent for gender but not ethnicity. To date, their competence had not been expanded to cover ethnicity because of budgetary constraints. She agreed that affirmative action was a valuable tool. The police and the Public Employment Service were eager to hire more people with a migrant background as their language skills were important. She would not take the Austrian

Empire as a role model, since not everything had been glorious in the imperial era, but would rather hold South Africa up as an example of a country with very good affirmative action programmes. While special measures were a new concept in Austria, she was optimistic that progress would be made in that respect. The Government had broadened the scope of the Equal Treatment Act and introduced more dissuasive penalties, including increased fines and provision for multiple discrimination.

45. **Mr. Lahiri** (Country Rapporteur) said that the Committee commended the State party on the timeliness and thoroughness of its report. The report highlighted a number of steps taken to improve the situation and took into account past recommendations and comments of the Committee. While Austria fell within the norm for European countries in matters of discrimination, there were still some concerns and recommendations that the Committee would be putting forward. They related, inter alia, to the State party's contention that it was not in a position to provide disaggregated data, which was essential for the Committee's work. The State party must step up its efforts to raise awareness about the principles of non-discrimination and redress the unequal treatment still experienced by persons with different ethnic backgrounds. He also urged the State party to intensify efforts to tackle the situation of minorities, immigrants, refugees, asylum seekers and Jews and Muslims. Lastly, he welcomed the information concerning the Ombudsman Board and expressed his appreciation of the fruitful exchange of views with the delegation.

46. **Ms. Ohms** (Austria) said her delegation, too, had found the discussion very productive and had learned much from it. Austria was eager to explore new ideas and stood ready to change things when necessary. Although change, including new legislation, often required time and patience, the Government would make every effort to forge ahead to improve the situation in the country for minorities and to do its best for the population in general.

*The meeting rose at 1 p.m.*