

Globale Verantwortung

Arbeitsgemeinschaft für Entwicklung und Humanitäre Hilfe
Austrian Platform for Development and Humanitarian Aid

Global
Responsibility

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Submission of

Global Responsibility –

Austrian Platform for Development and Humanitarian Aid

for the Universal Periodic Review of Austria
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I. Introduction

1. Global Responsibility, the Austrian Platform for Development and Humanitarian Aid, is an umbrella organisation of 39 member organisations, active in the fields of development cooperation, development education and policy work as well as humanitarian aid. In 2008, Global Responsibility has taken over the agendas of two former umbrella organisations. The platform is active in policy work, advocacy and lobbying as well as public relations and provides services for its member organisations. Global Responsibility has already written a submission for the first Universal Periodic Review (UPR) of Austria. The submission at hand has been compiled in cooperation with member organisations. It analyses the state of affairs of Austrian Development Cooperation (ADC) and Humanitarian Aid with regard to human rights and compliance with the international human rights obligations.

II. Short summary

2. During the first UPR in 2011, Austria received one specific recommendation on development cooperation (93.33) to bring Official Development Assistance (ODA) up to the internationally committed 0.7 per cent of GNI. However, Austrian ODA remained low and since 2011 the Austrian country programmable aid budget has suffered from severe and continuous cuts. In addition, the shortcomings in structure, coordination and coherence lead to a reduced effectiveness in Austria's efforts to support poverty eradication and decent living conditions of people in developing countries. Humanitarian aid also remains underfunded and fragmented.

3. The human rights based approach including the inclusion and the support of the most vulnerable and marginalised groups and the adequate participation of civil society is not consistently applied throughout all ODA activities. Policy coherence for development is not ensured through adequate mechanisms.

4. In conclusion, Austria is not fulfilling its international human rights obligations regarding the right to development and other rights such as the right to food, the right to education and the right to health in developing countries as well as human rights principles such as non-discrimination and participation.

III. Legal and institutional frame

5. The legal framework for ADC is the Federal Development Cooperation Act of 2002, amended in 2003¹. It enshrines amongst others the promotion of human rights² as one of the main objectives of ADC. The central development policy positions and the strategic framework are defined in Three-Year Programmes on Austrian Development Policy. ADC is implemented by the Austrian Development Agency (ADA), several ministries and other public actors.

6. The guiding principle concerning policy coherence for development is formulated as follows: 'The Federal Government, in the fields of policy it pursues that may have effects on

¹ Entwicklungszusammenarbeitsgesetz inkl. EZA-Gesetz-Novelle 2003, BGBl 65/2003.

² Ibidem: Section 1, Para 3.

developing countries, shall take into consideration the objectives and principles of development policy.³ Overall responsibility for implementation lies with the respective Federal ministry; the Minister for Europe, Integration and Foreign Affairs is responsible for coordination of international development cooperation⁴.

IV. Implementation of international human rights obligations

7. Article 2 (1) of the International 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 countries like Austria.

8. In the course of the first UPR Austria received the recommendation to bring Official Development Assistance (ODA) up to the internationally committed 0.7 per cent of Gross National Income (GNI). The work programme of the Austrian government for 2013 to 2018⁵ foresees a concrete, time-bound roadmap – a step which was also recommended by the OECD Development Assistance Committee (DAC)⁶ – and a statutory basis on how to reach 0,7%. However, no further steps to implement this decision have been taken and the Austrian share of ODA further declined to 0.27%⁷. Further cuts in the budget for bilateral programmable aid are foreseen for 2016.

9. The work programme also defines the yearly budget for the Foreign Disaster Relief Fund with 20 Mio. Euro, but this increase did not take place. The fund continues to be poorly endowed with 5 Mio. Euro. The general net disbursements for humanitarian aid remain low in relation to other OECD countries (14.12 Mio. USD in 2011, 14.62 Mio. USD in 2013)⁸.

10. Debt relief, refugee and imputed student costs continue to be a significant component of Austrian ODA which inflates the overall amount of aid as well as distorts the ranking of recipient countries (hardly any focus countries of ADC under the top ten)⁹. The share of 23% of Austrian ODA going to Least Developed Countries (LDCs) remains much lower than the DAC average of 40%¹⁰. In 2012, Austria provided only 0.06% of its GNI to LDCs¹¹, far less than the UN-goal of 0.15-0.20% goal. Similarly, the share of country programmable aid remains with 14.5% much below DAC average of 55%¹².

³ Ibidem: Section 1, para 5.

⁴ Ibidem: Section 28.

⁵ Republik of Austria: [Work programme of the Austrian Federal Government 2013-2018](#), 2013: p. 75.

⁶ DAC: [Review of the Development Co-Operation policies and programmes of Austria: The DAC's main findings and recommendations](#), December 2014: Recommendation 3.1.

⁷ OECD-Website: [Total flows by donor](#): Donor: Austria, Amount type: current prices (2013).

⁸ OECD-Website: [Total flows by donor](#): Donor: Austria, Amount type: current prices.

⁹ See also CONCORD: [AidWatch2014](#), p. 29.

¹⁰ DAC: [Targeting ODA towards countries in greatest need](#), Apr. 2014, p. 14: Table A2.1.

¹¹ OECD-Website: [Austria should set timeframe for 0.7% development aid target, says OECD](#), 2015.

¹² OECD-Website: [Country Programmable Aid](#): DAC countries total and Austria.

Recommendations:

- Implement the work programme of the Austrian government and thus the commitment to spend 0.7 per cent of GNI for ODA and increase the budget for humanitarian aid
- Establish a binding financing framework which allows for multi-annual budgetary planning
- Reverse the declining trend of ODA going to LDCs and fulfill the UN-target by providing 0.15-0.20% of GNI to LDC¹³
- Increase the budget of the Foreign Disaster Relief Fund and establish a legal foundation

V. Quality of Austrian Development Cooperation and Humanitarian Aid

11. To effectively implement Austria's international human rights obligations, development cooperation and humanitarian aid have to be implemented in a well coordinated, coherent and strategic way. In addition to the legal basis of policy coherence for development as a guiding principle in the Federal Development Cooperation Act of 2002 (amended in 2003), the work programme of the Austrian government for 2013 to 2018 defines the aim as strengthening development cooperation as a responsibility of the whole government. To reach this aim, development cooperation shall be realised as a coherent, whole-of-government responsibility¹⁴.

12. Currently, such an overall strategy is not applied. ADC continues to suffer from fragmentation as well as a lack of a long term inter-institutional strategy and coordination of all involved stakeholders. The advisory council's role and mandate is not clear, nor the selection criteria for its members. Reporting to and decision making at the parliament is limited (mainly to decisions on IFIs) and often delayed. There is only a relatively powerless sub-committee on development policy.

13. The broad consultation of stakeholders for the elaboration of the Three-Year Programme for 2016 to 2018 which according to the Federal Ministry of Europe, Integration and Foreign Affairs (MFA) shall be an overall strategy shows efforts to address some of these challenges. However, the outcomes of this process, the degree of improvement and therefore the effect of participation have yet to be proven. The fact that the Ministry of Finance and the Austrian Development Bank have already determined their own strategies until 2017 makes the task difficult.

14. Humanitarian aid continues to be fragmented. A first positive step towards harmonization and coordination has been made with the formation and regular meetings of an inter-ministry-platform for humanitarian aid in which NGOs are participating. However, the general structural weakness is still present and there are no intentions for change visible. Funding decisions in case of disasters are ad-hoc and seem to be driven rather by political, financial or media pressure than by real needs and capacities on the ground.

¹³ In line with [DAC HLM Final Communiqué](#), Dec. 2014, para 8.

¹⁴ Republik of Austria: [Work programme of the Austrian Federal Government 2013-2018](#), 2013: p. 75.

Recommendations:

- Bundle and strengthen the competences for development cooperation and policy at one focal point
- Develop a coherent overall strategy for all actors of ADC in line with the goals of the Post-2015 Agenda
- Renew the advisory council (criteria for membership, clear mandate and transparency), strengthen the role of the parliament and upgrade the sub-committee on development policy to a standing parliamentary committee
- De-bureaucratize and structurally improve humanitarian aid based on internationally recognized humanitarian principles

VI. Policy coherence for development

15. Many Austrian policies and politics for example in the areas of climate change, the promotion of exports, tax evasion, trade or activities of Austrian companies abroad have impacts on especially economic and social rights in other countries and sometimes run contrary to Austrian efforts of development cooperation and policy. Therefore, improved efforts are necessary to further strengthen Austrian policy coherence for development.

16. The DAC Peer Review of 2014 finds that clear procedures, mechanisms and adequate human resources are not in place for the MFA to ensure policy coherence for development effectively, that Austria does not have a clear approach to addressing policy incoherence and that Austria lacks the institutional mechanisms or capacity to measure, monitor, analyse and report the impact of its domestic and foreign policies on development¹⁵.

17. Regarding the activities of Austrian companies abroad, the UN Committee on Economic, Social and Cultural Rights (CESCR) expresses concern about “the lack of oversight over Austrian companies operating abroad with regard to the negative impact of their activities on the enjoyment of economic, social and cultural rights”¹⁶. The CESCR was also concerned that Austria’s “agriculture and trade policies, which promote the export of subsidized agricultural products to developing countries, undermine the enjoyment of the right to an adequate standard of living and the right to food in the receiving countries”¹⁷.

Recommendations:

- Establish an effective mechanism to monitor policy coherence for development and address incoherencies
- Implement the recommendation by the CESCR to establish appropriate laws and regulations, together with monitoring, investigation and accountability procedures to set and enforce standards for the performance of corporations

¹⁵ DAC: Review of the Development Co-Operation policies and programmes of Austria: The DAC’s main findings and recommendations, December 2014: Paras 2-4.

¹⁶ CESCR: [Concluding observations on the fourth periodic report of Austria](#), E/C.12/AUT/CO/4, 2013: Para 12.

¹⁷ CESCR: [Concluding observations on the fourth periodic report of Austria](#), E/C.12/AUT/CO/4, 2013: Para 11.

VII. Human rights based approach in Austrian Development Cooperation

18. The human rights based approach is mentioned in the Three-Year Programme of 2013-2015¹⁸, but this turned out to be insufficient to mainstream the approach in all programmes of the ADA and other actors of ADC. Development and humanitarian NGOs currently advocate for the inclusion of the approach as a cross-cutting issue in the next Three-Year Programme as it is not yet implemented by all public stakeholders.

19. According to a parallel report to Austria's 5th State Report on Economic Social and Cultural Rights by Austrian NGOs, some projects co-financed by the ADA and the Austrian Development Bank even have negative impacts. The report states that these projects are financed and administered by complex structures involving donor consortia, International Financial Institutions and a private fund¹⁹. In view of reported violations of economic, social and cultural rights the CESCR calls upon Austria "to adopt a human rights-based approach to its policies on official development assistance" including human rights impact assessments, a monitoring mechanism, remedial measures and a complaint mechanism²⁰.

Recommendations:

- Implement the recommendations of the CESCR to adopt a human rights-based approach to Austrian policies on official development assistance including human rights impact assessments, a monitoring mechanism, remedial measures and a complaint mechanism
- Define the human rights based approach as a cross-cutting issue of ADC to be reflected in results of all ODA activities and policies
- Treat inclusion, participation, non-discrimination and equality as inherent aspects of development cooperation and humanitarian aid

Participation of Austrian civil society

20. Civil society is – at least partly – invited to participate in consultation processes concerning the establishment of various strategies including regional strategies, the Three-Year Programme for 2016 to 2018 or the Strategy of the Ministry of Finance for the International Financial Institutions. Unfortunately, the Standards for Public Participation²¹ (adopted by the Council of Ministers in 2008) are not fully implemented. Instead, there is a lack of transparency and information (for example on rules when which stakeholders are invited, on how much room for change exists or why feedback is or is not taken up).

Recommendation:

- Implement the Standards for Public Participation, ensuring inclusion of and accessibility for all relevant stakeholders

¹⁸ [Three-Year-Programme of 2013-2015](#).

¹⁹ [Parallel Report on Austria's Extraterritorial State Obligations on ESCR to Austria's 5th State Report](#), 2013.

²⁰ CESCR: Concluding observations on the fourth periodic report of Austria, E/C.12/AUT/CO/4, 2013: Para 11.

²¹ Austrian Federal Chancellery, Austrian Federal Ministry of Agriculture, Forestry, Environment and Water Management: [Standards of public participation](#), 2008.

21. A human rights based approach includes the focus of development cooperation on the most vulnerable and marginalised groups of a society. Women, children and persons with disabilities are among these groups.

Women

22. Reporting on gender in ADA programmes in annual reports of Austrian development cooperation has improved. Furthermore, an evaluation of the ADA gender policy was carried out in 2012²². It is also welcomed that an ambitious benchmark of 75% for ADA gender budgeting has been set in the federal budget of 2014/2015²³. However, in reality the percentage of gender relevance is decreasing due to budget cuts and programmatic shifts (away from Central America, more focus on business). Gender mainstreaming and the publication of gender markers are limited to ADA programmes, but not applied for all of Austria's ODA.

Recommendations:

- Implement the recommendations of the gender evaluation, especially the development of new tools and application to all bilateral aid
- Extend public Austrian reporting on gender equality to overall bilateral (by sector allocable) ODA, like in the DAC reports on Gender Equality

Children

23. Austria strengthened its commitment to implement children's rights in ADC through an explicit reference in the current Three-Year Programme and by updating the focus paper "Children as partners in ADC" on children's rights in 2014²⁴. In these and other documents Austria expresses its commitment to the following principles: Children are to be taken seriously as partners and have a right to participate. Children's rights shall be mainstreamed. Children and youth have to be a specific target group of the ADC. However, these commitments are not sufficiently implemented.

Recommendations:

- Ensure mainstreaming of children's rights and participation of children in programme development, strategy processes and all phases of the project cycle
- Support projects and programmes targeting children and youth as a vulnerable group
- Take sustainable structural measures (e.g. focal points for children in the MFA and ADA, trainings for the ADA coordination offices)

Persons with disabilities

24. Since the last UPR of Austria, which included an explicit reference to persons with disabilities and poverty²⁵, steps have been taken to better include persons with disabilities in

²² [Evaluation of the Austrian Development Cooperation \(ADC\) Gender Policy between 2004–2011](#), 2012.

²³ Map on the aim of gender equality ([Gleichstellungsziellandkarte](#)) 2014/2015.

²⁴ Three-Year-Programme of 2013-2015: p. 29; Focus paper: [Children as partners in ADC](#).

²⁵ See recommendation 93.33.

ADC. However, the provisions of the UN Convention on the Rights of Persons with Disabilities relating to development cooperation and humanitarian aid are not yet implemented in a comprehensive way. The so-called twin-track approach which combines specific projects supporting persons with disabilities with disability mainstreaming in all programmes is not fully realized. Disability is not among the crosscutting issues in ADC, a fact that results in continuous exclusion, oversight or lack of access for persons with disabilities in development and humanitarian programmes.

Recommendations:

- Ensure access to and participation of persons with disabilities in all Austrian humanitarian and development programmes
- Develop a concrete ADC action plan for inclusion of persons with disabilities, in line with the UN Convention on the Rights of Persons with Disabilities