



**Economic and Social
Council**

Distr.
GENERAL

E/C.12/2005/SR.37
16 November 2005

Original: ENGLISH

COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Thirty-fifth session

SUMMARY RECORD OF THE 37th MEETING

Held at the Palais Wilson, Geneva,
on Thursday, 10 November 2005, at 3 p.m.

Chairperson: Ms. BONOAN-DANDAN

CONTENTS

CONSIDERATION OF REPORTS

- (a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE
WITH ARTICLES 16 AND 17 OF THE COVENANT (continued)

Third periodic report of Austria (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.05-44754 (E) 151105 161105

The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (continued)

Third periodic report of Austria (continued) (E/1994/104/Add.28; E/C.12/Q/AUT/1; HRI/CORE/1/Add.8)

1. At the invitation of the Chairperson, Mr. Dossi, Mr. Hrabcik and Mr. Tichy (Austria) took places at the Committee table.

Articles 10-12 of the Covenant (continued)

2. The CHAIRPERSON invited the delegation of Austria to respond to the Committee's follow-up questions.

3. Mr. HRABCIK (Austria) said that in 2003, 2.2 per cent of births in Austria had been to mothers under the age of 18 years. Health insurance paid for all diagnoses and treatment during pregnancy. Centres had been established to provide confidential family planning advice to young girls. Social care and support was provided at the community level for young pregnant women and mothers.

4. On preventing drug abuse, he said that the Drug Advisory Board, which comprised representatives of the Ministries of Internal Affairs, Justice and Health, regional administrations and non-governmental organizations (NGOs), was formulating a national drugs prevention programme. A drugs coordinator was responsible for advising regional ministries and coordinating all public and civil society institutions involved with the issue. Strategic programmes to combat drug abuse had been established at the national level, and operational programmes were being carried out at the regional level.

5. Mr. DOSSI (Austria) said that NGOs were particularly active in family and children's issues. Several legislative changes, including the adoption of a federal law on protection against family violence, had come about as a result of intensive NGO lobbying. Rehabilitation for victims of domestic violence and their active integration into the labour market had improved considerably as a result of NGO campaigns. The Government consulted extensively with civil society organizations in drafting all new legislation.

6. Victims of forced evictions were not left homeless. Under legislation on tenancy rights, courts were obliged to inform municipalities of all cases in which there was a possibility of eviction. Municipal authorities must contact potential victims and ensure that provisions were made to house them.

Articles 13-15 of the Covenant

7. Mr. RIEDEL asked what measures had been taken to increase university enrolment, which appeared to have decreased considerably since the introduction of tuition fees. He wished to know how vulnerable sectors of society were ensured equal access to higher education, and what steps were being taken to ensure that tuition fees did not result in discrimination.
8. Mr. MARCHAN ROMERO asked what the Government's position was on genetically modified organisms and what measures were being taken to guarantee food safety. He wished to know whether Austria had supported the United Nations Educational, Social and Cultural Organization Declaration on Bioethics and Human Rights.
9. Mr. MALINVERNI asked whether university tuition fees had been introduced owing to a lack of university funding, or whether they were intended to eliminate the problem of students prolonging their studies. He wished to know whether the legislation on university tuition fees was provisional or definitive. Although grants were available for the poorest sectors of society, he wondered whether financial assistance was provided to students from the middle class, who were not eligible for grants, and whose parents could not afford to pay their university fees. He asked what percentage of university lecturers were women, and whether any positive discrimination measures were being taken to ensure that women were equally represented in employment in higher education institutions.
10. Mr. KERDOUN said that it appeared that financial assistance for students in higher education was restricted to the poorest sectors of society and did not contribute to the gradual introduction of free university education for all, and was therefore not in line with article 13 of the Covenant. He was concerned that there was no legislation in existence to ensure that women had equal access to employment in higher education institutions. He wished to know how that issue was being addressed, and asked whether any universities had implemented measures for the advancement of women.
11. Mr. KOLOSOV asked whether the Bologna system had been introduced into the university system, and if so, what the consequences had been on the quality of education. He asked why magazines for Slovene and Croatian minorities focused on religious issues.
12. Mr. RZEPLINSKI asked whether legislation guaranteed the autonomy of higher education institutions. He wondered to what extent the Austrian authorities helped persons from lower class groups to attend high quality universities. He wished to know what action had been taken to guarantee equal access for all to higher education.
13. Ms. BARAHONA RIERA asked what action was being taken to combat racism through education and to prevent outbreaks of intolerance.
14. Mr. DOSSI (Austria) said that Austria was one of the strictest countries in Europe in respect of the use of genetically modified organisms and was actively involved in the international discussion on genetic modification. Regarding magazines for linguistic minorities, he said that weekly newspapers were published in Croatian and Slovene in addition to religious magazines.

15. Mr. TICHY (Austria) confirmed that the introduction of tuition fees was intended to be a definitive solution. Ensuring equality of access to university did not necessarily mean that it must be free of charge. The motivation for the introduction of tuition fees had not been purely monetary: the aim had been to improve the effectiveness of higher education studies in Austria. Because it had been easy to become a student in Austria, there had been considerable temptation for students to abuse the system in order to take advantage of the benefits and discounts to which student status entitled them. Thus, although the number of students had decreased by 17.8 per cent when tuition fees had been introduced, the proportion of students who completed their studies had increased, to approximately 78 per cent, indicating that the introduction of tuition fees had been successful in forcing some students to study more efficiently and to complete their studies on time. Although in 2001/2002 there had been a slight drop in the number of students going to university for the first time, that figure had subsequently risen to above the level of first-time enrolments before the introduction of tuition fees. Full statistics would be made available to the Committee in written form.

16. University tuition fees were prevented from posing a financial impediment to study by an extensive system of State study grants and subsidies. Study grants and subsidies were comparatively generous, and, as they were grants, not loans, did not have to be repaid. Twenty-two per cent of all students in Austria received study grants. Higher rates of tuition fees applied to foreign students. However, students from the countries of the European Union paid the same fees as Austrian students, while reduced fees applied to students from the countries of Eastern Europe.

17. Fifty-three per cent of students, but 60 per cent of grant recipients, were female. However, the representation of women in senior academic positions was poor. The first step in rectifying that problem was to ensure that there were enough qualified candidates for such posts. To that end, Austria had begun a programme of financial assistance to women who were in the last years of study before achieving the qualification they needed in order to be eligible for a professorship. It was hoped that the programme would lead to a significant increase in the number of women professors within the following few years.

18. Austria was working towards the fulfilment of its commitments under the Bologna Declaration; the process of reform would, however, take time. Excellence was not rewarded with greater autonomy, as the legal situation in Austria was that all universities must enjoy the same degree of autonomy. The Federal Ministry for Education, Science and Culture did a great deal to promote tolerance, as was detailed in the report; for example, Holocaust survivors made school visits to talk about their experiences.

19. The CHAIRPERSON said that, given that the term “culture” applied to almost every aspect of daily life, article 15 of the Covenant was deceptively broad in scope. In that context, she asked the delegation to elaborate in general terms on the philosophy that drove Austria’s cultural, educational and scientific policies. More specifically, she wished to know the philosophy behind Austria’s strict policy on genetically modified organisms.

20. Mr. DOSSI (Austria) said that Austria’s policy on genetically modified organisms was based on a precautionary approach while their long-term consequences for the environment and people’s health remained unknown. Consequently, the Government had enacted strict

regulations on the use of genetically modified organisms, primarily because it wished to ensure that traditional agriculture was not affected. He agreed with the Chairperson that the term “culture”, and therefore article 15, could be interpreted quite broadly. Austria had chosen to emphasize cultural activities in the narrower sense in its replies on article 15 because it considered itself to be a nation with a rich cultural past and a strong cultural present. However, he noted that much of the information that Austria had provided with respect to the other articles of the Covenant could also be viewed as contributing to the picture of its fulfilment of article 15.

21. The CHAIRPERSON announced that the Committee had thereby concluded its discussions with the delegation, and expressed appreciation to the members of the delegation for their thorough and thoughtful answers to the Committee’s questions.

22. Mr. DOSSI said that his delegation had enjoyed the dialogue with the Committee and would take home a number of recommendations and ideas, which his Government would seek to take into account. He looked forward to the Committee’s concluding observations.

The meeting rose at 4.15 p.m.