

MR. WERNER AMON, MBA
KEY NOTE UPR PRE-SESSION
8-11 DECEMBER 2020

Dear colleagues/Ladies and gentlemen,

My name is Werner Amon, I am one of the three Austrian Ombudsmen and secretary general of the International Ombudsmen Institute. It is my pleasure to speak on behalf of the Austrian National Human Rights Institution, the Austrian Ombudsman Board, at the UPR Pre-session of Austria.

The Austrian Ombudsman Board highly **welcomes the opportunity to provide an input** for the 3rd cycle of the UPR Review of Austria. Due to the time frame my following remarks highlight some of our key issues, **focused on Persons with disabilities. I will briefly touch the impact of Covid-19 and our status as NHRI.**

Ever since 2012 the Austrian Ombudsman Board exercises the **broadest possible mandate** under constitutional law **to protect and promote human rights**. That includes individual complaints, ex officio investigations and together with our six multidisciplinary commissions the monitoring of all public and private institutions according to the Optional Protocol to the Convention against Torture, the monitoring of all law enforcement actions of the police, and the monitoring of institutions and programs for persons with disabilities according to Art. 16 UN-CRPD,

We still face lots of challenges. For example: the employment rate of people with disabilities is very low and many people are excluded from the **labour market** or from **unemployment benefits**. Persons who have been diagnosed with a reduced working capability of 50 % or more, based on a merely medical evaluation, can either participate at occupational therapy workshops where they get “pocket money” instead of any salary, or they are left to do nothing. Such occupations are not considered to be regular employment contracts and do not result in any kind of independent security under **pension insurance** law. Persons with disabilities **depend on social welfare**, which means that they cannot improve their situation. Consequently, many persons with disabilities are facing **poverty** throughout their lives.

For further examples I may refer to our last special report on that topic to the Parliament.

The outbreak of the coronavirus and the subsequent rapid development of the pandemic have a **huge impact on the most vulnerable groups in our society.**

Hence the COVID-19 pandemic has demonstrated the **systemic relevance of nursing institutions**. Especially elderly people and people with disabilities and their nursing staff are facing enormous challenges handling restrictions on the freedom of movement. Restrictions on visits by relatives need to be balanced between the right to health and the right to social contacts and respect for private and family life.

We permanently evaluate such restrictions and whenever it deems necessary, we raise our voice in the media and on our weekly television show if restrictions are unproportional or violate human rights.

Regarding our mandate and the constitutional legal basis that guarantees full independence we will start a re-accreditation process to get the A-Status as NHRI. We are not only entrusted by constitutional law but by the public opinion as well. A very recent opinion poll 2020 among the Austrian public also shows that 75% of the population know about the Austrian Ombudsman Board and consider us as a strong and independent protector of human rights.