**"Civil Society Space Report - Input"**

1. **Cooperation with NGOs in the drafting process of the OPCAT Implementation Act**

In Austria, civil society actors were already involved in the legislative process that created the basis of the broadened mandate of the AOB. Their consultation, advice and critique represented an integral component in the drafting of the Act on the Implementation of the OPCAT, which led to the biggest reform of the Austrian Ombudsman Board`s competencies since its establishment.

Before the amendment, the AOB has been monitoring the entire public administration of the Federal Government and – with two exceptions – of the Laender (provinces) since 1977. Since July 2012, the mandate of the AOB was broadened and it became responsible for the protection and promotion of human rights (Federal Constitution Article 148a(3) and 148h(3)).

In accordance with its new constitutional mandate, the AOB together with six independent and multidisciplinary Commissions took on the role of the National Preventive Mechanism (NPM) in accordance with the UN Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). This investigative mandate means that a total of more than 4,000 public and private institutions and facilities will be monitored and controlled by the NPM.

The AOB was included in the legislative process from the very beginning as were civil society and NGO representatives, who were invited to comment on the draft legislations prior to deliberations in Parliament. This preliminary participation of civil and non-governmental organizations made the legislative process highly inclusive, opening up space for discussion and promoting a multi-stakeholder-platform for the exchange of views regarding the specific implementation of the new extension of competence of the AOB.

Through this open drafting process, many concerns and impulses were received from various organizations and expert groups regarding the specific design of the NPM. Many of these considerations provided by civil society organizations have been taken into account and helped to make the actual Act on the Implementation of the OPCAT widely acknowledged among non-state actors and civil society organizations.

1. **Cooperation with NGOs in the NGO-Forum**

Since 2012, the AOB hosts NGO-forums on a regular basis and annually invites representatives from civil society and NGOs to discuss human rights-related issues and developments. In 2012, the NGO-forum informed about the legislative process leading to the implementation of OPCAT.

In 2013 the NGO-Forum was introducing the new NPM-mandate, how it has been set up and what activities have been undertaken, while in 2014 the forum served as a platform to debate the first National Action Plan for Human Rights. This year`s NGO forum will inform about the current status of work on the National Action Plan human rights by the relevant department in charge.

In four workshops, there will be a discussion about the respective human rights-related project proposal submitted by the Austrian government. The workshops will cover the topics such as employment, economy, education, science, cultural politics, racism, equality and the rule of law. The NGOs will have the opportunity to raise their concerns based on their professional expertise and through that process further broaden the discourse about specific issues of the National Action Plan on Human Rights.

1. **Cooperation with NGOs in the context of the National Action plan**

The Austrian Government is currently working on the country’s first National Action Plan for Human Rights and – as National Human Rights Institution (NHRI) and in accordance with the Government’s strategic plan 2013-2018 – the Austrian Ombudsman Board (AOB) is actively involved in the development of this first national action plan. In order to guarantee a broad discussion and diversity of input, the AOB actively strives to include civil society in the process as well.

 In May 2014, the AOB hosted an NGO-forum during which representatives from the Austrian Government informed more than 70 civil society and NGOs about a consultation process, to facilitate the development of Austria’s first National Action Plan for Human Rights and to invited participants to present concrete proposals to be included in such national action plan with the aim of a possible realisation within the current legislative period (i.e. until 2018).

Submitted proposals include up to 30 statements and initiatives from NGOs as well as a joint statement from the Austrian Institute for Human Rights of the University of Salzburg and the European Training and Research Centre for Human Rights and Democracy of the University of Graz. All these contributions are living proof of the broad range of relevant topics and issues to be dealt with in our country’s National Action Plan for Human Rights and confirmed the AOB’s approach of supporting and enabling broad participation and involvement on the part of civil society and NGOs.

The AOB established a communication platform on its website to inform about the development of such national action plan in a transparent and open manner. This platform includes general information as well as all initiatives and statements submitted by NGOs during the consultation process.

For information on the National Action Plan see:

<http://volksanwaltschaft.gv.at/praeventive-menschenrechtskontrolle/nationaler-aktionsplan-menschenrechte>

To provide the best content-related support possible, the AOB furthermore established a working group on this matter, consisting of representatives from the Government, the AOB and civil society. As a first step, structured summaries of NGO submissions and of current recommendations addressed to Austria by international human rights organizations will be forwarded to human rights coordinators at Federal Ministry and in the Laender (provinces) to ensure their consideration in the development of Austria’s first National Action Plan for Human Rights.

1. **Institutional cooperation with NGOs via the human rights advisory council**

The Human Rights Advisory Council is a platform that enables institutional cooperation between the AOB and Civil and Non-governmental organizations. It has been established as an advisory body and consists of a chairperson and a deputy chairperson (both appointed by the AOB) and 16 members and substitute members who are delegated on the basis of parity by the Ministries, the Laender and NGOs.

The Human Rights Advisory Council advises the members of the AOB in the sector of human rights and makes recommendations regarding the definition of monitoring priorities and monitoring standards. Its responsibility is to advise the AOB regarding its new competencies, which includes the determination of general investigative focal points and consultation prior to issuing determinations of maladministration and/or recommendations. It further provides guidance on how to ensure a uniform course of action and how to establish investigative standards.

Furthermore, the Human Rights advisory council makes suggestions on how to ensure unity of action and has the right to be heard prior to the appointment of the members of the Commissions. As a forum for dialogue between representatives of human rights organisations and relevant Ministries, the Human Rights Advisory Council can adopt international human rights standards and incorporate them into national monitoring priorities.

These uniform monitoring priorities then become the benchmark for the Human Rights Advisory Council when it advises the AOB in the determination of maladministration and represent a guideline for the assessment of whether the provided recommendations adequately target the existing problems and adhere to the predefined human rights standards.

1. **The contribution of the Austrian Ombudsman Board to the Universal Periodic Review**

Civil society plays an important part in the prevention of human rights as they are strong promoters in raising the awareness of human rights issues. In particular the use of social media has further enhanced the possibilities of making human rights known to a broader public. The more people are educated and informed about their rights, the higher the chances that they can protect themselves against unfair treatment. But civil society and NGOs have an equally important role in actively promoting human rights issues vis-à-vis the government. This role has been strengthened in recent years in their inclusion in the UPR process.

According to the UPR guidelines, the inclusion and participation of civil society actors and NHRIs in the process of drafting national reports is highly important. In its role as NHRI the AOB took part in stakeholder meetings concerning the follow-up of recommendations addressed to Austria by e.g. the UN Treaty Bodies, UPR etc organised by the Federal Ministry of Foreign Affairs and the Federal Chancellery. Those stakeholder meetings include not only public officials but also NGOs who can share their opinion on the state of the implementation of recommendations. The AOB as NHRI also regularly contributes to these meetings. The AOB also submitted its independent “shadow-reports” to OHCHR which were then published on the OHCHR website.

1. **Publication of the book „Young People and their Rights“**

As NHRI, the AOB also took on the special duty of cooperating with the scientific community, academia and educational institutions. Within this area of responsibility, the AOB recently published a book on “Young People and their Rights”. This book was written with a view to raising awareness and interest in human rights and to encourage children and young people (target audience: children aged 14 and over) to reflect independently on this important topic.

The publication tackles the topic of human rights and children’s rights in a very practical way. In order to claim their rights, children and adolescents need to develop an understanding of what those rights are. With the help of 30 examples out of everyday life situations of children and adolescents, the book illustrates this important matter in a relatable way and helps young people to establish an understanding of their rights. The publication was made available to all schools for political education classes. It should be used as teaching material and provide an entry point when discussing the topic of human rights and children’s rights with pupils and students at school.

The AOB published the German version of this publication in September 2014; an English version of the book was made available later on and also presented during a panel session at the UN Human Rights Council in Geneva.

1. **Cooperation with Civil Society**

As already outlined above, the AOB always strives to involve civil society to the greatest possible extent. Apart from the annual NGO-forums, the AOB regularly meets with representatives of civil society organizations. A round-table discussion with the “Unemployment Initiative”, an Enquete about legal guardianship, another one on chronically ill children are just a few recent examples of how multifaceted and diverse the exchange between the AOB and civil society is.

The AOB highly values this on-going and close interaction and cooperation with civil society, which enables the AOB – as NHRI and in its function as NPM – to include an “external” expertise to its daily work of protecting and promoting human rights in order to further improve and broaden the efficiency and effectiveness of its activities.

1. **VA.trium and the educational mandate of the Austrian Ombudsman Board**

Besides its legal obligation to present an annual report on its work to Parliament and regular reports on its work as NPM to the SPT and the CPT, the AOB always felt a deep moral obligation to promote public awareness on democracy, human rights and the rule of law and to inform the public about the importance of the protection and promotion of citizens and human rights.

As NHRI and NPM the AOB not only performs a preventive monitoring mandate but also aims at educating about the importance of human rights and spreading awareness on this topic. In doing so, it puts a special focus on young people and reaches out to pupils and students with a view to creating more awareness among this demographic group and to ensuring a better understanding of citizens and human rights among them.

In September 2014, the AOB inaugurated its new visitor center “VA.TRIUM” to further open its doors and present itself to the public and to welcome all interested parties. The AOB’s visitor center is an important and relevant educational and awareness raising initiative, which marks the beginning of a new era for the AOB. It opens up new ways of informing the public about citizens and human rights and about how to make use of those rights. It encourages citizens to take an active part in the sociopolitical dialogue and fits perfectly into the AOB’s daily work and area of expertise and competence.

In the framework of this project, the AOB offers tours of its premises and shares first-hand practical knowledge on citizenship, human and children’s rights as part of political education, law subjects or history lessons. So far mainly schools or universities took advantage of this new service offered by the AOB, but guided tours are adaptable and can be offered to various target groups. Following the tour, one of the ombudsmen together with legal experts from the AOB make themselves available to answer questions on the legal practice and on the work performed by the AOB.

In addition to this, the AOB participates in a TV programme called "Bürgeranwalt" ("Advocate for the People"), which is shown by the public broadcaster ORF and has become an important platform for the AOB to continually inform the general public about its work and activities. Every week this TV-show enables the AOB to present individual cases to the public and many of them include problems and/or complaints which do not only focus on maladministration but also often deal with human rights-related issues.