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Universal periodic review

## Report of the Working Group on the Universal Periodic Review\*

### Austria

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\* The annex is being circulated without formal editing, in the language of submission only.



## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its thirty-seventh session from 18 January to 8 February 2021. The review of Austria was held at the 9th meeting, on 22 January 2021. The delegation of Austria was headed by the Federal Minister for the European Union and Constitutional Affairs, H.E. Ms. Karoline Edtstadler. At its 14th meeting, held on 26 January 2021, the Working Group adopted the report on Austria.
2. On 12 January 2021, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Austria: Bahamas, Eritrea and Republic of Korea.
3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Austria:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a);<sup>1</sup>
  - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b);<sup>2</sup>
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c).<sup>3</sup>
4. A list of questions prepared in advance by Belgium, Canada, Germany, Panama, Poland, Slovenia, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to Austria through the troika. These questions are available on the website of the universal periodic review.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The delegation of Austria welcomed the opportunity to participate in the universal periodic review and thanked all delegations for their engagement. Austria was aware that guaranteeing human rights was an ongoing task and stated that that was a core concern at every level of the Government. It was proud of its long-standing record of engagement with the United Nations human rights system and with regional organizations, including the Council of Europe, the Organization for Security and Cooperation in Europe and the European Union. Austria had acceded to all major international human rights treaties and had extended a standing invitation to all special procedure mandate holders.
6. The year 2020 was a challenging time owing to the coronavirus disease (COVID-19) pandemic, which created much more than a health crisis. It produced an economic, humanitarian and social crisis. Austria focused its response on protecting the health of all residents while tempering the devastating social and economic impact of the pandemic. All measures were being implemented in full conformity with the country's international human rights obligations. The decision-making process followed normal legislative procedures and any restriction on fundamental rights was limited in time and evaluated on an ongoing basis to ensure its proportionality and non-discriminatory nature.
7. The pandemic had made existing inequalities more visible and Austria was providing enhanced assistance to persons in vulnerable situations, including through financial support to families with children, single parents and low-income households. The country's economic stimulus package was among the highest in Europe and included direct payments to substitute revenue loss, tax breaks and other measures to encourage job creation.

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<sup>1</sup> A/HRC/WG.6/37/AUT/1.

<sup>2</sup> A/HRC/WG.6/37/AUT/2.

<sup>3</sup> A/HRC/WG.6/37/AUT/3.

8. The Government responded to the increased risk of gender-based violence during the pandemic through both prevention and protection measures. The new violence protection act, in force since January 2020, has expanded protections for victims of domestic violence and strengthened measures to prevent femicide. Austria also significantly increased the funds available to support women at risk of violence and was offering victim-oriented work with perpetrators, focusing on how their behaviour affects victims.

9. Austria was prioritizing the fight against online hate speech. The new federal act to combat hate online extended the scope of the criminal offences of cyberbullying and incitement to hate speech and explicitly criminalized upskirting. It also facilitated access to legal resources by victims and entitled them to free psychological and legal assistance in criminal proceedings. In addition, the new communication platforms law had placed more responsibility on social media providers to monitor and erase hateful content.

10. Austria was fully committed to fighting racism, xenophobia, antisemitism and related intolerance. The Government's programme envisaged the development of a national action plan against racism and discrimination, and of a comprehensive strategy to prevent and combat antisemitism, racism, xenophobia, radicalization and violent extremism. Initial consultations had already taken place.

11. Anti-Semitic incidents were on the rise. Austria had a historical responsibility to protect Jewish life and had put in place a comprehensive national strategy against antisemitism with the participation of relevant stakeholders, including the Jewish community. The national strategy was based on six pillars and represented a milestone in the efforts to better protect the Jewish community. In addition, the new Jewish cultural heritage law had tripled the long-term financial investment for the promotion of Jewish life and culture.

12. In the aftermath of the terrorist attack of 2 November 2020, the Government had announced additional measures targeting the root causes of radicalization and violent extremism. The fight against extremism was a comprehensive effort involving a wide range of local, regional and federal actors, guided by the respect for constitutionally enshrined human rights. Austria was proud of its tradition of tolerance and inclusion and the actions to prevent and combat radical and extremist ideologies were not directed against any religion, but against those who misused and perverted religion to spread violence and hatred.

13. Austria had established strong institutions to protect and promote human rights. These included the Austrian Ombudsman Board, which functioned as the country's national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and as the national preventive mechanism against torture, in line with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The three members of the Austrian Ombudsman Board exercised their function in full independence and maintained a permanent dialogue with civil society. The Board envisaged applying for "A Status" under the Paris Principles in due time.

## **B. Interactive dialogue and responses by the State under review**

14. During the interactive dialogue, 116 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

15. Viet Nam welcomed the commitment of Austria towards human rights, including combating racism and discrimination.

16. Zambia commended Austria for having ratified almost all the United Nations core human rights instruments.

17. Afghanistan remained concerned about the "controlled transfer of migrants" without sufficient safeguards and the rise of hatred against minorities and migrants.

18. Albania welcomed the intention of Austria to adopt a national human rights action plan.

19. Algeria welcomed measures adopted by Austria to implement the recommendations received in previous universal periodic review cycles.
20. Angola valued the importance given by Austria to the active participation of women and young people in public life.
21. Argentina welcomed the efforts made by Austria to combat hate speech and cyberbullying.
22. Armenia welcomed the focus of Austrian development cooperation on peace, human security and the protection of vulnerable groups.
23. Australia commended Austria for promoting gender equality and reducing violence against women.
24. Azerbaijan expressed concern about rising racial or religious hatred against Muslims, Jews, minorities and migrants.
25. The Bahamas commended Austria for implementing the Protection against Violence Act to protect victims of sexual violence.
26. Bahrain expressed concern about reports of excessive use of force by the police and rising religious intolerance and Islamophobia.
27. Bangladesh welcomed the efforts made by Austria to improve its human rights situation.
28. Barbados commended Austria for its commitment to fight poverty and maintain peace and security.
29. Belarus was concerned about various areas of the human rights situation in Austria.
30. Belgium welcomed the progress made by Austria since its second universal periodic review.
31. Bhutan welcomed the commitment of Austria to increase its budget for development cooperation to 0.7 per cent of its GNP.
32. Bosnia and Herzegovina welcomed the ratification by Austria of the Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29) of the International Labour Organization.
33. Botswana commended Austria for its cooperation with international human rights protection mechanisms.
34. Brazil encouraged Austria to consider broadening its legislation on discrimination and offering independent and adequate assistance to asylum seekers.
35. Bulgaria commended Austria for its progress since its second universal periodic review.
36. Burkina Faso welcomed the commitment of Austria to human rights, but expressed concern about persisting human rights challenges in the country.
37. Cambodia welcomed the engagement of Austria in the universal periodic review process.
38. Canada hoped that Austria would continue with the efforts made since its last universal periodic review.
39. Chile highlighted the measures adopted by Austria to confront radicalization, hate speech and racism.
40. China noted the progress made by Austria, but was concerned about the human rights situation in several areas, including minority's rights and gender violence.
41. Costa Rica highlighted the measures adopted by Austria to combat racism and hate speech.
42. Croatia welcomed the adoption by Austria of a national strategy against antisemitism and for the promotion of Jewish life.

43. Cuba welcomed the delegation of Austria and made recommendations.
44. Cyprus commended Austria for the withdrawal of its reservations to two international conventions.
45. Czechia acknowledged the measures adopted by Austria to combat discrimination and improve detention conditions.
46. The Democratic People's Republic of Korea made recommendations.
47. Denmark applauded the commitment of Austria to address gender violence and discrimination.
48. Ecuador welcomed the adoption of the Protection against Violence Act and of the fifth national action plan on combating human trafficking.
49. Egypt expressed concern about the situation in prisons and the increase in activities of extremist groups.
50. El Salvador praised the efforts of Austria concerning refugees and asylum seekers, including legal assistance for children and adolescents.
51. Ethiopia congratulated Austria for its measures in favour of gender parity, women with disabilities and human trafficking victims.
52. Fiji congratulated Austria for its commitment to the United Nations human rights machinery.
53. Finland made recommendations.
54. France invited Austria to continue its efforts to improve human rights.
55. Gabon welcomed the measures adopted by Austria in favour of women, children, persons with disabilities and minorities.
56. Georgia welcomed the commitment of Austria to increase its budget for development cooperation.
57. Germany remained concerned about the increase in domestic violence, in particular during the recent lockdown.
58. Ghana commended Austria for amending the Juvenile Court Act and the Criminal Procedure Code.
59. Greece appreciated the efforts taken by Austria towards investigating and prosecuting hate speech and hate crime.
60. Haiti welcomed the efforts made by Austria to combat radicalization and the amendment to the law on social security.
61. Honduras congratulated Austria on the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
62. Iceland congratulated Austria for its work to advance human rights.
63. India made recommendations.
64. Indonesia commended Austria for the promotion of intercultural and interreligious dialogue and for its efforts to implement the 2030 Agenda for Sustainable Development.
65. The Islamic Republic of Iran was concerned about the lack of harmonization of antidiscrimination legislation in Austria.
66. Iraq commended Austria for its efforts to establish a national investigation and complaint body for cases of police misconduct.
67. Ireland was concerned that federal and state-level antidiscrimination legislation remained fragmented.
68. Israel commended Austria for its efforts to fight violence against women and combat acts of racism.

69. Italy praised the adoption by Austria of the 2019 Protection against Violence Act.
70. Japan appreciated the measures taken by Austria to prevent domestic violence in the context of the COVID-19 pandemic.
71. Jordan made recommendations.
72. Kazakhstan welcomed the adoption of the Protection against Violence Act to enhance the protection of survivors of sexual violence.
73. Lebanon commended Austria for its measures to combat racism, discrimination and hate.
74. Libya commended Austria for its progress in promoting and protecting human rights.
75. Liechtenstein welcomed the efforts of Austria to implement the recommendations from its last review.
76. Lithuania acknowledged the progress made by Austria in closing the gender gap in the labour market.
77. Luxembourg appreciated the efforts made by Austria in the fight against antisemitism and terrorism.
78. Malaysia urged Austria to curb discrimination faced by women and girls with disabilities.
79. Maldives welcomed the efforts made by Austria to improve the representation of women in positions of leadership.
80. In response to questions regarding police violence, the delegation reported that in Austria, the obligation to report such allegations to the public prosecutor's office already existed and that police actions were monitored by the Austrian Ombudsman Board. However, Austria recognized the need for a more effective system and reported that an independent body to investigate complaints about police misconduct would be operational in 2022. The training provided to law enforcement agents was constantly improved to ensure better compliance with human rights standards.
81. Through the adoption of the Ethnic Groups Act, Austria had recognized six national minorities and had taken concrete measures to improve their situation. It had doubled the annual funds allocation for national minorities, bringing it close to 8 million euros. It had also envisaged increasing the visibility of national minorities in public television broadcasting and expanding federal funding for national minorities in the area of media.
82. Among European States, Austria hosted one of the highest number of refugees and migrants in relation to its size. It did not plan to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as the Convention did not sufficiently distinguish between migrants who had entered the country legally and those who had not. For the same reason, Austria also decided not to adopt the Global Compact for Safe, Orderly and Regular Migration.
83. Austria remained firmly committed to its international obligations under the Convention Relating to the Status of Refugees and the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights) and had put in place measures to ensure the independence and confidentiality of legal counselling services for asylum seekers. It respected the principle of non-refoulement and did not send people back to countries where their lives and physical integrity were in danger.
84. Malta congratulated Austria on the progress achieved since its last review.
85. The Marshall Islands congratulated Austria for withdrawing its reservations to the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child.
86. Mexico welcomed the efforts made by Austria to eradicate racial profiling and hate speech.

87. Mongolia welcomed the efforts made by Austria to combat hate speech and hate crimes on the Internet.
88. Montenegro was concerned about the high level of femicide in the country.
89. Morocco welcomed the country's cooperation with all international and regional human rights protection mechanisms.
90. Mozambique hailed the commitment of Austria to increase its national budget for development cooperation.
91. Myanmar commended Austria for incorporating human rights education and awareness-raising on discrimination in the education sector.
92. Namibia noted the adoption by Austria of measures aimed at combating racism and hate crimes.
93. Nepal praised the initiatives taken by Austria to improve the representation of women in leadership positions.
94. The Netherlands commended Austria for lifting the ban on same-sex marriage and adopting marriage equality legislation.
95. Nicaragua made recommendations.
96. Nigeria commended Austria for its efforts to combat human trafficking and protect the rights of migrants.
97. North Macedonia commended Austria for its adoption of a human rights-based approach in the implementation of its development cooperation.
98. Norway welcomed the measures taken by Austria to support child victims of trafficking in persons.
99. Pakistan was concerned about an increase in incidents of racial and religious hatred against Muslims, Roma and migrants.
100. Peru hoped that Austria would continue improving the human rights situation during the new universal periodic review cycle.
101. The Philippines welcomed the steps taken by Austria to address racism, xenophobia and discrimination.
102. Poland commended Austria for its efforts to enhance the national strategy to address violence against children.
103. Portugal commended Austria for its efforts to combat gender-based violence and discrimination against women.
104. Qatar welcomed the measures taken by Austria to ensure access of persons with disabilities to quality education and employment.
105. The Republic of Korea appreciated the efforts of Austria to combat hate crimes and hate speech online.
106. The Republic of Moldova welcomed the progress made by Austria regarding women's representation in leadership positions.
107. Romania praised the efforts of the Austrian presidency of the Human Rights Council during the COVID-19 pandemic in 2020.
108. The Russian Federation noted the progress made by Austria in ensuring equal rights for all in the labour market.
109. Rwanda welcomed the increase by Austria of the funding to combat gender-based violence and its progress in ensuring women's participation in politics.
110. Senegal commended Austria for its implementation of the programme for development cooperation.

111. Serbia praised the efforts of Austria to combat hate speech and racism in the media and in political discourse.
112. Sierra Leone commended Austria for its expansion of support to victims of human trafficking.
113. Slovakia valued the human rights-based approach adopted by Austria in addressing the consequences of the COVID-19 pandemic.
114. Slovenia welcomed the recent increase in financial support for national minorities, but was concerned that the rights of the Slovenian minority had not been fully implemented.
115. Somalia noted the commitment of Austria to ratify almost all of the United Nations human rights instruments.
116. Spain commended Austria for its progress in implementing previous universal periodic review recommendations, particularly on gender identity and same-sex marriage.
117. Sri Lanka highlighted the cooperation of Austria with human rights protection mechanisms.
118. The State of Palestine welcomed the efforts made by Austria to combat hate crimes and racial and xenophobic acts.
119. Sudan commended Austria for its cooperation with human rights mechanisms.
120. Sweden welcomed the abolition of discrimination between same-sex and heterosexual couples in marriage law.
121. Switzerland welcomed the constructive engagement of Austria within multilateral forums, particularly the Human Rights Council.
122. Thailand encouraged Austria to develop a national plan on business and human rights.
123. Timor-Leste commended Austria for its measures aimed at preventing poverty among older persons.
124. Togo welcomed the progress made by Austria on combating discrimination against women in education.
125. Trinidad and Tobago commended Austria for its efforts to raise awareness on racism and discrimination.
126. Tunisia appreciated the cooperation of Austria with international and regional human rights mechanisms.
127. Turkey was concerned about Islamophobia and rising xenophobic public discourse.
128. Turkmenistan welcomed the commitment of Austria to increase its budget for public development cooperation to 0.7 per cent of its GNP.
129. Uganda urged Austria to complete the establishment of a national human rights action plan.
130. Ukraine commended Austria for its efforts to harmonize national legislation with its international commitments.
131. The United Kingdom commended Austria for its positive action on media freedom and its efforts to eliminate discrimination based on sexual orientation. It encouraged the country to take further steps to combat racial bias in law enforcement.
132. The United States of America highlighted that Austria was a global leader in promoting human rights through its diplomacy and aid programmes.
133. Uruguay congratulated Austria on its measures to combat discrimination and hate speech.
134. The Bolivarian Republic of Venezuela was concerned by the increase of human rights violations in Austria.

135. In its concluding intervention, Austria stressed that the Federal Constitution prohibited discrimination on any ground and that such prohibition was judicially enforceable. In addition, the legal framework on equal treatment was constantly re-evaluated and the equal treatment provisions of its federal law were combined in a uniform legislation to avoid fragmentation.

136. The Government had implemented various measures to promote gender equality, including by substantially increasing the annual budget of the Division for Women and Equality in the Federal Chancellery. The delegation acknowledged that the gender pay gap was still too high and noted that the Government was fully committed to achieving equal pay for equal work. The delegation also noted the rise in the political representation of women in parliaments at the national and regional levels.

137. Austria supported coherent implementation of the Guiding Principles on Business and Human Rights, the International Labour Organization Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, and the Guidelines for Multinational Enterprises of the Organisation for Economic Co-operation and Development. It stressed that all companies operating in or from Austria were expected to follow those guidelines. Additional measures were foreseen to strengthen corporate responsibility for human rights, in line with the Guidelines of the Organisation for Economic Co-operation and Development.

138. To conclude, Austria thanked all delegations for their inputs and recommendations. It acknowledged that the review was only a step in the universal periodic review process and stressed that it would focus on the follow-up to the various accepted recommendations. In that regard, it reaffirmed its full commitment to strengthening cooperation with civil society to make further progress in the human rights situation in the country.

## II. Conclusions and/or recommendations

139. **The recommendations formulated during the interactive dialogue/listed below have been examined by Austria and enjoy the support of Austria:**

139.1 **Take effective measures to increase its official development assistance to achieve the internationally agreed target of 0.7 per cent of its gross domestic product, in order to realize economic, social and cultural rights (Bangladesh);**

139.2 **Consider taking additional steps to increase its official development assistance contribution to reach 0.7 per cent of gross national income (Cambodia);**

139.3 **Respect the commitment to devote 0.7 per cent of gross national income to official development assistance (Luxembourg);**

139.4 **Include in its official development assistance emergency aid packages specifically targeted to address the social and economic impacts of COVID-19 (Bhutan);**

139.5 **Continue efforts to substantially increase the official development assistance funding for gender equality programmes (Malta);**

139.6 **Ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (France);**

139.7 **Continue to improve human rights protection and work closely with its partners (Bosnia and Herzegovina);**

139.8 **Reform the Austrian Ombudsman to meet the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (Canada);**

139.9 **Bring the national human rights institution into compliance with the Paris Principles and maintain its complete independence (Egypt);**

139.10 **Ensure that the Austrian Ombudsman Board fully complies with the Paris Principles (Albania);**

- 139.11 Continue steps leading to the full compliance of the Austrian Ombudsman Board with the Paris Principles (Georgia);
- 139.12 Ensure that the Austrian Ombudsman Board is independent and in full accordance with the Paris Principles (India);
- 139.13 Improve the functioning of the Austrian Ombudsman with a view to ensuring its independence and compliance with the Paris Principles (Algeria);
- 139.14 Ensure that the appointment process of the members of the Austrian Ombudsman Board is in full accordance with the Paris Principles (Iraq);
- 139.15 Ensure that the Austrian Ombudsman Board fully complies with the Paris Principles and has sufficient human and financial resources to perform its role independently (Kazakhstan);
- 139.16 Take necessary steps to ensure full compliance of the Austrian Ombudsman Board with the Paris Principles, including reforming the process of appointing members to ensure selection is merit-based (Australia);
- 139.17 Establish a national human rights institution in conformity with the Paris Principles (Senegal);
- 139.18 Continue measures to strengthen the national human rights institutions (Nepal);
- 139.19 Ensure a comprehensive mandate of the Austrian Ombudsman Board, particularly with regard to children's rights (Republic of Moldova);
- 139.20 Establish an independent national human rights institution (Somalia);
- 139.21 Take all appropriate measures to promote tolerance, intercultural dialogue and respect for diversity in the society (Turkmenistan);
- 139.22 Strengthen efforts to combat antisemitism and promote religious tolerance by continuing its work in education and policing (United States of America);
- 139.23 Take further measures to promote tolerance and respect for cultural diversity in order to eradicate existing prejudices and stereotypes against migrants and foreigners (Bahrain);
- 139.24 Continue to promote measures in combating racism, discrimination, xenophobia and intolerance (Barbados);
- 139.25 Take urgent and long-term measures to prevent the resurgence of far-right-wing and other groups inspired by extremist national socialist ideologies and neo-Nazism (Belarus);
- 139.26 Combat all forms of discrimination and protect minorities (Bosnia and Herzegovina);
- 139.27 Intensify further efforts to address extremist and discriminatory attitudes and behaviours through preventive and repressive measures (Cambodia);
- 139.28 Continue to address the problem of antisemitism as referenced to in the national report (Israel);
- 139.29 Implement a comprehensive strategy to fight discriminatory stereotypes regarding the roles and responsibilities of women and men within the family (Angola);
- 139.30 Take specific measures to increase the visibility of racial minority communities (Angola);
- 139.31 Strengthen its ongoing work and take effective measures to combat discrimination, intolerance, racism and xenophobia (Nicaragua);

- 139.32 **Scale up efforts in combating racism, racial discrimination and hate crimes (Nigeria);**
- 139.33 **Adopt a national action plan against racism (Azerbaijan);**
- 139.34 **Strengthen its efforts to combat acts or advocacy of racial or religious hatred, including to consider adopting a national plan of action against racism (Thailand);**
- 139.35 **Prioritize developing a strategy against racism, xenophobia, radicalization and violent extremism, taking into account the views of civil society and underpinned by necessary legislation and budgetary resources (United Kingdom of Great Britain and Northern Ireland);**
- 139.36 **Work towards establishing and adopting a national strategy aimed at combating all forms of racism and xenophobia (Bahrain);**
- 139.37 **Strengthen its efforts to combat acts or advocacy of racial or religious hatred, including by bringing those responsible to justice and adopting a national action plan against racism and resurgence of neo-Nazism (Democratic People's Republic of Korea);**
- 139.38 **Develop a national action plan to combat acts of racial or religious hatred and its advocacy, in particular against minorities, migrants, asylum seekers and refugees (Ecuador);**
- 139.39 **Develop a national plan to combat racism, xenophobia and discrimination (Argentina);**
- 139.40 **Combat all forms of racial discrimination and develop a national plan of action against racism (Egypt);**
- 139.41 **Strengthen measures to combat racism, hate crime and hate speech, including by adopting a national plan of action against racism (Namibia);**
- 139.42 **Strengthen its efforts to combat acts or advocacy of racial or religious hatred, by adopting a national action plan against racism (Sierra Leone);**
- 139.43 **Strengthen Austria's efforts for a national action plan against all racism (Somalia);**
- 139.44 **Strengthen its efforts to effectively combat advocacy of racial or religious hatred, including by bringing those responsible to justice (Azerbaijan);**
- 139.45 **Strengthen the fight against the commission or incitement of acts of racial or religious hatred (Togo);**
- 139.46 **Continue efforts made in the framework of combating discrimination and hate speech against foreigners, minorities and immigrants (Tunisia);**
- 139.47 **Devote additional resources to prosecute hate crimes and prevent discrimination, including against Muslims, Roma, refugees and migrants, and persons of African origin (United States of America);**
- 139.48 **Step up measures to combat discrimination, xenophobia and hate crimes against Muslims and other minorities, including migrants (Bangladesh);**
- 139.49 **Intensify efforts to combat hate speech and racial discrimination (Belarus);**
- 139.50 **Promptly investigate, prosecute and sanction all forms of racism and hate crimes in accordance with the law, including by ensuring that the prosecution and the police have adequate tools and skills (Zambia);**
- 139.51 **Step up efforts to combat the commission of or incitement to commit acts of racial or religious hatred (Burkina Faso);**
- 139.52 **Prosecute all cases of hate crimes and attacks against refugees and asylum seekers, while strengthening efforts to combat racial or religious hatred,**

including through ensuring justice and adoption of a national action plan (Afghanistan);

139.53 Investigate and ensure accountability for all hate crimes based on religion, including those committed through the Internet (Egypt);

139.54 Consider enacting comprehensive legislation that provides full and effective protection against elimination of hate speech (Ghana);

139.55 Strengthen efforts to combat hate speech, especially against minorities and migrants (Iraq);

139.56 Adopt steps to combat acts or advocacy of racial and religious hatred, including by bringing those responsible to justice and envisaging the adoption of a national action plan against racism (Jordan);

139.57 Continue efforts and continue taking measures to combat all forms of hate speech and racism (Libya);

139.58 Systematically investigate all forms of racism and hate crimes, and prosecute and punish those responsible, according to the law (Luxembourg);

139.59 Strengthen its systematic approach to prevent and combat hate speech and hate crimes, by following up on the recommendations of the European Commission against Racism and Intolerance (Norway);

139.60 Take concrete steps to address the issue of hate speech against Muslims, especially by political figures (Pakistan);

139.61 Take concrete measures to combat incidents of ethnic or racially motivated violence and hatred, including against migrants and refugees (Portugal);

139.62 Continue in its endeavour of combating acts or advocacy of racial or religious hatred, including by bringing those responsible to justice and envisaging the adoption of a national action plan against racism (Romania);

139.63 Strengthen efforts to tackle racism, xenophobia, and anti-Semitic and anti-Islamic incidents, including through the disaggregation of hate crimes data (Australia);

139.64 Continue efforts to develop and strengthen the necessary legislative frameworks that address cross-sectoral environmental challenges, including climate change adaptation and mitigation frameworks, and ensure that women, children, persons with disabilities, and indigenous and local communities are meaningfully engaged in its implementation (Fiji);

139.65 Establish an independent mechanism to investigate cases of ill-treatment and excessive use of force by law enforcement officials (Bahamas);

139.66 End excessive use of force, torture and ill-treatment by law enforcement agents (Bolivarian Republic of Venezuela);

139.67 Take further action against the use of force by the police (Bahrain);

139.68 Improve law enforcement practice to investigate cases of torture, ill-treatment and other police misconduct (Belarus);

139.69 Establish an independent and effective mechanism to address allegations of misconduct and excessive use of force by law enforcement officers (Canada);

139.70 Swiftly move forward with plans for the establishment of a strong independent police complaints authority (Denmark);

139.71 Take measures to address allegations of excessive use of force and ill-treatment by police through the establishment of an independent and effective investigation and complaints mechanism (Ghana);

- 139.72 **Establish an independent and effective investigation mechanism to address allegations of torture, ill-treatment and other forms of abuse by police forces and others (Islamic Republic of Iran);**
- 139.73 **Continue its efforts on the national investigation and complaints body for cases of alleged police misconduct, and to integrate human rights and anti-discrimination norms into police training courses (Australia);**
- 139.74 **Continue working on the programme to establish a national body to investigate and examine complaints related to unlawful acts of the police (Russian Federation);**
- 139.75 **Keep up its efforts to prevent racial profiling by the police and continue to provide all law enforcement personnel with racial sensitivity training (Greece);**
- 139.76 **Make efforts to prohibit racial profiling by the police and continue to provide racism awareness training to all law enforcement officials (Angola);**
- 139.77 **Enhance sensitization and training programmes for law enforcement officials on human rights education, particularly on racial sensitivity (Pakistan);**
- 139.78 **Continue combating terrorism and violent extremism (Lebanon);**
- 139.79 **Cease torture and inhuman or degrading treatment in places of detention and ensure that those allegations are investigated impartially and perpetrators are prosecuted and convicted (Democratic People's Republic of Korea);**
- 139.80 **Take measures aimed at reducing the number of detainees and ensure that prisons are provided with adequate financial resources to fulfil their aim of rehabilitation and social reintegration (Zambia);**
- 139.81 **Take additional measures to address the problem of overcrowding in places of detention and ensure the social reintegration of convicts (Belarus);**
- 139.82 **Strengthen efforts in preventing prison overcrowding, especially in this time of pandemic (Indonesia);**
- 139.83 **Reform preventive detention measures for offenders with mental illness by developing review mechanisms consistent with international practice, based on defined psychiatric assessment standards (Ireland);**
- 139.84 **Ensure an adequate staffing situation within the penitentiary system (Norway);**
- 139.85 **Further ensure that all detainees, both legally and in practice, receive all basic legal protection from the outset of their deprivation of liberty (Serbia);**
- 139.86 **Continue efforts to improve access to justice for victims of discrimination, including discrimination based on hate speech and on ethnic, racial or religious grounds (Cuba);**
- 139.87 **Hold accountable those who commit, aid or abet racial discrimination and profiling (Pakistan);**
- 139.88 **Protect those who face persecution because of their religious beliefs (Nicaragua);**
- 139.89 **Pursue efforts to combat hate speech and violence on the Internet while respecting freedom of expression (Czechia);**
- 139.90 **Fully guarantee the independence and pluralism of the media (France);**
- 139.91 **Operationalize domestically the insights arising from its October conference on "Human Trafficking in Times of Corona" (United Kingdom of Great Britain and Northern Ireland);**

- 139.92 Investigate reports and identify child victims of sexual exploitation and trafficking, and ensure that perpetrators are brought to justice (Botswana);
- 139.93 Take further measures to strengthen economic and social inclusion of victims of trafficking through the provision of vocational training, language courses and job placement (Cambodia);
- 139.94 Ensure the thorough investigation of human trafficking cases and the prosecution of perpetrators (Cyprus);
- 139.95 Put in place every measure to combat human trafficking and ensure the implementation of effective victim protection (France);
- 139.96 Ensure that cases of human trafficking continue to be investigated, that perpetrators are brought to justice and that the victims are adequately compensated (Greece);
- 139.97 Strengthen efforts to thoroughly investigate all cases of human trafficking and ensure victim access to justice and remedies (Liechtenstein);
- 139.98 Enhance ongoing measures to combat trafficking in persons and the exploitation of children, and ensure that perpetrators are brought to justice (Myanmar);
- 139.99 Adopt further measures to combat human trafficking, and protect the rights of victims, as well as the rights of migrants (Nigeria);
- 139.100 Take further measures to harmonize protection standards for victims of child trafficking throughout the country (Republic of Moldova);
- 139.101 Continue efforts to strengthen legislative measures to combat human trafficking and to reinforce monitoring mechanisms in this field (Tunisia);
- 139.102 Take further measures to harmonize protection standards for victims of child trafficking throughout its territory, and refine its data collection to cover all forms of trafficking and sexual exploitation of children (Sri Lanka);
- 139.103 Redouble its efforts to facilitate access of persons with disabilities to the labour market by ensuring effective implementation of the Employment of People with Disabilities Act (Thailand);
- 139.104 Provide appropriate job opportunities for persons with disabilities (Islamic Republic of Iran);
- 139.105 Strengthen measures to increase job opportunities for women in full-time employment sectors (Myanmar);
- 139.106 Better enforce human rights compliance by private economic actors with a view to reducing the gender pay gap and to diversifying career options for all (Viet Nam);
- 139.107 Take appropriate measures to eliminate discrimination against women in the labour market and to reduce the gender pay gap (Uganda);
- 139.108 Implement campaigns and measures to reduce the pay gap between men and women (Belgium);
- 139.109 Further promote measures that ensure the economic and social empowerment of women, mainly through reducing the gender pay gap (Ethiopia);
- 139.110 Further strengthen measures to promote equality between women and men, in particular regarding equal pay and the participation of women on the boards and in the chief executive offices of companies (France);
- 139.111 Further pursue its efforts to narrow the gender pay gap and to ensure equal opportunities for women in the labour market (Greece);
- 139.112 Reduce the wage gap between women and men in employment (Iraq);

- 139.113 **Implement concrete measures to reduce the gender pay gap (Lithuania);**
- 139.114 **Promote the principle of equal pay for work of equal value and minimize the gender pay gap (Maldives);**
- 139.115 **Redouble efforts to address the gender pay gap (Mozambique);**
- 139.116 **Continue efforts to narrow down and eventually eliminate the gender pay gap for equal work with men (Myanmar);**
- 139.117 **Enhance efforts to reduce the high wage gap by enforcing the principle of gender equality (Slovenia);**
- 139.118 **Eliminate the gender pay gap (Somalia);**
- 139.119 **Continue efforts to implement the national development programme to combat poverty, preserve peace and protect the environment (Libya);**
- 139.120 **Make progress towards an economic and social recovery, with a human rights approach to face the effects of the COVID-19 pandemic, taking into account the special needs of vulnerable groups in society (Chile);**
- 139.121 **Implement a national strategy for the prevention and reduction of poverty, which gives priority to the most vulnerable sectors and incorporates the response to the socioeconomic impact of COVID-19 in the short, medium and long term (Cuba);**
- 139.122 **Examine the COVID-19-related long-term consequences for the state of human rights protection in Austria with a special focus on the situation of women and children affected by domestic violence (Germany);**
- 139.123 **Take further measures to reduce poverty among older persons, particularly older women and older migrants (Malaysia);**
- 139.124 **Continue to increase the availability and accessibility of child and adolescent mental health services and programmes (Timor-Leste);**
- 139.125 **Continue to increase the availability and accessibility of child and adolescent mental health services and programmes (Portugal);**
- 139.126 **Guarantee access to sexual and reproductive rights and particularly to abortion (France);**
- 139.127 **Strengthen measures to address obesity in children and to promote a healthy lifestyle, as recommended by the Committee on the Rights of the Child (Sri Lanka);**
- 139.128 **Strengthen the legislative framework to expressly prohibit any practice that modifies a person's sexual characteristics without well-founded medical reasons or without the full consent of that person (Uruguay);**
- 139.129 **Ensure free and timely access to appropriate health care for all, including LGBTI+ persons, children and adolescents, where the young person has sufficient maturity to provide informed consent (Iceland);**
- 139.130 **End harmful practices, including forced and coercive medical interventions, to ensure the bodily integrity of children with intersex variations (Iceland);**
- 139.131 **Prohibit any practice that modifies a person's sex characteristics without irrefutable medical reasons and the full and informed consent of the person affected (Malta);**
- 139.132 **Ensure that the human rights of intersex persons are respected, by developing a medical care protocol ensuring their participation in decision-making on medical interventions that affect them (Argentina);**

- 139.133 Strengthen access for all children to free, equitable and quality primary and secondary education, regardless of their socioeconomic status (Sri Lanka);
- 139.134 Strengthen efforts to access quality education for all children, regardless of their socioeconomic status (Maldives);
- 139.135 Increase awareness of cultural diversity, non-discrimination and tolerance in the education system (Turkey);
- 139.136 Intensify efforts to promote equal opportunities for access to education for Roma children at all levels (Ghana);
- 139.137 Continue efforts to promote equal access to education for children from ethnic minorities, such as Roma (Peru);
- 139.138 Provide equal opportunities and access to education for Roma minorities at all levels (Islamic Republic of Iran);
- 139.139 Strengthen access for all children, including Roma children, to equitable, quality and free primary and secondary education (Senegal);
- 139.140 Ensure equal opportunities in the area of education and leisure activities for children and youth, including of non-Austrian background, as well as ensure full implementation of the Constitution provision on indigenous minorities, including through systemic support of bilingual schools (Czechia);
- 139.141 Ensure that children with migration or minority backgrounds have unhindered and equal access to education (Bangladesh);
- 139.142 Take all necessary measures to ensure that children of immigrant origin have unrestricted and equal access to education (Nicaragua);
- 139.143 Take concrete steps to promote inclusive education for children with disabilities in the mainstream school system (Bahamas);
- 139.144 Enhance its ongoing efforts on human rights education campaigns, especially those on the rights of women, children, the elderly and minorities (Turkmenistan);
- 139.145 Continue to promote human rights education, awareness-raising and promoting dialogue and tolerance (Bosnia and Herzegovina);
- 139.146 Strengthen training efforts in human rights (Luxembourg);
- 139.147 Continue its efforts at the international level towards promotion of human rights through education projects (Mongolia);
- 139.148 Strengthen policies to promote gender equality, increase women's participation in the political sphere, and eliminate the wage gap (Ecuador);
- 139.149 Expand representation of women in political decision-making positions, especially at the level of states and municipalities (Lithuania);
- 139.150 Strengthen the efforts to increase the participation of women in political decision-making positions (Romania);
- 139.151 Adopt a comprehensive strategy to eliminate discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and in society (Bahamas);
- 139.152 Adopt a comprehensive strategy to eliminate discriminatory stereotypes of women and their portrayal as sexual objects, and ensure that children are educated about responsible sexual behaviour (Marshall Islands);
- 139.153 Strengthen its efforts to eliminate discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and in society (Timor-Leste);

- 139.154 **Work to combat discrimination against women and improve access for persons with disabilities in the workplace (United States of America);**
- 139.155 **Pursue policies to strengthen the promotion and protection of the rights of women, notably those who are minorities, immigrants and refugees (Barbados);**
- 139.156 **Counter all forms of discrimination against women and girls with disabilities (Jordan);**
- 139.157 **Adopt a common official statistical framework, coordinated at the federal level, to record more accurately the crime of femicide and other crimes of violence against women (Spain);**
- 139.158 **Adopt a new national action plan to prevent gender-based violence against women that includes improved data collection on gender-based violence and femicide (Sweden);**
- 139.159 **Establish a new national action plan to address violence against women and ensure that it is supported with adequate resources (Canada);**
- 139.160 **Implement and update the national action plan on combating violence against women (Israel);**
- 139.161 **Adopt comprehensive measures aimed at preventing, combating and punishing all forms of gender-based violence against women (Togo);**
- 139.162 **Adopt comprehensive measures to prevent, combat and punish all forms of gender-based violence against women (Lithuania);**
- 139.163 **Adopt necessary measures to ensure that victims of violence and sexual abuse have full access to adequate shelters and counselling centres (Belgium);**
- 139.164 **Create a new national action plan on protection against violence for women, which also considers women with disabilities, women with precarious residence permits, asylum seekers and women with mental illness (Netherlands);**
- 139.165 **Redouble efforts to eliminate all kinds of violence and discrimination against women and girls, regardless of their migratory status (Brazil);**
- 139.166 **Take further concrete steps to increase accessibility to shelters and support services for the victims of sexual and domestic violence (Croatia);**
- 139.167 **Ensure that survivors of sexual and domestic violence have unrestricted access to shelters and provide adequate financial and human resources to survivors' support services, including for effective victim protection (Iceland);**
- 139.168 **Take necessary legislative and administrative measures to protect children and women from domestic violence (Islamic Republic of Iran);**
- 139.169 **Continue its efforts to eliminate all forms of sexual and gender-based violence, including by adopting comprehensive measures to prevent, combat and punish all forms of gender-based violence against women as well as by reinforcing the protection and assistance provided to victims of such violence, and to provide justice to survivors (Liechtenstein);**
- 139.170 **Adopt comprehensive measures to prevent, combat and punish all forms of violence against women, strengthen the protection and assistance offered to victims of such violence, and prosecute all crimes aimed at women and girls, including refugees and asylum-seeking women and girls (Luxembourg);**
- 139.171 **Ensure survivors of sexual and domestic violence have unrestricted access to shelters and provide adequate resources to survivors' support services (Malta);**

- 139.172 Strengthen measures to address unreported cases of femicide and domestic violence against women, and hate crimes against migrants, refugees and asylum-seeking women and girls (Myanmar);
- 139.173 Undertake further policy, legal and financial measures to combat all forms of violence against women, including femicide and cases of domestic violence (North Macedonia);
- 139.174 Continue the implementation of policies in the fields of prevention, protection and prosecution in relation to domestic violence and extend it to all forms of gender-based violence (Romania);
- 139.175 Continue its work aimed at preventing violence against women, including within family settings (Russian Federation);
- 139.176 Intensify efforts to protect all children and provide them with better access to childhood services (Barbados);
- 139.177 Continue to pay special attention to combating poverty and social exclusion of children in Austria (Viet Nam);
- 139.178 Guarantee the same standards of protection and well-being to all children in its territory, regardless of their nationality (Uruguay);
- 139.179 Develop a comprehensive strategy and an implementation plan to protect children from violence (Zambia);
- 139.180 Maintain efforts to further promote gender equality, combat violence against children, and eliminate poverty and social exclusion of children in Austria (Morocco);
- 139.181 Ensure, in accordance with the best interests of the child, adequate monitoring and protection of the situation of asylum-seeking children, in particular their effective tracing and the safeguarding of their educational rights (Spain);
- 139.182 Continue to advocate against corporal punishment by making all parts of the population aware of the legal abolition of such practices (Liechtenstein);
- 139.183 Take further steps to promote equal opportunities for the Roma community in education and employment (India);
- 139.184 Conduct awareness-raising campaigns aimed at the media, public officials and the general public, to combat the stigmatization and prejudice of which children with disabilities may be victims (Belgium);
- 139.185 Develop the national action plan on disability 2021–2030 in a participatory way and formulate a coherent strategy for the deinstitutionalization with a clear time frame and a mechanism for its effective implementation and monitoring (Bulgaria);
- 139.186 Redouble its liaison with stakeholders representing persons with disabilities, particularly in the adoption of the national action plan on disability (Ethiopia);
- 139.187 Continue to implement the national action plan on disabilities 2012–2021 through consultations with persons with disabilities and the organizations that represent them (Israel);
- 139.188 Adopt promptly the national action plan on the protection of persons with disabilities 2022–2030, which adequately favours their effective social integration (Spain);
- 139.189 Take further measures to promote the rights of persons with disabilities, as outlined in the extended national action plan on disability (Japan);
- 139.190 Continue the implementation of the national plan on persons with disabilities (Lebanon);

- 139.191 Undertake actions ensuring the fulfilment of the national action plan on disability, including more thorough consultations with organizations representing persons with disabilities (Poland);
- 139.192 Involve the civil society organizations working in the area of the rights of persons with disabilities in the current process of the implementation of the national action plan on disability for 2022–2030 (Qatar);
- 139.193 Continue efforts to support persons with disabilities, by ensuring their accessibility to the labour market and social welfare benefits (Cyprus);
- 139.194 Consider a twin-track approach to disability inclusion in international cooperation, with special consideration for women and children with disabilities (Indonesia);
- 139.195 Ensure that an effective legal remedy and independent legal counsel for asylum seekers be guaranteed under the new procedures introduced with the establishment of the federal agency for provision of care and support (Sweden);
- 139.196 Refrain from polarizing populist campaigns against migrant communities and take a firm public stance against racist speeches (Turkey);
- 139.197 Make an effort to improve the protection of the rights of migrants and asylum seekers (Uganda);
- 139.198 Further increase efforts aimed at the protection of asylum seekers and migrants (Ukraine);
- 139.199 Ensure the immediate assignment of a legal guardian to all unaccompanied minors who arrive in the country, without delays or preconditions (Uruguay);
- 139.200 Prosecute all hate crimes and assaults against migrants (Burkina Faso);
- 139.201 Ensure that obligations under the International Covenant on Economic, Social and Cultural Rights are fully met with regard to migrants and refugees, in particular, the rights to liberty and personal freedoms and the rights of unaccompanied refugee minors (Canada);
- 139.202 Stop the implementation of policies and measures that violate the rights of migrants and effectively protect their rights (China);
- 139.203 Strengthen policies and programmes targeting asylum seekers or migrants, with measures that guarantee systematic and free legal assistance (Costa Rica);
- 139.204 Reinforce the capacity of the federal office for immigration to process refugee claims of asylum seekers, ensuring that the principle of non-refoulement is observed at all times (Afghanistan);
- 139.205 Continue applying measures to protect asylum seekers by facilitating the asylum application process and the relocation of asylum seekers to Austria (Cyprus);
- 139.206 Implement concrete actions based on respect for all human rights of asylum seekers and refugees, particularly boys, girls and adolescents, and the full observance of due process (El Salvador);
- 139.207 Strengthen efforts to ensure that every asylum-seeking child benefits from child protection safeguards, and that the United Nations Children's Fund-recommended minimum standards for the protection of children in refugee accommodation centres are applied (Fiji);
- 139.208 Continue to ensure adequate and independent legal assistance to asylum seekers (India);

139.209 Strengthen the capacity to process refugee applications, provide adequate legal assistance to applicants and guarantee the principle of non-refoulement (Mexico);

139.210 Implement its international obligations and commitments related to migrant and refugee protection through specific policies and programmes (Pakistan);

139.211 Establish a mechanism to ensure independent and competent legal counsel for asylum seekers (Philippines);

139.212 Continue to raise public awareness to eliminate prejudice and stereotypes against migrants and refugees, and take further measures to translate integration efforts into effective practice on the ground (Republic of Korea);

139.213 Pay particular attention to its human rights obligations in the context of the significant influx of migrants to the country from the Middle East and North Africa (Russian Federation).

140. The following recommendations will be examined by Austria, which will provide responses in due time, but no later than the forty-seventh session of the Human Rights Council.

140.1 Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Czechia);

140.2 Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Gabon);

140.3 Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Germany);

140.4 Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Italy);

140.5 Consider ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Tunisia);

140.6 Work towards ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Liechtenstein);

140.7 Speed up efforts to ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Slovakia);

140.8 Adopt an open, merit-based process when selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland);

140.9 Reinvigorate efforts aimed at the finalization and subsequent implementation of the national action plan for human rights (Georgia);

140.10 Develop a national human rights action plan in line with OHCHR guidelines to ensure participation of civil society (Kazakhstan);

140.11 Address the COVID-19 pandemic-related challenges in its national human rights action plan update (Lithuania);

140.12 Adopt the comprehensive national human rights action plan (Mongolia);

140.13 Develop a national human rights action plan with concrete and measurable objectives ensuring meaningful participation of civil society (Norway);

140.14 Develop a plan of action in the area of human rights (Qatar);

140.15 Finalize and adopt a comprehensive national human rights action plan and continue to ensure the effective implementation of existing thematic national

**action plans, including the national action plan on disability and the national action plan on combating violence against women (Republic of Korea);**

**140.16 Strengthen measures to raise public awareness with a special focus on combating hate speech, racism, discrimination, xenophobia and Islamophobia (Algeria);**

**140.17 Adopt national legislation regulating the activity of transnational companies with a human rights-based approach (Costa Rica);**

**140.18 Review current regulations, including the law on senior citizens' residences and the law on hospitalization, to ensure that no person is deprived of his or her liberty against his or her will on account of a disability (Mexico);**

**140.19 Adopt codes of conduct for politicians prohibiting the use of racist speeches, and make necessary arrangements for those to adopt approaches for supporting integration rather than isolation and alienation (Turkey);**

**140.20 Promote specific policies for supporting the family as it is the basic and natural unit of society (Egypt);**

**140.21 Evaluate developing programmes to reduce the gender pay gap and promote the integration of women with disabilities, ethnic minorities and migrants into the labour market (Peru);**

**140.22 Strengthen policies and measures in the field of labour, including by considering ratifying the International Labour Organization Domestic Workers Convention, 2011 (No. 189) (Brazil);**

**140.23 Study, in close consultation with stakeholders, the possibility of a universal basic income (Haiti);**

**140.24 Take all necessary measures to strengthen the promotion and protection of the human rights of older persons, particularly the current situation of extreme vulnerability they face in the context of the COVID-19 pandemic (Argentina);**

**140.25 Continue to respect economic, social and cultural rights, including social protection without discrimination (Slovakia);**

**140.26 Continue strengthening successful policy to increase access to education, health and integration into the labour market for women with disabilities, ethnic minority groups, migrants, refugees and asylum seekers (Somalia);**

**140.27 Strengthen policies and measures in the field of education, including by considering ratifying the Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organization (Brazil);**

**140.28 Ensure financial and other resources for bilingual education of national minorities, in the capital and in relevant regions (Croatia);**

**140.29 Ensure comprehensive bilingual education for the Slovenian national minority from nursery through secondary level (Slovenia);**

**140.30 Amend the legal definition of rape in the criminal code to be based on lack of consent. Additionally, provide support and assistance to victims of rape, including bringing the rate of prosecutions and convictions of rape and sexual violence into conformity with the rise in the reporting of such cases (Marshall Islands);**

**140.31 Increase implementation of non-judicial measures for children accused of criminal offences (Montenegro);**

**140.32 Secure adequate resources for minority media and improve access to public media (Slovenia);**

140.33 Grant asylum seekers effective access to the labour market during their asylum proceedings in order to ensure successful integration (Mozambique);

140.34 Seek to align its legislation and administrative procedures to allow asylum seekers effective access to the labour market during their asylum procedure (Serbia).

141. The recommendations formulated during the interactive dialogue/listed below have been examined by Austria and have been noted by Austria:

141.1 Endorse and implement the Compact for Safe, Orderly and Regular Migration (Indonesia);

141.2 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Sri Lanka);

141.3 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Azerbaijan);

141.4 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Togo);

141.5 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Rwanda);

141.6 Sign and ratify the International Convention for the Protection of the Rights of All Migrant Workers and Members of Their Families (Egypt);

141.7 Sign and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Honduras);

141.8 Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Bangladesh);

141.9 Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Indonesia);

141.10 Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Senegal);

141.11 Consider the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Philippines);

141.12 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Chile);

141.13 Undertake concrete actions towards the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (El Salvador);

141.14 Strengthen the national legislative framework, in particular by ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Algeria);

141.15 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization, and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and sign the Global Compact for Safe, Orderly and Regular Migration (Bolivarian Republic of Venezuela);

141.16 Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Honduras);

- 141.17 **Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Italy);**
- 141.18 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Albania);**
- 141.19 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and accept the competence of the Committee as regards the inquiry procedure and inter-State communications (Finland);**
- 141.20 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (France) (Gabon);**
- 141.21 **Consider ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (El Salvador);**
- 141.22 **Ratify the Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization (Namibia);**
- 141.23 **Accede to the International Convention against the Recruitment, Use, Financing and Training of Mercenaries (Armenia);**
- 141.24 **Ratify Protocol No. 12 to the European Convention on Human Rights, in order to ensure the effective prohibition of discrimination (Spain);**
- 141.25 **Reform its Constitution to incorporate the protection of all human rights, and demonstrate its will to respect them with the approval and application of a national human rights plan (Bolivarian Republic of Venezuela);**
- 141.26 **Continue its efforts to improve its legal and institutional frameworks for protection against discrimination, and to establish a systematic data collection mechanism to record incidents of racism, racial discrimination, xenophobia and related intolerance, in order to ensure that all incidents are investigated and prosecuted, and that the perpetrators are punished (State of Palestine);**
- 141.27 **Strengthen efforts to improve protection against discrimination on all prohibited grounds, particularly by harmonizing national legislation (Sudan);**
- 141.28 **Ensure uniform protection from all forms of discrimination by harmonizing national legislation (Sweden);**
- 141.29 **Consider amending the Equal Treatment Act and other acts addressing discrimination with a view to ensuring substantive and procedural protection against discrimination with regard to all prohibited grounds of discrimination (Bulgaria);**
- 141.30 **Take effective legislative and administrative measures to combat discrimination against Muslims, Roma and other minority groups (China);**
- 141.31 **Continue to harmonize the national legislation against discrimination in order to ensure protection from all forms of discrimination, including on the basis of age, religion and belief, as well as sexual orientation and gender identity (Croatia);**
- 141.32 **Harmonize at all levels anti-discrimination legislation to protect all persons regardless of age, religion or belief, sexual orientation and gender identity (Denmark);**
- 141.33 **Adopt legislative measures to eradicate all forms of discrimination and to prohibit racial and ethnic profiling by the police (Ecuador);**
- 141.34 **Revise and harmonize its anti-discrimination laws and improve its anti-discrimination institutions and their efficiency and approachability to ensure effective protection against all forms of discrimination, including against**

persons with disabilities, and children and young persons in the asylum procedure (Finland);

141.35 Develop transparent nationwide and inclusive anti-discrimination legislation and administrative measures to protect the rights of all communities in Austria, including in particular Muslims, who are being increasingly discriminated against and targeted by Islamophobia (Islamic Republic of Iran);

141.36 Consolidate and strengthen existing anti-discrimination legislation to provide comprehensive equal protection, particularly in access to goods and services, on all prohibited grounds of discrimination (Ireland);

141.37 Continue the ongoing efforts to prevent and fight discrimination on any ground, including by harmonizing and extending the scope of anti-discrimination laws (Italy);

141.38 Continue consolidating the normative framework to effectively combat all forms of discrimination (Montenegro);

141.39 Ensure equal protection from all forms of discrimination, including by harmonizing and strengthening the scope of anti-discrimination laws, in particular with respect to religion and belief and sexual orientation and gender identity (Netherlands);

141.40 Increase efforts to eradicate Islamophobia and anti-Muslim incidents and introduce a comprehensive data collection system offering a view of cases of such incidents, including hate speech and hate crime (Turkey);

141.41 Avoid unequal treatment or discrimination of certain groups on ideological or religious grounds and ensure the constitutionality of laws (Turkey);

141.42 Guarantee the recognition, protection and defence of minorities' rights in the country, and adopt legislation against discrimination on the basis of religion, age, disability, sexual orientation and gender identity (Costa Rica);

141.43 Accept a comprehensive strategy to eliminate all kinds of discrimination on the basis of religion and belief, age, sexual orientation and gender identity (Democratic People's Republic of Korea);

141.44 End the exacerbated increase in racism, hate speech, xenophobia, Islamophobia and racial violence against minorities, refugees and migrants (Bolivarian Republic of Venezuela);

141.45 Work towards guaranteeing access to legal gender recognition for intersex, transgender and non-binary people to all six current existing options of gender markers, without any barriers, based on self-identification (Malta);

141.46 Enact legislation specific to conflict-affected areas and to provide conflict-specific guidance and advice for business enterprises on ensuring respect for human rights to prevent and address the heightened risk of corporate involvement in gross human right violations in conflict-affected areas, including situations of foreign occupation (State of Palestine);

141.47 Adopt a national action plan on business and human rights in accordance with the United Nations Guiding Principles on Business and Human Rights (Switzerland);

141.48 Adopt a national action plan on business and human rights (Luxembourg);

141.49 Develop a national plan on business and human rights, in line with national and international human rights standards in the business sector (Chile);

141.50 Develop and adopt a national action plan for business and human rights (Germany);

- 141.51 Strengthen efforts towards respecting human rights in business activities, including the adoption of a national action plan on business and human rights (Japan);
- 141.52 Continue efforts towards the adoption of a national action plan on business and human rights (Mozambique);
- 141.53 Take measures to release an action plan on business and human rights (Poland);
- 141.54 Create an interministerial working group on men and boys to support national gender equality initiatives, with a view to promoting positive masculinity norms and combating violence against men and boys (Haiti);
- 141.55 Guarantee the freedom of religion or belief for all and ensure the rights of Muslims to practice religion freely, including the wearing of veils (Sudan);
- 141.56 Take necessary steps to protect freedom of religion or belief in Austria, including reform to ensure more equitable treatment of registered religious groups, and, ensuring national security measures, consider and minimize the impact on freedom of religion or belief (Australia);
- 141.57 Adopt programmes to increase the participation of ethnic minorities in public and political life (Jordan);
- 141.58 Increase the representation of ethnic minorities in political and public life, including legislative and executive State bodies (Serbia);
- 141.59 Continue measures to promote gender equality and ensure the representation of ethnic minorities in political and public life (Nepal);
- 141.60 Consider taking measures to promote the participation of women and ethnic minorities in public office and political life (Peru);
- 141.61 Decriminalize defamation under the Criminal Act in accordance with international best practices (Sierra Leone);
- 141.62 Take further steps towards effective access to education and apprenticeship opportunities for asylum seekers, including those who are no longer minors (Philippines);
- 141.63 Increase the minimum age for voluntary recruitment to 18 in line with the recommendation of the Committee on the Rights of the Child (Croatia);
- 141.64 Strengthen the implementation of its programmes for the protection of minorities and undertake necessary legal reforms to address the issue (Malaysia);
- 141.65 Continue modernization of the national minority protection legislative framework in close cooperation with national minorities' representatives, including the provision of adequate financing (Slovenia);
- 141.66 Offer migrant groups more institutional opportunities for political participation, involving them in political processes, especially in the field of integration (Turkey);
- 141.67 Review section 35 (2) of the asylum law, granting the right to family reunification without undue restrictions, in particular to unaccompanied minors (Uruguay);
- 141.68 Reinstate the humanitarian admission programme (Sierra Leone);
- 141.69 Reduce legal and administrative barriers to family reunification and effective access to the labour market for the beneficiaries of international protection (Afghanistan);
- 141.70 Establish an efficient procedure for determining statelessness, and approve residence permits on the basis of statelessness (Mexico).

142. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

### **III. Voluntary pledges and commitments**

143. Austria is committed to following-up the recommendations it has accepted during the third cycle of the universal periodic review. Therefore, it offers the voluntary pledge to submit a mid-term report on the status of implementation of the accepted recommendations in 2023.

## Annex

### Composition of the delegation

The delegation of Austria was headed by the Federal Minister for the European Union and Constitutional Affairs, H.E. Ms. Karoline Edtstadler, and composed of the following members:

Deputy Head of Delegation:

- H.E. Ms. Elisabeth; TICHY-FISSELBERGER, Ambassador and Permanent Representative of Austria to the UN Office, Geneva;
- H.E. Mr. Helmut TICHY; Ambassador, Director General for Legal Affairs, Federal Ministry for European and International Affairs.

Advisors:

- Ms. Stephanie SLADEK; Cabinet of the Federal Minister for Europe and Constitutional Affairs;
- Ms. Jennifer RESCH; Director General for Women and Gender Equality, Federal Chancellery of Austria;
- Mr. Christian PILNACEK; Director General, Federal Ministry for Justice;
- Ms. Meinhild HAUSREITHER; Director General, Federal Ministry for Social Affairs, Health, Care and Consumer Protection;
- Mr. Michael GIRARDI; Deputy Director General for Integration, Religious Affairs and Ethnic Groups Federal Chancellery of Austria;
- Mr. Alexander MIKLAUTZ; Deputy Director General, Federal Ministry for Social Affairs, Health, Care and Consumer Protection;
- Ms. Sylvia FÜSZL; Federal Ministry for Labour, Social Affairs, Health and Consumer Protection;
- Ms. Ulrike BUTSCHEK; Federal Ministry for European and International Affairs;
- Ms. Susanne PFANNER; Federal Chancellery of Austria, Integration, Religious Affairs and Ethnic Groups;
- Ms. Jacqueline NIAVARANI; Federal Chancellery of Austria, Women and Gender Equality;
- Mr. Ewald FILLER; Federal Chancellery of Austria, Family and Youth;
- Mr. Christian MANQUET; Federal Ministry of Justice;
- Mr. Christian SCHNATTLER; Federal Ministry of Justice;
- Ms. Brigitte OHMS; Federal Chancellery of Austria, Constitutional Service;
- Ms. Marie-Theres PRANTNER; Federal Ministry for Women and Integration in the Federal Chancellery;
- Mr. Andreas REINALTER; Federal Ministry for Social Affairs, Health, Care and Consumer Protection;
- Ms. Nadia KALB; Federal Ministry for European and International Affairs;
- Ms. Iris DEMBSHER; Federal Ministry for Labour, Family and Youth;
- Ms. Lisa STADLMAYR; Federal Ministry for European and International Affairs;
- Ms. Barbara BOHACZEK; Federal Ministry for Labour, Family and Youth;
- Mr. Christian LACINA; Federal Ministry for Labour, Family and Youth;
- Ms. Terezija STOISITS; Federal Ministry for Education, Science and Research;

- Mr. Walter RUSCHER; Federal Ministry of the Interior;
  - Mr. Florian ENGEL; Federal Ministry of Justice;
  - Ms. Evelyn WAGNER; Federal Ministry of Justice;
  - Mr. Georg REIBMAYR; Federal Ministry for Social Affairs, Health, Care and Consumer Protection;
  - Ms. Anna WALCH; Attaché, Permanent Mission of Austria.
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