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|  |  | CRPD/C/AUT/QPR/2-3 | |
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**Committee on the Rights of Persons with Disabilities**

List of issues prior to submission of the second to third periodic reports of Austria[[1]](#footnote-2)\*

A. Purpose and general obligations (arts. 1-4)

1. Please indicate whether the State Party has reviewed its’ legislation and further harmonized it with the provisions of Convention since the review of its’ initial report.
2. Please indicate which measures have been taken to ensure the assesment of disability is in line with the human rights model of disablity provided for in the Convention,and in article 4.3 in particular.
3. Please provide information on measures taken to ensure the full and effective implementation of the National Disability Action Plan 2012–2020, including the funds allocated for its implementation.
4. Please provide information on measures taken to ensure the full and effective participation of persons with disabilities and their representative organizations, including those representing women, girls and boys with disabilities, in the design, implementation and review of all disability-related legislation and policies, as well as in other policy and decision-making processes.
5. Please indicate which measures have been taken torevise the German translation of the Convention. Please also indicate which measures have been taken to ensure participation of persons with disabilities and their representative organizations in this revision and whether the translation of the Convention is available in Easy Read.

B. Specific rights (arts. 5-30)

Equality and non-discrimination (art. 5)

1. Please provide information on measures taken tostrengthen the anti-discrimination laws by broadening the scope of available remedies and including remedies other than financial compensation that would require a change in the behaviour of people who discriminate against persons with disabilities, such as injunctive powers.
2. Please indicate how the State plans to allow general claims for injunctive relief and removal of barriers in accordance with the Disability Equality Act.
3. Please provide information on measures taken tostrengthen the current structures used to deal with situations of multiple discrimination.

Women with disabilities (art. 6)

1. Please provide information on measures taken toensureequality and prevent multiple forms of discrimination of women and girls with disabilities and to mainstream a gender perspective in disability-related legislation and policies, and a disability perspective in its women-related legislation and policies.
2. Please indicate if women with disabilities are considered as a specific target group by the Public Employment Service.
3. Please provide information on measures taken**,** including by the Länders, to empower women with disabilities, including measures to provide targeted and accessible services.
4. Please indicate how many women and girls with disabilities have been sterilised, and under which circumstances since the review of the initial report.

Children with disabilities (art. 7)

1. Please provide information on measures taken to make available the necessary professional and financial resources, especially at the local level, to promote and expand community-based rehabilitation and other services in their respective local, in order to ensure respect of the rights of children with disabilities to live with their families. Please provide data on number of professionals providing services to boys and girls with disabilities and howausterity measures have affected the provision of those services.
2. Please provide information on number of children not living with their families, including those placed in institutions, and detailed data, including the financial and other resources invested, on measures taken to ensure de-institutionalisation of children with disabilities.
3. Please provide information on measures taken to prevent any abrogation of the rights of children with disabilities.

Awareness-raising (art. 8)

1. Please provide information on the measures taken for the promotion of the Committee’s General comments.
2. Please indicate whether the Law allowing abortion on the basis of foetus impairment has led to further stigmatization and stereotyping of persons with disabilities and their parents in the State party.

Accessibility (art. 9)

1. Please indicate if all public services, especially educational, health and social services, as well as all client services have been made fully accessible at Federal, Lander and municipal levels in line with State Party’s legislation and the Committee’s Concluding Observations (CRPD/C/AUT/CO/1).
2. Please provide information on progress made in making all public transport and infrastructures accessible, including making information on public transport accessible for independent use by blind persons.
3. Please indicate what percentage of public websites and applications fulfill the requirements of the European direction 2016/202.
4. Please indicate what steps is the Federal Government taking in order to satisfy the need for sign language interpreters.
5. Please provide information on measures taken to further strengthen the monitoring mechanisms in order to ensure that the allocation of funds aimed at the removal of accessibility barriers is adequately monitored, and to provide continuous training of relevant monitoring staff.
6. Please provide information on measures taken to include continuous training on universal design and accessiblity as part of mandatory curricula for professions such as architects, designers, ingeneers, programmers.
7. Please provide information on measures taken to utilize public procurement procedures to ensure full accessibility.
8. Please provide information on measures taken to implement Sustainable Development Goal 11, targets 11.2 and 11.7.

Situations of risk and humanitarian emergencies (art. 11)

1. Please provide information on measures taken to make services and facilities available to migrants and refugees fully accessible and disability- inclusive.
2. Please provide information on measures taken to make disaster risk management fully accessible and disability-inclusive in line with the Sendai framework.

Equal recognition before the law (art. 12)

1. Please provide information on measures taken to provide support in decision- making to persons with disabilities, including any reform of legislation and funds provided for supported decision- making.
2. Please indicate whether the number of persons under substituted decision making regimes has decreased or increased since ratification of the Convention.
3. Please provide information on ways in which individual’s choice, will and preferences are taken in account when providing individuals with support in decision- making.
4. Please provide information on any training at the national, regional and local levels, for all actors, including civil servants, judges and social workers, on recognition of the legal capacity of persons with disabilities and on mechanisms for supported decision-making.

Access to justice (art. 13)

1. Please provide information on measures taken to provide procedural accommodation to persons with disabilities in different proceedings, including the number of available sign language interpreters, physical accessibility of court buildings, and availability of official documents in proceedings in braille, electronic format, and Easy Read.

Liberty and security of the person (art. 14)

1. Please provide information on measures taken to review provisions in legislation that allow for the deprivation of liberty on the basis of disability, including intellectual and/ or psychosocial disabilities, and adopt measures to ensure that health care services, including all mental health care services, are based on the free and informed consent of the person concerned.
2. Please provide information on steps taken, if any, to oppose the adoption of the Additional Protocol to the Council of Europe Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine (ETS No 164), given that this Protocol infringes on several provisions of the Convention on the Rights of Persons with Disabilities, to which your State is a party, especially article 14.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

1. Please provide information on measures taken toabolish the use of net beds, restraints and other non-consensual practices with regard to persons with intellectual disabilities andpersons with psychosocial disabilities in psychiatric hospitals, institutions, or anywhere else.
2. Please provide information as to how intersex children are treated as disabled children and if surgery continues to be performed on these children in the State party.If so, please provide data on the number of children who have undergone surgery since the last report.
3. Please provide information on measures taken to implement the recommendations made by Committee against Torture (CAT/C/AUT/CO/6).

Freedom from exploitation, violence and abuse (art. 16)

1. Please provide information on effective measures taken to ensure protection of persons with disabilities from exploitation, violence and abuse. Especially, please provide information on the establishment of protocols for the early detection of violence, above all in institutional settings, the provision of procedural accommodation to gather testimonies of victims, the prosecution of those responsible, as well as the type redress that persons with disabilities victims of violence receive.
2. Please inform the Committee on how art. 16.3 is being implemented, particularly within the mental health system.

Living independently and being included in the community (art. 19)

1. Please provide information on effective measures taken to ensure that an adequate level of funding is made available to effectively enable persons with all types of disabilities to enjoy their right to freely choose their residence on an equal basis with others and to access a full range of in-home and other community services for daily life, including personal assistance; with a view to supporting their inclusion in their communities, in line with General Comment No. 5.
2. Please provide information on the use of the European Union structural funds and national funds, including precise information on funds provided to personal assistance in line with General Comment No. 5 and other support services in communities, including support for the de- institutionalisation of boys and girls with disabilities.
3. Please indicate the number of residential homes for persons with disabilities in the State party, broken down by the number of residents in each of these homes.
4. Please indicate how many persons with disabilities are placed in residential homes for elderly people.

**Mobility (art. 20)**

1. Please explain whether austerity measures have led to a reduction of State grants for the adaptation of cars used by persons with disabilities, and their access to quality mobility aids.

Education (art. 24)

1. Please provide information on effective measures taken to ensure that an adequate level of funding is made available to provide reasonable accommodation to children with disabilities based on the student’s individual requirements; provide students with disabilities with required support within the mainstream education system; and to continue training teachers and all other educational staff to enable them to work in quality inclusive educational settings in line with General Comment No. 4. Please also indicate what measures are taken to promote and encourage training and hiring of teachers with disabilities. Please provide information on measures taken to implement Sustainable Development Goal 4, targets 4.5 and 4(a).

Right to work (art. 27)

1. Please provide information on measures taken to enhance programmes for the employment of persons with disabilities in the open labour market and to narrow the employment and pay gender gap. Please provide specific information on measures taken to promote transition of persons with disabilities from sheltered employment to the open labour market. Furthermore, please provide information on measures taken to ensure social insurance contribution for above mentioned persons. Please provide information on measures taken to implement Sustainable Development Goal 8, target 8.5.

Participation in political and public life (art. 29)

1. Please provide information on measures taken to ensure that voting is fully accessible to all persons, irrespective of disability, and that voting information is provided in all accessible formats.

C. Specific obligations (arts. 31-33)

International cooperation (art. 32)

1. Please provide information on measures taken to make national implementation of Sustainable Development Goals 2030 and international cooperation accessible and disability inclusive. Please provide information on how persons with disabilities, through their representative organisations, are involved in the implementation of SDGs.
2. Please provide information on how the State party includes a human rights perspective in all international cooperation efforts targeting persons with disabilities.

1. \* Adopted by the Committee at its twentieth session (27 August–21 September 2018). [↑](#footnote-ref-2)