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GLOBAL RESPONSIBILITY

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I. Introduction

The present report was compiled by Global Responsibility, an Austrian Platform of development NGOs, which consists of 43 member organizations working in development cooperation, development education, Humanitarian Aid as well as sustainable economic, social and ecological development.¹ The report analyses the state of affairs of Austrian Development Cooperation (ADC) with regard to human rights and compliance with the international human rights framework and Austria's obligations to realise the right to development.

II. Short summary

Austrian Development Cooperation shows a number of shortcomings in realizing the right to development and Austria's international commitment towards the international development agenda. In 2009, Austria's ODA fell back to 0.3% of the GNP instead of continuously rising towards the envisaged 0.51% in 2010 and 0.7% in 2015 respectively.

Structural shortcomings in Austrian Development Cooperation predominantly affect already marginalised people like women, persons with disabilities and persons living with HIV/AIDS. Humanitarian Aid is chronically underfinanced. Moreover, Austria does not meet coherence objectives— this is evident in areas like climate change, trade agreements or bio fuels.

III. Legal and institutional frame

The legal framework for Austrian Development Cooperation is the Federal Development Cooperation Act of 2002, amended in 2003.ⁱⁱ It enshrines reduction of global poverty, safeguarding peace and human security, preserving the environment as well as promotion of human rightsⁱⁱⁱ as the main objectives of ADC. It also sets out the basic principles governing programmes and projects: the right of partner countries to determine their development approach, respect for cultural diversity, gender equality and consideration of the needs of children and persons with disabilities respectively. ADC is implemented by the Austrian Development Agency (ADA), which was established in 2004. The central development policy positions and strategic framework of ADC are defined in a Triennial Programme on Austrian Development Policy. This programme is updated and adapted every year by the Ministry of European and International Affairs and serves as the ADA's programme of work.

Basic principles of ADC are, among others, gender equality and consideration of the needs of children and persons with disabilities.^{iv}

The guiding principle concerning coherence is formulated as follows: 'The Federal Government, in the fields of policy it pursues that may have effects on developing countries, shall take into consideration the objectives and principles of development policy.'^v Overall responsibility for implementation lies with the respective Federal ministry; the Minister for European and International Affairs is responsible for coordination of international development cooperation.^{vi}

According to Section 2 of the Act, development cooperation 'comprises any measure taken by the Federal Government that is part of Official Development Assistance and reported to the Development Assistance Committee (DAC) of the Organisation for Economic Cooperation and Development (OECD)', and also includes measures in the area of Humanitarian Aid.

IV. Implementation of international human rights obligations

Article 2 (1) of the Covenant on Economic, Social and Cultural Rights stipulates 'international aid and cooperation' as a means for realizing economic, social and cultural rights through the member states. In order to benefit from international aid and cooperation, however, developing countries require support from developed countries like Austria.

Austria has repeatedly promised an increase of its ODA – more than 20 times since the 1970s –, most recently through a promise to increase its ODA^{vii} within the EU framework (2010: 0.51%; 2015: 0.7%). Austria has recurrently been violating this international obligation. In 2009, Austria's ODA fell to a mere 0.3%. Compared to Austria's ODA figures of 2008 this is a decrease of about 30% (378 million Euros). Debt relief, peace keeping missions, scholarships and study programmes for foreign students in Austria as well as care for asylum seekers account for an above average portion of the ODA. Humanitarian Aid remains chronically underfinanced. Direct ODA continues to range below 0.25% of the GNP. Further cuts of the ODA budget have already been announced.

Until 2015, the target year for reaching the Millennium Development Goals, no ODA increases are envisaged in spite of the fact that an augmentation in ODA funds is a crucial precondition for reaching the MDGs. 'If and where there is political will, these goals can be met. Austria has a special responsibility to play a role', underlined UN Secretary-General Ban Ki-moon during his visit to Vienna in April 2010.

All these developments contradict Austria's commitment to contribute to the realisation of the MDGs.^{viii} As a temporary member of the UN Security Council and its candidacy for a seat in the UN Human Rights Council 2011-2014 underway, Austria aims at taking on more responsibility in the international arena, among others seeking to contribute towards stability, peace and promotion of human rights. Backing away from those previous promises does not cohere with these objectives.

V. Implementation gaps in Austria's Development Cooperation

1. Gender equality and empowerment of women

As of January 1 of 2009, equality of women and men in public spending is part of the Austrian Constitution as a Federal Policy Objective^{ix}, implementation of this principle, however, is being delayed.

The OECD has criticised lacking resources for development cooperation and promotion of gender equality in particular: 'At present, Austria simply does not have the means to implement its gender equality policy. It would be in a better position if it had specific budget lines, more staff capacity and stronger tools and guidance for the practical implementation of its gender equality priorities.'^x

Through the limited allocation of funds for support of women's organizations within ODA – only 3 and respectively 2 million USD were budgeted for this in 2007 and 2008^{xi} – ADC lacks the objective of gender equality and empowerment of women. The main reason for the limited allocation is that only about 8% of the Austrian ODA^{xii} are handled as development aid directly through the Austrian Development Agency. While these capital flows directed to the countries of prioritised ADC show a rather high focus on gender equality (including programmes with components of Gender Mainstreaming e.g. to Uganda 66%, Nicaragua 75%, Bhutan 93%)^{xiii}, those funds channelled through other actors, as for instance capital flows through the Ministry of Finance, show hardly any evidence for integrating the objective of equalization through gender-sensitive budget planning.^{xiv}

2. HIV/AIDS

Austria does not undertake any visible measures to implement HIV/AIDS-relevant measures to reach MDGs # 4 to # 6; no national coordination mechanism exists in the area of HIV/AIDS.

These implementation gaps contradict the New Guidelines 2009 of UNAIDS, which were set up following the development of the UNGASS Declaration – which Austria signed.^{xv}

Since 2003, there are no multilateral public grants for ARV programmes.^{xvi} Political support for European efforts to establish the frame for alternative sources of funding for the fight against AIDS, as for instance UNITAID or a patent pool, is lacking.^{xvii}

3. Humanitarian Aid

The significance of Humanitarian Aid has to be increased essentially. This can be achieved through the adoption of an overall humanitarian aid policy framework, incl. basic and internationally recognized humanitarian principles as well as through an increase of the budget for Humanitarian Aid.^{xviii}

In 2008, Austria spent only 2.58% of its ODA for Humanitarian Aid.^{xix} In order to increase the effectiveness of aid for victims of violent conflicts and natural disasters, Austria has to provide more financial means for Humanitarian Aid (incl. disaster relief, disaster preparedness, disaster risk reduction, 'forgotten' conflicts and crises). When emergencies occur, these means have to be made available rapidly and transparently. Humanitarian Aid in Austria is fragmented and coordination among the various governmental institutions has to improve significantly to facilitate high-quality and effective humanitarian aid for the benefit of the most vulnerable people.

4. Persons with Disabilities in Development Cooperation

Austria ratified the UN Convention on the Rights of Persons with Disabilities in 2008. The CRPD stipulates that member states shall take concrete measures to include persons with disabilities in international cooperation and to design international development programmes to be accessible to and inclusive of persons with disabilities.^{xx}

Sadly, the ADC is still far from reaching this objective. Although the Austrian Development Cooperation Act^{xxi} defines the rights and needs of persons with disabilities as a crosscutting issue for the whole ADC, control mechanisms to ensure inclusion are lacking. The same is true for the ADC quality criteria regarding disability^{xxii} which lack any binding obligation for programmes to include persons with disabilities.

The ADC only supports isolated projects directly supporting persons with disabilities, while the majority of projects and programmes neither includes nor considers persons with disabilities. This is contrary to the principles of participation and inclusion as laid down in the CRPD. Moreover, dialogue and consultation with civil society and Disabled People's Organisations specifically^{xxiii}, take place only sporadically.

5. Political coherence

The principle of coherence is insufficiently considered in shaping Austrian policies and politics:

- Climate change: Austria increased its carbon emissions (10.9% higher in 2008 than in 1990) instead of – as agreed and legally binding under international law in the Kyoto protocol of 1997 – reducing emissions by 13%. Therewith, Austria is partly responsible for the progressing climate change, which effects and endangers people in developing countries the most.
- Bio fuels: The Austrian objective of adding 10% bio fuels to fuels in 2010 and 20% in 2020 is twice as high as the EU-average. This objective cannot be met without importing bio fuels from other countries. In developing countries the growing production of bio fuels leads to increased prices for staple foods, conflicts on land ownership, eviction of peasants, water shortage, damage to the environment (soil erosion, deforestation) and threats to biodiversity. With its support for bio fuels Austria breaks its international obligations to warrant the right to food and protect the climate. Today, already 1 billion people live without access to sufficient nutrition; among them up to 70% women.

- Trade agreements: Within the EU framework, Austria participates in negotiations on a number of bilateral and regional free trade agreements. Their presumably negative effects on developing countries and emerging markets will neither be examined nor taken into account. The negotiations take place without consulting non-state actors.
- Promotion of exports: The Austrian Federal Export Financing Guarantee Act^{xxiv} empowers the federal government to take over liabilities for (private) export transactions if these increase Austrian trade balance or if they constitute projects from which Austria benefits.^{xxv} Subsidies to loans for exports and investments in developing countries are equally part of Austrian Development Cooperation as debt relief; even though grants of export loans and guarantees are given without sufficient transparency and without including the affected states. There are no clear and binding standards on environmental protection, social and human rights and no coordination with the guidelines of the ADC.^{xxvi}
- Tax evasion: Austria does not participate in automatic information exchange as outlined in the EU Savings Guideline.^{xxvii} Therefore, Austria indirectly supports tax evasion and contributes to the loss of substantial public funds worldwide which would be essential to realise economic, social and cultural rights. 'The (world's) total of illegal cross-border capital flow out of poorer countries is estimated at 1 trillion USD.'^{xxviii}

VI. Demands

- Binding scheme to gradually increase ADC funds in accordance with the 12-point action plan of the EC: Increase of ADC funds by 200 million Euro per annum until 0.7% of the GNP are spent on development cooperation
- Humanitarian Aid: (1) Higher recognition of Humanitarian Aid through adoption of overall humanitarian aid policy framework; (2) increase of funds for Humanitarian Aid, (3) less fragmentation and improved coordination of Humanitarian Aid among different ministries
- Increased specific support for women in development cooperation, especially in the areas of economic empowerment and sexual/reproductive rights; awareness raising on women's rights as an overarching objective
- Swift implementation of mechanisms to introduce gender budgeting especially in the area of inter-state cooperation (budget support)
- Increased (bi- and multilateral) funds for the health sector, especially for reproductive health and HIV/AIDS programmes
- Inclusion of persons with disabilities in all phases of the ADC^{xxix} and structural analysis of the ADC (legislation, guidelines, practical implementation) for compatibility of Austrian Development Cooperation with the Convention on the Rights of Persons with Disabilities
- Adherence to international obligations on climate protection and provision of funds for measures to support people in developing countries to adapt to climate change, including consultation with civil society
- 'Food production before energy production of rich countries': moratorium on imports of bio fuels; revision of the Austrian policy on bio fuels
- Independent studies to evaluate effects of bilateral and regional EU trade agreements with African, Latin American, Asian and Pacific states
- Involvement of Parliament in monitoring abidance with environmental and human rights standards as well as transparency in liabilities in the area of export promotion

- Systematic inclusion of human rights, social aspects and the principles of the ADC when granting subsidised loans and liabilities by Österreichische Kontrollbank (OeKB)^{xxx}
- Liabilities for export loans are no longer part of the Austrian ODA
- Abolition of banking confidentiality and signing of the EU guideline on interest taxation

i Member organisations:

AAI Wien, ADRA, AMREF, ARGE Weltläden, Ärzte ohne Grenzen, Austrian Doctors for Disabled, CARE, Caritas, Das Mali Projekt, Diakonie Auslandshilfe, Dreikönigsaktion – Hilfswerk der Katholischen Jungeschar, Entwicklungshilfeclub, EWA – Entwicklungswerkstatt Austria, EZA Fairer Handel GmbH, Fairtrade Österreich, Frauensolidarität, GEZA Gemeinnützige Entwicklungszusammenarbeit GmbH, Hilfswerk Austria International, HOPE'87, HORIZONT3000, ICEP, Jugend Eine Welt, Katholische Frauenbewegung Österreich (kfbö), Klimabündnis Österreich, Label STEP, Licht für die Welt, Oikocredit Austria, Ökosoziales Forum, Austrian Red Cross, , Society for International Development (SID), Sonne-International, SOS Kinderdorf Österreich, Südwind Agentur, Tierärzte ohne Grenzen, Unsere Kleinen Brüder und Schwestern, VIDC – Wiener Institut für internationalen Dialog und Zusammenarbeit, Welthaus Graz, Welthaus Linz, Welthaus Wien, Weltumspannend Arbeiten, WIDE – Women in Development Europe, World University Service/WUS Austria, World Vision.

ii EZA-G, BGBl 65/2003

iii Section 1, Para 3

iv Section 1, Para 4

v Section 1, Para 5

vi Section 28

vii ‘...member states which have not yet reached a level of 0.51% ODA/GNI, undertake to reach, within their respective budget allocation processes, that level by 2010’ (External Relations Council, Brussels 24 May 2005, Council conclusions: ‘Accelerating progress towards achieving the millennium development goals’, Para 4 (i))

viii See: Austria’s Pledges and Commitments for candidacy for the Human Rights Council of the UN 2011-2014

ix B-VG BGBl. I 1/2008, Section 13, Para 3 and <http://www.bka.gv.at/site/6823/default.aspx>

x OECD: AUSTRIA. Development Assistance Committee (DAC) PEER REVIEW ORGANISATION, 2009, p. 43; <http://www.oecd.org/dataoecd/3/39/42857127.pdf>

xi OECD 2010, <http://www.oecd.org/dataoecd/40/7/42759705.pdf>

xii ÖFSE: Österreichische Entwicklungspolitik. Staat und Entwicklung, Wien 2009, p. 88

xiii OECD: Aid in support of gender equality and women’s empowerment, March 2010, <http://www.oecd.org/dataoecd/40/7/42759705.pdf>

xiv OECD: Aid in support of gender equality and women’s empowerment, March 2010, <http://www.oecd.org/dataoecd/40/7/42759705.pdf>

xv UNAIDS: Monitoring the Declaration of Commitment on HIV/AIDS (2010), http://data.unaids.org/pub/Manual/2009/jc1676_core_indicators_2009_en.pdf

xvi See Austrian Parliament, reply by Minister Michael Spindelegger on 17 March 2010, http://www.parlament.gv.at/PG/DE/XXIV/AB/AB_04240/pmh.shtml

xvii Ärzte ohne Grenzen (15.12.2009), <http://www.aerzte-ohne-grenzen.at/presse/pressemitteilungen/details/wichtige-entscheidung-unitaid-schafft-patentpool-fuer-zugang-zu-lebensnotwendigen-medikamenten/>

xviii See ‘Evaluierung der Humanitären Hilfe der Österreichischen Entwicklungszusammenarbeit im Zeitraum 2004-2008. Endbericht.’ http://www.entwicklung.at/uploads/media/Evaluierung_HuHi_2004-2008_Endbericht_Mai2010_01.pdf. Vom 7. Juni 2010. S. 14-15.

xix See ÖFSE 2009 (Hrsg.): Österreichische Entwicklungspolitik 2008. Staat und Entwicklung. Wien: Südwind Verlag. S. 86.

xx CRPD, Para 32, 1.a

xxi BGBl. 65/2003, Section 1, Para 4

xxii http://www.entwicklung.at/uploads/media/Focus_Persons_with_disabilities.PDF

xxiii CRPD, Para 4,3

xxiv AusffG, BGBl I 145/2008

xxv See OeKB: Federal Act on Experts (version from 24 Dec 2008), <https://www.bmf.gv.at/WipoEUInt/Exportfrderung/GesetzlicheGrundlagen/Ausfuhrfoerderungsgesetz.pdf>

xxvi ECA Watch Austria: ECA Reform Campaign, <http://www.eca-watch.at/reform/index.html>

xxvii Attac: Steuer-CD: OECD-Kriterien wirkungslos (8.2.2010), <http://www.attac.at/8594.html>

xxviii AG Globale Verantwortung: Jenseits von Almosen (2009), p.11

xxix Design, planning, implementation, evaluation

xxx See ARBOS Management Advisers & ETA environment management (2010): Evaluation of Austrian Export Subsidies, ecological, social and economic effects on target countries (on behalf of Ministry of Finance), http://m.bmf.gv.at/WipoEUInt/Exportfrderung/EVALUIERUNGDESAUSFU_10910/ETA-Endbericht.pdf