



Convention on the Elimination
of All Forms of Discrimination
against Women

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Tenth session

SUMMARY RECORD OF THE 184th MEETING

Held at the Vienna International Centre, Vienna,
on Tuesday, 29 January 1991, at 2.30 p.m.

Chairperson: Ms. AKAMATSU

later: Ms. TALLAWY

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the Convention (continued)

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The meeting was called to order at 2.35 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18
OF THE CONVENTION (continued)

Second periodic report of Austria (CEDAW/C/13/Add.27)

1. At the invitation of the Chairperson, Ms. Dohnal (Austria) took a place at the Committee table.

2. Ms. DOHNAL (Austria), noting that the Convention offered an analytical framework for the assessment of what had already been achieved in improving the status of women and for launching new activities, said that as Austria had submitted its second periodic report in mid-1989, she would refer to a number of subsequent developments.

3. One of Austria's priorities in the past two years had been the improvement of employment opportunities for women. In the summer of 1990, the Equal Treatment Act had been amended so as to broaden its scope and improve enforcement of equal treatment. Provision was made for an expansion of the equal treatment requirement to all areas of the employment relationship, specificity in collective wage fixing, establishment of rules for awarding damages in cases of violation of the equal treatment requirement, introduction of a special burden-of-proof rule, allowance for temporary special measures to speed up realization of de facto equal rights for men and women, introduction of an attorney for equal treatment matters within the Commission on Equal Treatment, and introduction of an obligation to report to the National Assembly. The amended Equal Treatment Act considerably enhanced the protection of employed women against discrimination by also encompassing the initial establishment of an employment relationship, allowing for damages claims and improving controls and establishing a separate office to provide information and support.

4. The Programme for the Advancement of Women in the Federal Service had played a pioneering role in the creation of high-calibre jobs for women; negotiations were under way with private companies with a view to establishing a similar programme for the advancement of women in the private sector.

5. Partnership was a key word in women's issues, and it implied the implementation of measures in the social and political sphere as well as measures relating to the family. In 1990, a "family package" had been introduced to enable women and men to lead lives outside the home that were more in consonance with their family lives. Both men and women were now entitled, at discretion, to parental leave, which had been extended to two years. Parents were also entitled to shorter working hours for up to two or three years after the birth of their child.

6. An important contribution to improving the legal situation of women had been made by the reform of penal legislation on sexual offences. Rape both in and out of marriage was now considered to be an equally serious offence, and the situation of victims of sexual abuse in criminal procedures had been improved. Under the Youth Welfare Law, unmarried women now automatically obtained guardianship of their children. Equally important, for the first time, the right of the child to be raised free of violence was established by law.

(Ms. Dohnal)

7. One development that had a profound effect on women's rights was progress in genetic and reproductive technology. While serving as State Secretary for Women's Questions, she had co-operated with the Minister of Justice to draft legislation on artificial reproduction techniques that would combat the exploitation of women's reproductive capacity.

8. Women were becoming increasingly active in political life. Although there was as yet no nation-wide quota system, political parties had already set targets for the representation of women. The percentage of women representatives in the National Assembly had increased, following the elections in 1990, from 14.8 to 21.3 - a figure that was above both the European and global averages.

9. The struggle against discrimination also involved overcoming role- and gender-specific societal patterns, and efforts in that respect were being made at all levels and especially in education. Austria had specific programmes and activities aimed at increasing the awareness of girls and their parents of the need for equality. There were also packages of measures designed to provide women with access to training in new technology. Moreover, the Federal Ministry of Labour and Social Affairs was, through its projects and information activities, helping to overcome role stereotypes in the workplace.

10. Just over a month previously, the position of State Secretary for Women's Questions had been upgraded to the level of Federal Minister for Women's Affairs. However, the goal of implementing progressive policies for women could only be attained by intensive co-operation with other ministries that for years had been fighting discrimination, and she thanked her colleagues in those ministries for their outstanding efforts on behalf of women in Austria, often in the face of considerable opposition.

11. Ms. Tallaway took the Chair.

12. Ms. DOHNAL announced that she would now turn to the questions contained in annex I to document CEDAW/C/CRP.17.

General questions

13. With regard to question 1, she said that compliance with the principle of equality was monitored by a number of institutions and mechanisms, including the Advisory Council on Sexism, the "Ombudswoman" for complaints in matters of female equality and special representatives for women's concerns, or "liaison women", at both the Federal Government and local levels. The Federal Ministry for Women's Affairs was responsible for co-ordinating the activities of those various bodies.

14. In reply to question 2, she said that progress in ensuring equal treatment for women was usually the result of complementary measures taken by a number of government departments. One measure that had certainly had a positive impact on the status of women was the introduction of the so-called "mother/child pass", which required that medical check-ups should be carried out from the time a pregnancy started in order to ensure the health of the child and its mother. Through that measure, infant mortality had been reduced by more than 50 per cent by the end of the 1980s; maternal mortality and morbidity had also dropped dramatically.

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15. In 1989, a quantitative and qualitative evaluation of what had been achieved from 1981 to 1988 by the Programme for the Advancement of Women in the Federal Service had been carried out. The study on disparities in living conditions among men and women in Austria contained an analysis of the relevant statistical data, and the Austrian Statistical Office regularly carried out mini-surveys with special emphasis on developments affecting women. Statistics were also compiled regularly concerning employment policies, as well as on training, grants and other advancement measures.

16. Turning to question 3, she said that several major women's organizations and women's groups in the political parties had been consulted during the preparation of Austria's report; the views of semi-official bodies such as trade unions had also been sought.

17. On questions 4 and 5, she said that the Division for Basic Women's Issues, which was of key importance within the Federal Ministry of Labour and Social Affairs, was responsible for co-ordinating work on women's issues in co-operation with relevant government departments, and received special budgetary funds for research. The Division's budget had been reduced in 1988 and 1989 mainly because of the need to consolidate the Federal budget: other divisions within the Federal Ministry of Labour and Social Affairs had also been affected by the cuts. The Division's budget for both research and subsidies had risen slightly in 1990 and substantially in 1991.

18. Referring to questions 6 and 7, she said the interministerial working parties had been established in accordance with legislation (section 8 of the Federal Ministerial Act). They included working parties for the advancement of women in the civil service, and in various government departments and Federal Ministries. They met regularly - at least twice a year - to discuss issues relating to policies for women. At regular intervals, the Chairperson of those meetings submitted a report on policies concerning women which was then transmitted to the Council of Ministers. In addition to the interministerial working parties that met on a regular basis, other interministerial working groups were convened to discuss specific topics and were disbanded once they had completed their work.

19. With regard to question 8, she explained that there was a period of review, in which the Federal Minister for Women's Affairs took part, for all legislation introduced by government departments. The Federal Minister had full voting rights in the Council of Ministers and was therefore informed about all pending legislation and could veto any drafts that discriminated against women.

20. As for question 9, she said it was unlikely that Austria's reservations regarding the right of women to do military service would be overcome and that the subject rarely came up for discussion in official circles. There was no support for such a measure within the Federal Ministry for Women's Affairs, and the current international political situation tended to confirm its position on the matter.

21. Turning to question 10, she said that gender-disaggregated data on the status of women had been compiled for a long time, even before the beginning of the United Nations Decade for Women. The Austrian Statistical Office prepared lists of how certain indicators relating to women's concerns evolved: analysis and planning of educational and training measures, professional careers, etc. Government departments, non-governmental organizations, trade unions and political bodies also collected data broken down according to sex.

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Article 2

22. On question 1, she said that sexism was still clearly visible in public life, the media and the advertising industry. It was therefore a major concern of the Advisory Council on Sexism to increase public awareness of how women were affected by sexist representations. There was no repressive mechanism to prevent such portrayals, and the success of complaints varied. One success that she could report, however, concerned the "Welcome to Vienna" folder handed out at the airport: as from late March 1991, it would be free of sexist advertising.

23. Women could file complaints of sexism directly with the relevant authorities, but they could also appeal to an advertising advisory group within the Federal Chamber of Commerce which could require advertising agencies to refrain from sexist approaches in their advertising campaigns. Complaints lodged with the Austrian Broadcasting and Television Corporation (ORF) were dealt with by its arbitration board. A legislative text now being drafted for submission to Parliament would allow for collective action suits concerning sexism in advertising.

24. Under question 2, she noted that penal legislation on sexual offences had been entirely recast by an amendment that had entered into force on 1 July 1989 and had revised the legislative provisions on rape and sexual abuse. Of the two words in the German language for rape, the more all-inclusive one, *Vergewaltigung*, was now to be used. The penalty for rape would in future depend primarily on the behaviour of the perpetrator, not that of the victim. Rape had previously been considered to have occurred only when a woman reacted by trying to defend herself, which very often endangered her life. It was also now considered to have occurred even if the victim was married to or living in a consensual union with the perpetrator. In addition, a spouse who had engaged in a violent act could now be prohibited from entering the conjugal domicile for up to three months. Such measures had previously been possible only if divorce proceedings had been instituted.

25. On question 3, she said the content and significance of the Convention had been publicized at various levels. Press conferences had been held and the media used to stress the importance of the Convention and of the Committee. In 1989, a special event had commemorated the tenth anniversary of the Convention's entry into force. Consideration was now being given to incorporating the Convention into the training programme for civil servants, and she observed that a large number of government departments had actively promoted the Convention's dissemination. Austria's obligations as a State party to the Convention, and in particular its reporting obligations, were often publicized.

Article 3

26. Turning to question 1, she said the "liaison women" in each government department had an advisory function *vis-à-vis* the department head. They pointed out instances of discrimination and made proposals to ensure equal treatment. The effectiveness of that institution had been clearly demonstrated in the study on the quantitative and qualitative evaluation of the Programme for the Advancement of Women in the Federal Service. On the basis of those results, the "liaison women" institution was to be given legal status, particularly in respect of remuneration and ways of ensuring a regular flow of information.

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27. On question 2, she said that all women, including immigrants and refugees, enjoyed the same human rights; there was no discrimination under the law. There were a number of special measures or programmes for immigrant and refugee women in the area of employment. They included courses for unemployed foreign girls in Vienna, German courses and literacy programmes for foreign women, and an advisory board. Those measures were not, however, sufficient to bring about full and genuine integration, and Austria was therefore increasing its efforts in that regard. Newcomers would enjoy the same terms and conditions of employment and remuneration as Austrians. The fact that family members of migrant workers did not always have the same rights to employment in Austria as did the workers themselves had a strong impact on the situation of women. A decree on asylum-seekers adopted by the Federal Ministry of Internal Affairs contained special reference to the needs of unmarried women, and unmarried mothers in particular were given preferential treatment regarding housing. The United Nations High Commissioner for Refugees had devised a programme for the integration of refugees in Austria under which unmarried women and sole breadwinners were given priority.

Article 4

28. Replying to question 1, she said that, in spite of the legal recognition of the equality of men and women, there was still a need for specific measures to promote the cause of women. Affirmative action programmes had been drawn up at the Federal and regional levels in addition to the Programme for the Advancement of Women in the Federal Service. Similar programmes were being developed in other parts of the country while some companies in Vienna had embarked upon special activities for the advancement of women. The amended Equal Treatment Act also helped women to catch up with men. The Act had been applicable only to the private sector but similar legislation was being prepared for the public sector. It would include a quota requirement for recruitment, provide a legal basis for liaison women services and require that all committees should consist of both women and men.

29. Turning to question 2, she said that ministers were required to report periodically on measures and programmes for the advancement of women. That requirement would also be stipulated by the Act.

Article 5

30. In response to question 1, she said that women were very under-represented in the electronic media and that the way in which women were depicted by the media was often a far cry from reality. Some aspects of life, such as work, were grossly neglected in commercials and the way in which relations between men and women were shown in advertisements was usually patriarchal. Like programmes for old people and children, programmes for women tended to show women's issues as being of no social relevance and as affecting only a marginal group. Role clichés and stereotyping were still present and must be eliminated as a matter of priority. The activities of the media came under the Media Act of 1981 which made no mention of discrimination in spite of the social developments that had occurred and the fact that women were playing an increasingly active role in public life. Discrimination against women was still in evidence as was stereotyping, and highly negative attitudes towards women still prevailed.

31. As regards question 2, employers advertising vacancies in the public or the private sectors were not allowed to specify that posts were open only to applicants of a particular sex. When women accounted for less than 50 per cent of their

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staff, employers were required to call for applications from women. An amendment to the existing law was being prepared.

32. With respect to question 3 and the selection and content of television programmes containing discrimination and stereotyping, she explained that a Board representing the public and private sectors, trade unions, the Church, scientific, sporting and consumer circles, consisting of 35 members and including very few women, was responsible for choosing television programmes.

33. Regarding question 4, she said that the women's service in the Federal Ministry of Education had commissioned a study to illustrate socialization processes and their impact on the choice of future professions. A report based on that study had been published in an information pamphlet brought out in February 1990 which was to be revised in 1991 and supplied to teachers, parents, student advisers and pupils. The women's service also promoted other projects aimed at informing girls about non-traditional professions and encouraging them to take them up.

34. As for question 5, she noted that the principle of equal treatment in child-raising had been given legal effect in 1990 by provisions stipulating that gainfully-employed women and men could take one year's parental leave and return to their jobs after it. A father could take such leave provided that the mother did not take maternity leave.

35. With regard to question 6, she said that civil servants were required to contribute to the social insurance scheme which offered benefits similar to those available to persons working in the private sector. Civil servants had to pay monthly contributions towards a special pension scheme but their employers were not required to contribute to it.

Article 7

36. As regards question 1, she said that women's organizations in Austria were not subsidized by the Government but by political parties which passed on a percentage of their subsidies to them. Some organizations working with children and young people received subsidies from government departments for projects sometimes of concern to women. It might therefore be said that the Government indirectly subsidized certain women's activities.

37. With regard to question 2, she said that the statistics attached to the documentation provided by her delegation revealed a higher proportion of women in the last Parliament elected. The figures varied from one province to another and a slight increase had been noted in women's representation in trade unions.

Article 8

38. The number of women holding senior posts in the foreign service was steadily increasing and a special department had been set up in the Federal Ministry of Foreign Affairs to deal with personnel problems affecting women as and when, for example, they were transferred abroad.

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Article 10

39. Replying to question 1, she explained that university curricula were the responsibility of universities but that an indirect influence could be exerted on them. A considerable amount of research on women's issues had been undertaken and efforts made to promote courses on them. A project on the status of research on women's issues was under way and a proposal for institutionalizing research on women's issues would be prepared on the basis of that project. A seminar held in November 1989 had been very useful in linking up research on women's issues.

40. Turning to question 2, she said that the number of women students in traditionally male fields of study such as law, medicine, architecture, civil engineering and veterinary science was constantly growing but that the trend did not extend to technical or mechanical disciplines.

41. Turning to question 3, she said that textile and technical handicrafts were taught to both boys and girls up to the age of 10. In the sixth year, there were separate handicraft classes for boys and girls, girls learning textile handicrafts and boys technical handicrafts. During the seventh and eighth years, boys and girls could choose to learn one or the other type of handicraft, but their choices tended to follow traditional patterns. She intended to urge the Federal Minister of Education to change the existing arrangement. Home economics was a compulsory subject in the seventh and eighth years and it dealt mainly with partnership issues, health and education.

42. As regards question 4, recommendations had been made to schools to introduce the new educational programmes into their curricula, and seminars had been held to inform teachers about them and to encourage their promotion.

Article 11

43. Referring to question 1, she said that unemployment benefits and emergency assistance had been increased in 1989. Under the new provisions, unemployment benefits were payable to persons up to the age of 25 for 20 weeks and to older persons for up to 52 weeks. The actual amount payable to low-income workers, most of whom were women, had been increased and the income of children was no longer added to that of parents in assessing the amount of the benefit. Under another amendment benefits for middle-level income workers had been increased. Finally, men over 50 and women over 45 were assessed on the same footing for purposes of calculating benefits.

44. Turning to question 2, she said there had been a mistake in the text in the use of the terms "employed" and "self-employed" women. Only one fifth of women returned to their jobs after one year of maternity leave on account of the inadequacy of child-care facilities and the disparities between rural and urban facilities and those in large and small towns. The changes made in parental leave entitlement would probably bring about changes in behaviour over the longer term. She was planning a special campaign to promote nursery schools and day-care centres.

45. In response to question 3, she said that any man or woman who believed that an employer had violated the Equal Treatment Act could bring the matter before the works council and the Equal Treatment Commission. A violation of the Act could be referred immediately to a court and any decisions on the complaint based on the Act by the Commission or the court would be published in the official journal of the

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Federal Ministry of Labour and Social Affairs. The plaintiff was no longer responsible for proving violation of the Act. The case could be dismissed if it were proved that another motive had led the employer to decide against the employee. Unfortunately the procedure was not very effective, and it was hoped that the Equal Treatment Act would be improved and an ombudswoman appointed.

46. As regards question 4, Austria was not planning to withdraw its reservation concerning night work. The law contained provisions covering specific industries, and in 1986 certain exceptions had been granted in respect of some types of work.

47. Replying to question 5, she said that the average net income of men was 21 per cent higher than that of women; in the civil service it was higher by 7 per cent and in the private sector by 35 to 38 per cent. Men's wages were 35 per cent higher than those of women. A comparison made over the period 1980 to 1989 showed that the gross income of all workers had increased by 47.9 per cent (45.4 per cent for men and 50.9 per cent for women).

Article 12

48. In reply to question 1, men - sometimes elder sons - were usually responsible for violence in the family. The number of cases was increasing and a number of shelters for women had been set up. A study was under way to examine the physical and mental effects of violence.

49. In response to question 2, she said that on 21 January 1991 510 AIDS cases, of whom 81 were women, had been recorded; 264, including 38 women, had died. The number of women infected by AIDS was increasing and the Institute of Virology had been trying to determine how risks were distributed. Preventive measures, comprising television and radio programmes focusing on subjects such as sex tourism, children and AIDS, anti-discrimination, prostitution, condoms, AIDS and drugs, and the slogan "AIDS can affect us all", were being carried out.

Article 14

50. An advisory council for rural women had been set up in the Federal Ministry of Agriculture in 1990. Rural women had access to farmers' social insurance schemes, rehabilitation programmes, etc., but often did not make use of them. Medical facilities were sometimes inadequate or rather inaccessible in rural areas and rural women came under considerable physical and mental strain. Differences, of course, depended on the size of farms and the region and, generally speaking, rural women on larger farms were better off than those on smaller ones. Many families in rural areas had low incomes, however, and the farmers' tendency to work in co-operatives placed an extra burden on the women.

Article 16

51. Replying to question 1, she said that the payment of family allowances was based on the family allowance card, whose holder was entitled to receive the allowance. If both spouses applied for the allowance, the internal revenue office paid it to the spouse primarily responsible for bringing up the children - usually the mother. If one or both spouses were working, the allowance was paid by the employer but if neither of them worked, by the labour office.

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52. As regards question 2, the Government had sponsored family and partner counselling services since 1974 by paying for their staff. Such services provided advice on family planning, the economic and social problems of pregnancy, the legal and social aspects of family matters, sexual and conjugal advice. Following the introduction of public support, the services had grown rapidly but the number of contacts had decreased. There were at present 225 such services in the country and an average of 225,000 contacts every year.

53. Replying to question 3, she said that the status of unmarried mothers had been changed by the reform of the Youth Welfare Law. The mother, not the youth office, now had custody of a natural child and she could go to the youth office to oblige the father to pay for the child's maintenance. In 1989, an Act guaranteeing equality of treatment for children born out of wedlock had come into force. Under that Act an unmarried mother could continue to live in a rented flat if her partner died.

54. Regarding question 4, she said that the legal status of unmarried women living in consensual unions was not regulated by any specific law; they were treated in the same way as married women in a number of laws in some areas. Under the Penal Code, the same rules applied to married or unmarried women, as well as to rape in or out of marriage. A consensual union was not equal to marriage in law, however, and different laws applied if it was dissolved. Special subsidies were granted in some cases, however, for example for the purchase of a flat, and if the union ceased to exist some compensation was possible.

55. The CHAIRPERSON thanked Ms. Dohnal for her excellent report and for her detailed answers to the questions raised. She congratulated her and all Austrian women on their efforts to improve the status of women in their country and expressed admiration for their frank admission of areas in which equality had not yet been fully achieved. She hoped that the results of the study on violence against women in the family would be made available to the Committee.

56. Ms. LAIOU-ANTONIOU said that she had been particularly impressed by the amendments to the Federal Constitution and the Civil Service Regulations Act which had created the basis for the equal treatment of women in terms of language. Austria was one of the few countries to have made an effort in that connection. She would like to hear an assessment of the results and what the next step would be. Would changes be made in dictionaries? Regarding efforts in the educational field, she had found the reference to the booklet "A family, stories from everyday life", questioning the traditional division of roles and tasks, especially interesting. She had also been impressed by the Act on Provisional Maintenance for Minors, which constituted a major advance. Divorced women often had problems collecting alimony and maintenance payments for their children and few countries had created funds for the payment of advance maintenance. She asked what progress had been made towards changing the working hours of child-care facilities and commended the notion of holding seminars on the Convention for civil servants. She recognized, however, that, despite all the achievements, various problems such as unemployment, lower income levels and insufficient participation by women in decision-making bodies persisted.

57. She noted that an opportunity was given to women civil servants to reduce their working hours by half for a total of four years during their careers. She felt, however, that spending so much time away from work might constitute a trap for working women. There was a reference in the periodic report, under article 11,

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to the fact that only one fifth of privately-employed women took advantage of the opportunity to return to their jobs after one year's maternity leave. In seeking to protect women, care must be taken not to set traps for them.

58. Ms. CORTI congratulated the Austrian representative and her Government on an excellent report and on the very full replies provided to the questions of the pre-session working group. Her promotion from Secretary of State to Minister was tangible proof of the advancement of women in Austria. It was unfortunately often the case that the more that was done to promote equality for women, the more discrimination was uncovered.

59. In connection with the Advisory Council on Sexism, the Austrian representative had said that the necessary steps would shortly be taken to eliminate sexism in literature. But surely that was a very delicate area that might give rise to argument about freedom of the press. She noted, from the reply to article 5, that stereotyped roles for men and women remained a serious problem. Under article 7, there had been a reference to women's organizations financed by the political parties, and she asked whether there were any independent organizations and how women's organizations in general collaborated with the State Secretariat for Women's Questions. She also asked whether the recent arrival of a large number of refugees in Austria had created particular problems for women refugees and how such women were being integrated into the labour market. In connection with the question already asked about child-care facilities, she wondered what sort of facilities were involved and what action was to be taken. She noted that Denmark's second periodic report, which had been discussed at a previous meeting (CEDAW/C/SR.182), had stressed the efforts being made in the public sector; Austria was to be congratulated on having made parallel efforts in both the public and private sectors.

60. Ms. OESER said that she was particularly grateful for the additional information on the amendment to the Equal Treatment Act and on the family package instituting several new rights and obligations for spouses, as well as the information on the reform of the penal law on sexual offences with special reference to violence within the family. All those changes were very important and the second periodic report showed considerable progress over the initial report. She was sure that, in Austria, and especially in the State Secretariat for Women's Questions, the wide range of issues involved was clearly recognized and given priority. In the circumstances, it was possible that Austria had already given thought to the question of evaluating the work done by women in the home. Such work was never included in national income statistics and she wondered whether there were any plans in Austria to carry out research in that field or whether, indeed, some preliminary results in that respect were already available.

61. Ms. ABAKA asked why women's participation in the provincial governments was lower than in the Federal Government and what measures it was intended to take to improve the situation.

62. Ms. FORDE expressed admiration of all that had been dared and achieved by the Government and women of Austria in the interest of equality between men and women. She congratulated the Austrian representative on her presentation, which had demonstrated her personal interest and expertise. Despite all that had been done to abolish discrimination, obstacles still remained. Nevertheless, the Government must be commended for the positive action it had taken.

63. Ms. GONZALEZ MARTINEZ congratulated the Austrian representative on her Government's excellent report and its comprehensive replies to the questions of the pre-session working group. The Austrian Government's 1985 report had been one of the first to refer to the importance of the mass media, to campaigns and other activities on behalf of women and, in particular, to the harm done by some commercial advertising to women's image. She congratulated the Austrian representative on her promotion to the rank of Minister and hoped that the progress it represented would continue. In many countries, programmes and special ministries for women's affairs were started one year and discontinued the next. She trusted that that would not happen in Austria.

64. Ms. BERNARD said that there had clearly been several significant improvements in the status of women in Austria since the Government's initial report. She noted that both parents were currently entitled to parental leave and shorter working hours and that rape both in and outside marriage had become a criminal offence. Overall, the report demonstrated the Austrian Government's deep concern to advance the cause of women and the fact that the Austrian representative had been elevated to the rank of Minister was a further demonstration of the Government's commitment.

65. Ms. AKAMATSU joined in the congratulations extended to the Austrian representative and expressed her appreciation of the report. She noted that the pre-session working group had asked whether Austria intended to withdraw its reservation in respect of article 11 of the Convention and that the answer had been that it did not. Her understanding was that the Austrian Government had made that reservation because of the existence of special laws to protect women workers. Similar protection was provided for women workers in Japan and there had been argument there as to whether or not such special protection should remain, once equal opportunity legislation had been enacted. The criticism had come mainly from employers. The Japanese Government had decided to reduce the protection by revising several of those special provisions gradually but not to make any reservation to the Convention. She wondered whether there had been any argument in Austria about the existence of such special protection in connection with the Government's reservation.

66. Ms. EVATT said that she was delighted to note that the trends revealed in the initial report had continued and that Austria was still travelling in the right direction. She commended the efforts that had been made most recently, particularly in regard to the elimination of sexism and the representation of women in advertising. She thought the new law on reproductive technology very enlightened and said that there was much debate on that topic in Australia. She noted, however, that progress still needed to be made on the earnings gap, which was of course related to the question of encouraging young women to diversify their training and choice of occupation. The changes currently under way would help to narrow the gap in due course, as would changing the attitudes of men and women regarding the role of women in society. Lastly, drawing attention to the fact that the Vienna Philharmonic Orchestra was wholly male-dominated, she wondered whether situations of that kind came within the competence of the State Secretariat.

67. Ms. WALLA-TCHANGAI expressed admiration of the conviction and force with which the Austrian representative and Austrian women were waging the ongoing battle to improve the status of women. It was clear throughout the report that vigorous efforts were being made to remedy shortcomings. She wondered, however, if anything could be done to remedy a situation in which prostitutes, who were very liable to disease, had no health insurance coverage. The high incidence of disease represented a danger not only to the women themselves but to the population at large.

68. Ms. AQUIJ joined her colleagues in congratulating the Austrian representative on her thorough account of all the efforts made in the past few years. She understood that the law on violence against women, adopted in March 1990, largely through the efforts of the State Secretariat for Women's Questions, could bar a man proved guilty of violence from access to the home for a period of three months. She wondered whether any lesser penalty was provided for, since such banning could well create an atmosphere of hostility in the family. A figure of 10,000 a year had been quoted for instances of sexual abuse of girl children. She asked whether such abuse was regarded as a crime or as an offence and whether any studies had been carried out into why the number was so high. In regard to the law of July 1990, under which parental leave could be granted to either parent, she asked what steps had been taken by the State Secretariat and by the women's movement to encourage men to opt for such leave.

69. Ms. DOHNAL (Austria), replying to the questions posed by members of the Committee, said that hers was not a separate ministry in its own right, but part of the Federal Chancellor's Office. She had held the position of State Secretary for Women's Issues since the post was created in 1977, and now that the State Secretariat had become a ministry, more recognition was being given to the work it did. However, major difficulties were still encountered in securing its own premises, staff and budget. In Parliament, the Council of Ministers and Austrian political life in general, she represented all women's issues that remained to be tackled, and there was much still to be done.

70. Recommendations published in 1987 concerning the equal treatment of men and women in public service linguistically - in terms of job descriptions, job titles and forms of address - needed to be implemented, and a common problem in that regard was that many titles had their origin in the military sphere and so it was sometimes difficult to find female equivalents.

71. As for child support, she indicated that, under present regulations, child support was intended solely for the maintenance of the child.

72. It was her intention that mothers should enjoy reduced working hours and maternity leave until their child had reached the age of six, although care should be taken that that situation did not result in any disadvantages for women in their working lives.

73. The idea of offering a choice as to whether the mother or the father should take parental leave had gained support from women over the years, but because men usually earned more than women the financial aspect of the matter was of great importance.

74. In the Austrian civil service, where there was greater security of employment, jobs were kept open for women taking maternity leave for longer periods than in the private sector, where four weeks was normal. Civil servants could also take parental leave without pay; that applied to both fathers and mothers, and was in addition to the leave period following childbirth.

75. As for the Advisory Council on Sexism, a number of basic questions still had to be addressed, notably with respect to advertising and the freedom of the press and the arts. The dignity of women had to be taken more into account, and a compromise sought; there needed to be certain limits on freedom of the arts, and a bill should be drafted to provide for collective legal action in that regard.

(Ms. Dohnal)

76. Unlike political parties in Austria, women's organizations, which were independent and had no particular political leanings, were financed mostly on a project basis; they were required to specify the nature of the project and its purpose, and it had to be relevant to societal questions relating to women's and community issues. It was necessary to cope with a great deal of red tape before a subsidy was obtained for a project, and the women's organizations also had to report on how the money had been spent.

77. She said that she had been a Minister for only a month or so, and had had little time to devote to organizing co-operation with provincial women's organizations, church organizations, etc. However, more funds had been made available since the State Secretariat had become a ministry, and she would certainly be seeking better co-operation with other bodies.

78. More had to be done to help women who were refugees in Austria - whether migrant workers or asylum-seekers - and they should be given preferential treatment in training and integration into the labour market, although she acknowledged that so far little success had been achieved in that respect.

79. Day-care centres existed in Austria for children up to the age of three and up to the age of six, although for the most part in Vienna rather than the provinces. There were major differences between individual provinces, but the Budget Compensation Act did enable them to spend certain allocated resources on particular projects. She wanted to earmark more resources for nursery schools and kindergartens, and to ensure that when mayors were elected they undertook to establish and operate day-care centres in their constituencies. The child was to be the focal point in assessing the costs of nursery schools, and efforts were also to be made to ensure that the time spent raising children was integrated into the assessment of retirement age, thereby having an influence both on the retirement age itself and on retirement benefits.

80. Only three of the 21 members of the present Federal Government were women, whereas at one time the figure had been 30 per cent. At municipal level the percentage of women holding jobs varied from six to ten. In general, women needed to be better represented at all levels of Austrian political and administrative life.

81. There had been criticism in Austria of the prohibition of night work for women. If night work were regarded as bad for women, it was equally bad for men and should be prohibited altogether in those cases where it was used only to increase production. There was a willingness to make exceptions in the case, for example, of women working in telephone exchanges, but discussions would be held with employers' representatives, and more exceptions would be required in future.

82. As for choosing one's occupation or profession, that decision was often taken by parents, and efforts had been made to focus on the issue ever since the 1960s, albeit so far with little success.

83. Efforts had also been made to eliminate distinctions in school curricula, and more subjects were now taught to both boys and girls.

84. The Vienna Philharmonic Orchestra was a special case in that it was an association under the law, and no federal acts could be passed concerning its employment of women. However, she undertook to raise the matter once again with the newly-appointed Minister of Education.

(Ms. Dohnal)

85. Replying to a question concerning health insurance for prostitutes, she said that they had to be registered and to submit to regular medical examinations and could, if they wished, take out private health insurance. It was her aim to introduce compulsory health and pension insurance for prostitutes, who were, in any case, now compelled to pay taxes.

86. There were two specific Acts dealing with rape within marriage. Previously, when a woman was raped by her husband it was not tantamount to being raped by someone else. That had now been changed. The second Act provided for the protection of women in that a husband who employed violence was forbidden to enter the common premises for a period of three months, during which the woman had to decide whether she wished to file for divorce or take other steps. It was always difficult for women to have to furnish proof of having been subjected to violence within marriage; much was being done in Austria to increase public awareness, but it was not easy to change everything overnight.

87. It was a fact that in Austria men and women were remunerated differently. Wages and salaries were decided by the social partners - representatives of employers and employees - except for the Federal Service. The programmes for the advancement of women applied to the Federal Service, and it was her intention to extend those programmes to the regional and local levels as well.

88. The CHAIRPERSON congratulated the Government of Austria on its report and on its achievements, of which it had every right to be proud. There was a clear political will in Austria to achieve equality and to work for the advancement of women. Recognizing the obstacles that remained and being aware of the real situation of women was a very important step towards achieving greater success. It was important, however, when combating discrimination against women to be aware of the possibility of a backlash, especially in the private sector, where there tended to be job losses among women when they were granted, for example, greater maternity protection. It was important to advance carefully, so that achievements were consolidated and lasting. It was also important that efforts with a view to the advancement of women were integrated into the political system of the country and into the programmes of its political parties.

89. Since Austria was the host country for the United Nations Secretariat of the Committee on the Elimination of Discrimination against Women and the Convention on the Elimination of All Forms of Discrimination against Women, it was perfectly placed to increase international awareness of what was a very important human rights instrument, and to introduce training courses on the Convention in the Austrian Diplomatic Academy or in one of Austria's institutes. It might make a contribution by concentrating on how international machinery and national legislation could be co-ordinated, and how laws could be enacted and implemented to achieve the elimination of discrimination against women *de facto* as well as *de jure*. Training courses along those lines would be of great assistance to many countries, especially the developing countries, and Austria would thereby become an internationally-recognized centre for enhancing the status of women.

The meeting rose at 5.20 p.m.