

COMMITTEE ON THE RIGHTS OF THE CHILD
Thirty-eighth session
Pre-sessional Working Group
4-8 October 2004

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD
List of issues to be taken up in connection with the consideration of the second periodic
report of Austria CRC/C/83/Add.8

Part I

Under this section the State party is requested to submit in written form additional and updated information, if possible, before 25th November 2004:

A. Data and statistics, if available

1. Please provide disaggregated statistical data (by sex, age, minority and ethnic groups) covering the years 2001 and 2002 and 2003 on the:
 - a. number and proportion of children under 18 living in the State party;
 - b. number and proportion of children belonging to minority, refugees and asylum-seekers.

2. In light of article 4 of the Convention, please provide additional data disaggregated for the years 2002, 2003 and 2004, on budget allocations and trends (in absolute figures and percentages of the national and local budgets and/or GDP) allocated to the implementation of the Convention, evaluating also the priorities for budgetary expenditures given to the following:
 - a. education (different types of education, i.e. pre-primary, primary and secondary education);
 - b. health care (different types of health services, i.e. primary health care, vaccination programmes, adolescent health care and other health care services for children, including social insurance);
 - c. support programmes for families;
 - d. children with disabilities;
 - e. the protection of children who are in need of alternative care including the support of care institutions;

- f. programmes and activities for the prevention and protection from child abuse, child sexual exploitation and child labour;
 - g. juvenile justice
3. With reference to children deprived of a family environment and separated from parents, please provide disaggregated data (by sex, age, minority and ethnic groups) for the years 2001, 2002 and 2003 on the number of children :
 - a. separated from their parents;
 - b. placed in institutions;
 - c. placed with foster families;
 - d. adopted domestically or through inter-country adoption and;
 - e. living with the parents deprived of their freedom
 4. Please provide the number of children with disabilities, disaggregated by sex, age covering the period 2001, 2002 and 2003 on the:
 - a. living with their families;
 - b. in institutions;
 - c. attending regular schools;
 - d. attending special schools;
 - e. non attending any school.
 5. With reference to child abuse, (including sexual abuse for a. and b.), please provide disaggregated data (by age, sex and types of violations reported) over the period 2001, 2002 and 2003 on the:
 - a. number of individual complaints received per year in the last three years;
 - b. number and percentage of reports which have resulted in either a court decision or other types of follow-up; and
 - c. programmes and activities to sensitize the parents and the public in general concerning child abuse
 6. Please provide disaggregated statistical data (by sex, age, minority and ethnic groups) covering the years 2001, 2002 and 2003 in percentage of the relevant age group on the:
 - a. enrolment in percentage of children in pre-primary, primary and secondary schools;
 - b. percentage of children completing primary and secondary education;
 - c. number and percentage of drop-outs and repetition rate;
 - d. ratio teacher per children.
 7. Please provide updated disaggregated statistical data (including by sex, age, minority and ethnic groups) on early pregnancy and sexually transmitted infections (STIs); mental health, suicide, drug use, alcohol and tobacco abuse covering the years 2001, 2002 and 2003. Please also provide numbers of health professional working in the health care services for children.

8. Please provide disaggregated statistical data (including by sex, age, minority and ethnic groups) on children infected or affected by HIV/AIDS, as well as information on programmes implemented to address the problems of these children.
9. Please provide the following statistical data of children (disaggregated by sex, age, type of crime) for the years 2001, 2002 and 2003:
 - a. number of persons below 18 who allegedly committed a crime reported to the police;
 - b. number of persons below 18 who were sentenced and the nature of sanctions (community service; detention; other types of sanctions);
 - c. the number of juveniles (under 18) detained and imprisoned, the location of their detention or imprisonment (e.g. police station, jail or other place) and the lengths of their detention or imprisonment, including pre-trial detention;
 - d. number of persons below 18 detained in adult facilities;
 - e. reported cases of abuse and maltreatment of persons below 18 occurred during their arrest and detention.
10. With reference to special protection measures, please provide statistical data (including by sex, age, minority and ethnic groups) covering the years 2001, 2002 and 2003 on the number of children:
 - a. involved in sexual exploitation, including pornography, sale and trafficking and the number of those children who were provided access with recovery and reintegration treatments;
 - b. involved in substance abuse and the number of those children who received recovery and reintegration treatments;
 - c. number of unaccompanied minors and asylum-seeking and refugee children;
 - d. involved in child labour (formal or informal sectors).

B. General Measures of Implementation

1. Please provide more information on the efforts undertaken by the State party to harmonize domestic law, both at federal and Lander level with the provisions and principles of the Convention.
2. Please indicate whether the Convention on the Rights of the Child has been invoked directly in domestic courts, and if so, please provide examples of such cases.
3. Please provide information on the process of formulation, content, time-frame of the National Plan of Action for the Rights of Children and Adolescents (YAP) following the UN GA Session on Children 2002 (A World Fit for Children), including plans for its implementation.

4. Please provide additional information on mechanisms to coordinate policies and programmes on children's rights both at federal and Lander level.
5. Please indicate efforts undertaken to provide training and awareness-raising on the Convention and on human rights, including efforts to disseminate of the Convention in minority languages.
6. Please provide further information on the Ombudsman Office at the Lander level, including the mandate, resources and constraints, if any.
7. Please provide information on the role of civil society, including non-governmental organizations in the implementation of the Convention as well as in the process of preparation of the State party report.
8. Please indicate the issues affecting children that the State party considers to be priorities requiring the most urgent attention with regard to the implementation of the Convention.

Part II

Please provide the Committee with copies of the text of the Convention on the Rights of the Child in other languages or dialects of the State party, when available. If possible, please submit these texts in electronic form.

Part III

Under this section, States parties are invited, whenever appropriate, to briefly (3 pages maximum) up-date the information provided in their report with regard to:

- new bills or enacted legislation
- new institutions
- newly implemented policies
- newly implemented programmes and projects

In particular, please provide information on policies and procedures dealing with asylum seeking children also in the light of the amendments made to the Asylum Act in 2003.

Please also provide information on juvenile justice facilities and in particular the reasons for the dissolution of the Juvenile Justice Court in Vienna in July 2003 and its impact on the situation of children in conflict with the law.

Part IV

The following is a preliminary list (that does not contain issues already covered in Part I) of major issues that the Committee intends to take up during the dialogue with the State party. They do not require written answers. This list is not exhaustive as other issues might be raised in the course of the dialogue.

1. Formulation and implementation of a national plan of action (YAP).
2. Child participation in formulation of policies and strategies affecting them.
3. Recovery and reintegration services for abused children.
4. Further efforts undertaken, including legislative measures to address the issue of sexual exploitation and trafficking of children.
5. Child poverty.
6. Practice of corporal punishment.
7. Quality of education: curriculum and instructions.
8. Juvenile justice.
9. Integration of refugee children.
10. Unaccompanied children and children of asylum seekers.