



LUDWIG  
BOLTZMANN  
INSTITUTE  
Fundamental and Human Rights

# ANNUAL REPORT 2019

LUDWIG BOLTZMANN INSTITUTE OF  
FUNDAMENTAL AND HUMAN RIGHTS

<http://gmr.lbg.ac.at>

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## EDITORIAL



The Ludwig Boltzmann Institute of Fundamental and Human Rights is one of the most renowned research institutions focusing on global human rights in Europe, and certainly the largest and most renowned one in Austria. It was and is a great honour for me to have been awarded the role of its Scientific Director in 2019. My vision for the Institute is to broaden its research focus on new challenges for human rights, as well as to further strengthen its position as a beacon of academic reliability in a world where facts and fiction are increasingly mixed up. While we are passionate about fundamental and human rights, it is paramount to remain factual when it comes to the legal foundations of these rights, as well as to differentiate between law and politics. Only by adhering to these principles and producing well-founded academic knowledge can we remain credible partners for the public. I am confident that building on the outstanding expertise of our Institute's staff, as well as on the excellent partnership with the University of Vienna, we can reach this goal.

A handwritten signature in blue ink that reads 'Michael Lysander Fremuth'.

Michael Lysander Fremuth  
Scientific Director



2019 was a year of changes at the Ludwig Boltzmann Institute of Fundamental and Human Rights. In March, two of the Institute's founders, Manfred Nowak and Hannes Tretter, were given a party to celebrate almost 27 years of running the Institute. On April 1<sup>st</sup>, their successor Michael Lysander Fremuth assumed his new role as the Scientific Director of the Institute, while I had started working here March 1<sup>st</sup>. Since then, we have striven to make the Ludwig Boltzmann Institute of Fundamental and Human Rights even more competitive in terms of its academic excellence and practical impact, while at the same time honouring and guarding its history, its culture and its outstanding reputation.

In the years to come, new challenges to human rights research look set to arise, and we are ready to take them on on the back of our academic excellence and diversity.

A handwritten signature in blue ink that reads 'Patricia Mussi-Mailer'.

Patricia Mussi-Mailer  
Administrative Director

# OVERVIEW

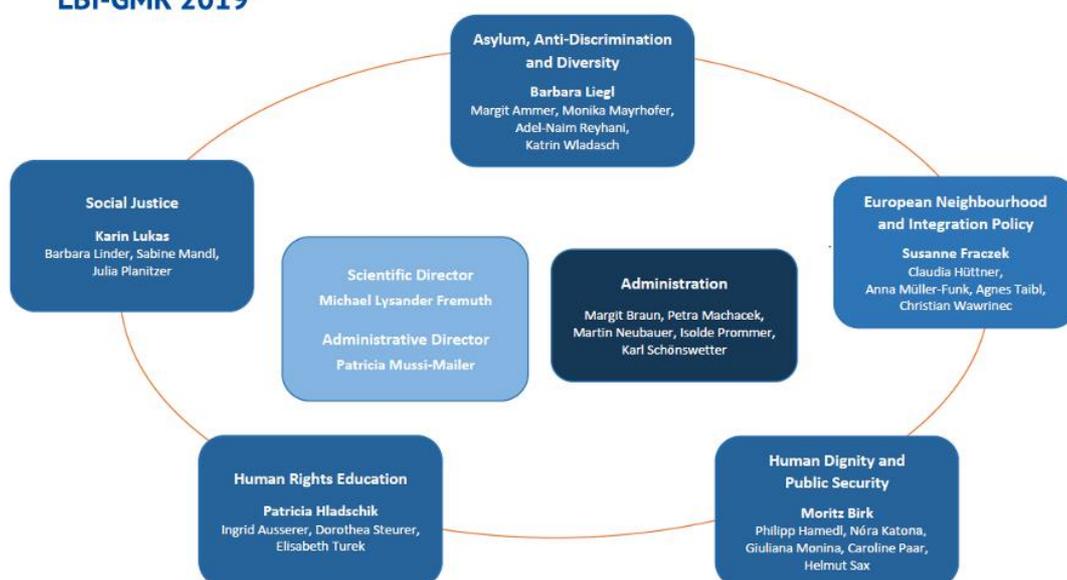
## AUSTRIA'S LEADING HUMAN RIGHTS INSTITUTE

The Ludwig Boltzmann Institute of Fundamental and Human Rights (LBI-GMR) is committed to basic as well as applied research and intends to achieve a lasting societal impact in cooperation with partners from academia as well as civil society. Based on its unique interdisciplinary approach that combines legal, social, and political science, the Institute is in an ideal position to tackle the increasing challenges that the changing global political climate, along with many other technological, health-related and environmental changes, is posing to the field of human rights research. LBI-GMR is particularly well-equipped to address these challenges due to its strong practice-oriented approach.

In 2019, the Institute entered a new stage in its existence. For the first time since its inception in 1992, a new Scientific Director, Michael Lysander Fremuth, was appointed, and for the first time in almost 15 years, a new Administrative Director, Patricia Mussi-Mailer, took office.

In the coming years, the new team of Directors together with the staff will have to tackle three chief tasks: Firstly, they need to maintain and strengthen the qualities that have made the Institute an international success story; secondly, they have to ensure that LBI-GMR adapts well in a fast-changing environment where human rights are under increasing pressure globally; where a limited amount of third party funding is competed for by more and more parties; and where new factors and forces such as climate change and digitalisation are entering the equation. Thirdly, the approximation between

**Organisation Chart  
LBI-GMR 2019**



the LBI-GMR and the University of Vienna in terms of research, teaching and overall cooperation will be further promoted and accelerated.

## STAFF

As an employer, the Institute is committed to the same quality standards as in research. The principles of equality, diversity and non-discrimination, participatory decision-making, fair working conditions and continuous personnel development form the core of our employment policy.

Organisationally, the researchers were assigned to the research areas 'Asylum & Migration'; '(In)Equalities'; and 'Human Dignity & Public Security'. The teams worked in close exchange and in mutual cooperation. The Institute's environment further included Zentrum *polis*, a service facility for political education. Project staff and administrative team complete the LBI-GMR.

## TEAM 2019

### Directors

Michael Lysander Fremuth, Scientific Director (since 04/2019)

Patricia Mussi-Mailer, Administrative Director (since 03/2019)

### Asylum, Anti-Discrimination and Diversity

Barbara Liegl (Lead)

Margit Ammer, Monika Mayrhofer, Adel-Naim Reyhani, Katrin Wladasch

### Social Justice

Karin Lukas (Lead)

Barbara Linder, Sabine Mandl, Julia Planitzer

### European Neighbourhood and Integration Policy

Susanne Fraczek (Lead)

Claudia Hüttner, Anna Müller-Funk, Agnes Taibl, Christian Wawrinec

### Human Dignity and Public Security

Moritz Birk (Lead)

Philipp Hamedl (since 01/2019), Nora Katona, Giuliana Monika, Caroline Paar, Helmut Sax

### Human Rights Education

Patricia Hladschik (Lead)

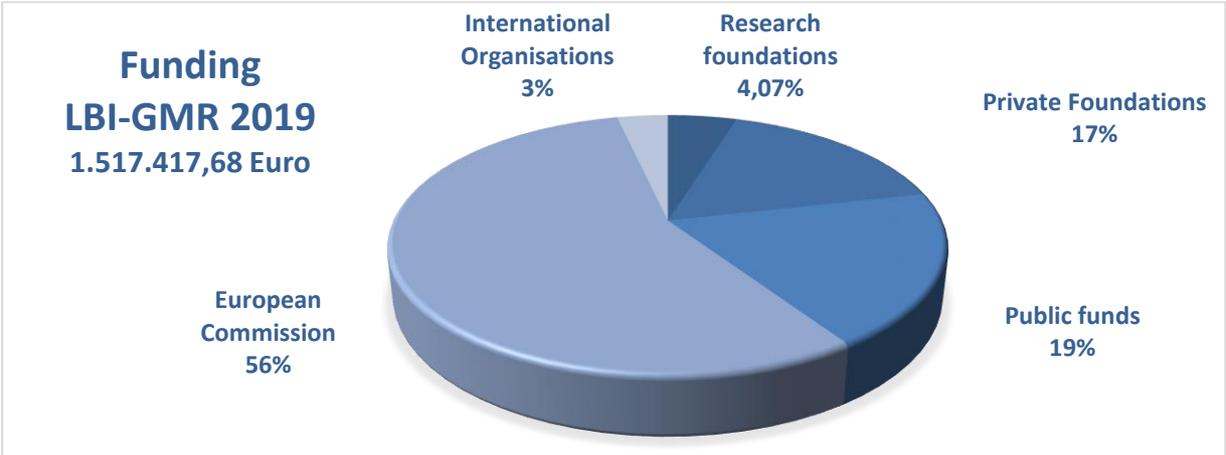
Ingrid Ausserer, Dorothea Steuer, Elisabeth Turek

### Administration

Margit Braun, Melanie Gadringer (since 07/2019), Petra Machacek, Martin Neubauer, Isolde Prommer,  
Karl Schönschwetter

**FACTS & FINANCES**

The LBI-GMR is a non-profit institution, which is mainly based on third-party funding along with a smaller portion of core funding as well as basic financing. All projects and other activities were implemented via two co-operating legal entities: the Ludwig Boltzmann Gesellschaft as umbrella organisation and the LBI of Fundamental and Human Rights Research Association.



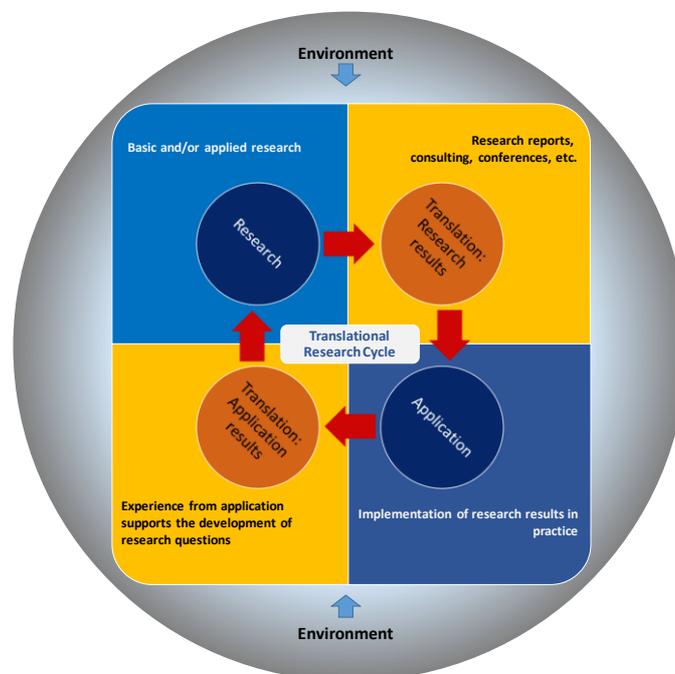
In 2019, the Institute was active in about 25 countries and collaborated with about 90 organisations and partners. The majority of cooperating organisations and institutions are registered and located in Austria, followed by Germany, Belgium, United Kingdom, Italy and Lithuania.

Through ongoing cooperation with other national and international think tanks, NPOs, public institutions, international organizations and universities, the Institute is a well-respected partner in the European and international human rights scene.

# RESEARCH

The Ludwig Boltzmann Institute of Fundamental and Human Rights is covering a wide range of challenges in the field of human rights. A specific characteristic of the Institute is its commitment to the 'Translational Research Cycle' (TRC). Based on previous translational research activities, the Institute has established an integrated systematic TRC and developed the following definition:

'Strengthening human rights lies at the core of the LBI-GMR's work. In order to ensure the highest quality and impact of our work, we pursue a translational approach to translate our research findings into practical application and to use knowledge derived from practice to inform research. We promote this cycle of translation through a structured process of planning, monitoring and evaluation of our work and through strategic cooperation.'



In 2019, the research at the Institute focused on three main research areas Asylum & Migration; (In-)Equalities; and Human Dignity & Public Security. Within these focus areas, researchers combined scientific and applied research. They actively passed on their scientific findings by giving lectures and seminars, promoting professional exchange and other forms of dissemination. The high level of specialisation and the Institute's focus on project work led to detailed thematic activities.

The following pages present research topics that have taken place within the three research areas and shaped the year 2019 at the institute.

## ACCESS TO JUSTICE

In 2019, the LBI-GMR projects on access to justice focused on challenges in the criminal justice sector in the context of the rights of suspected and accused persons.

## MAIN ACTIVITIES

### *Breaking the Barriers: Rights-based participatory judicial training on procedural rights*

The introduction of strict procedural safeguards for suspects and accused persons in criminal proceedings is a key guarantor of their right to a fair trial and an essential part of the EU criminal justice agenda. In 2009, the EU made a commitment to strengthen the protection of these rights in accordance with the Charter of Fundamental Rights of the European Union, the European Convention on Human Rights and the case law of the European Court of Justice and the European Court of Human Rights. The directives on procedural rights adopted by the EU since 2006 contribute to the goal of common minimum standards that strengthen mutual trust between the criminal justice systems of the EU Member States. The correct and effective implementation of the standards laid down in these directives depends largely on the judges and public prosecutors of the Member States, who have to interpret and apply them in the context of national criminal proceedings. Our project "[Breaking the Barriers](#)", initiated in October 2019, focuses on training and connecting stakeholders. LBI-GMR will conduct a training needs analysis that will be the basis for developing training programmes and materials targeting 120 judges and prosecutors to participate in transnational training courses on procedural rights for suspects and accused persons (EU Directives 2010/64, 2012/13, 2013/48, 2016/343). LBI-GMR will also organise a training of trainers and draft the monitoring and quality assurance plan which contains the objectives and tools for the evaluation of the training activities.

### *Rule of Law Programme in the Kyrgyz Republic (phase 2)*

Since 2014, LBI-GMR has been active in the EU-funded "[Rule of Law Programme in the Kyrgyz Republic](#)" (in its second phase since 2018). Access to justice is a key element of our activities in this context. In the framework of major reforms in the criminal justice sector, the Programme supports the enhancement of the Kyrgyz General Prosecutors Office's (GPO) capacity in the fields of juvenile justice and protection of human rights. The GPO has been successfully working with the Programme on developing a Unified Register of Crimes and Minor Criminal Offences. The launch of the new Criminal Procedure Code of the Kyrgyz Republic was synchronised with the launch of said Register in January 2019, which is crucial to the reform of criminal procedures in the Kyrgyz Republic.

The Unified Register is based on and inspired by Ukraine's "Unified Register of Pre-trial Proceedings" which was at the heart of the criminal procedure reform in that country. The reform was intended to bring relevant Ukrainian criminal procedure legislation in line with good practices from the European Union. Therefore, a study trip to Ukraine was organised in June 2019 to familiarise the Kyrgyz counterparts with the implementation of the criminal procedure reform and the operation of the Register in Ukraine. The study trip to Ukraine included a visit to Dnipro, where a pilot system for the digitalisation of pre-trial detention was being tested. A similar sub-module is planned to improve safeguards against torture in the framework of the introduction of the Unified Register in the Kyrgyz Republic. In addition, in December 2019 a study visit to Austria was conducted, welcoming a high-ranking delegation headed by Kyrgyz Vice Prime Minister, Mr. Zhenish Razakov, and the Chair of the Supreme Court, Ms. Gulbara Kalieva. During this working visit on the topic of digitalisation of the judiciary, the delegation obtained practical insights into the work of the judicial authorities with databases and their historical development. The delegates also had the opportunity to learn about applications programmed specifically for the needs of the respective institutions and about the interaction between the police, prosecutors and courts.

Regarding the concept of juvenile justice, the Programme conducted a series of meetings and conferences to support the GPO in implementing international/European good practices in the sphere of juvenile justice.

In September 2019, a Conference on "Protection of Children's Rights in the Criminal Justice System and Closed Institutions" took place with participation of LBI-GMR experts Manfred Nowak and Helmut Sax.

## MAIN RESULTS

### *Rule of Law Programme in the Kyrgyz Republic (phase 2)*

The registration module of the Unified Register of Crimes and Minor Criminal Offences has been fully operational since 1 January 2019, while the pre-trial proceedings module was completed and rolled out at the end of 2019. A sub-module for pre-detention (with a focus on the prevention of illegal arrests, torture and ill-treatment) has been also developed and is now in its pilot phase in Bishkek. Over the course of the year, several hundred updates of the system were conducted to ensure that safeguards are guaranteed and the needs of users are met. Along with the digitalisation of business processes at detention facilities, the Programme has also facilitated the elaboration of draft standard operating procedures.

Seven law enforcement state bodies and several thousand users are connected to the Unified Register: the GPO, the Ministry of Interior, the State Committee of National Security, the Army Central Office, the State Service for Combating Economic Crimes, the State Penitentiary Service, as well as the State Customs Service.

Based on the human rights-based approach, the Unified Register of Crimes and Minor Criminal Offences has led to the generation of more accurate data on the registration of crimes, including cases of alleged torture which was previously underreported. The Programme has also helped the Kyrgyz authorities to improve their protocols on the collection and analysis of data on sexual and gender-based violence, which will allow them to respond to this issue in a more strategic and evidence-based way.

## OUTLOOK

We will continue to work on projects promoting the rights of suspected and accused persons in 2020. Within the "Breaking the Barriers" project, trainers will be trained and will consequently be involved in developing training materials and programmes which will be tested in Austria, Greece and Spain. The training courses will be simultaneously interpreted (German, Greek, Spanish), thus giving judges and public prosecutors who have so far not been able to participate in transnational training courses due to language barriers the opportunity to participate. The training courses will be specifically designed for the target groups and follow a participatory and practice-oriented approach which includes the use of interactive and experiential teaching methods. In Kyrgyzstan, 2020 will bring the further development of the Unified Register, including the completion of the basic functionality of the analytical module as well as the launch of the sub-module for pre-detention.



Round Table on protecting the rights of children in the criminal justice system and closed institutions © LBI-GMR

## ASYLUM

In 2019, the right to asylum came under increasing pressure in Europe. Efforts to obstruct movements towards European jurisdiction by containing refugees and other migrants in third countries despite appalling conditions continued unabated. Building upon our long-standing experience and broad expertise, the research area of asylum is an urgent and topical concern of ours. Selected aspects of our 2019 activities in this field are outlined below.

### MAIN ACTIVITIES

The project ["The Concept of Vulnerability in the Context of Human Rights"](#) started in April 2019. This three-year project is funded by FWF, the Austrian Science Fund, and explores complementarities, overlaps, ambiguities, delimitations or even inconsistencies of the concept of vulnerability with the concepts of (in-)equality and (non-)discrimination based on empirical research. In this context, empirical research will also be conducted in the field of asylum law and policies, an area where the concept is increasingly used. After conceptual work on vulnerability, the team started to explore possible topics for case studies also in the field of asylum.

Also in 2019, the project ["Corporate Responsibility for the Integration of Recognised Refugees and Beneficiaries of Subsidiary Protection into the Austrian Labour Market"](#) was completed. This was a short-term project funded by Hochschuljubiläumsstiftung der Stadt Wien. It focused on the role businesses have in integrating refugees into the labour market. The resulting study outlines the legal framework of corporate responsibility as well as the framework conditions for access to the labour market, and examines expectations and needs on the part of companies and refugees. Existing initiatives to promote labour market integration as well as innovative entrepreneurial approaches are highlighted as good practice examples.

In 2019, we continued to focus on research questions related to access to asylum in Europe and the condition of refugees in Libya. We found that the excessive externalisation of migration control establishes a condition of absolute rightlessness for refugees trapped in Libya. Furthermore, our research demonstrated the detrimental effects of the disintegration of Libya on even the theoretical availability of critical human rights guarantees that would else allow refugees to move towards accessing asylum. These insights suggest that refugee law research should appreciate the fundamental flaws of the current nation-state based legal architecture and further advance the exploration of state-transcending models of jurisdiction for human rights obligations. We shared these and other relevant findings via academic journals and conferences.

We furthermore built upon research in the context of a legal opinion that we issued in 2018 on the admissibility of return decisions against asylum seekers in shortage occupations. We cooperated with external researchers in an analysis of the tendencies in the case law of the European Court of Human Rights to view the interests of States and asylum seekers under Article 8 of the Convention in deportation cases as by default competing and independent spheres. Our research found that through applying an intermediate standard of proof for justifying State (in)action, the Court might overcome such static tendencies.

In 2019, Austrian asylum and migration law was amended to establish a government-controlled organisation for providing legal advice in asylum and return procedures. Based on our analysis of the likely effects on the rights of refugees and other migrants, we issued a statement on the draft proposal of the bill. We discussed the negative implications of these developments for child rights protection as part of the Austrian civil society delegation to the pre-sessional hearing with the UN Committee in the Rights of the Child in June 2019. We actively participated in the national public debate on asylum and migration by giving interviews to traditional outlets, and with the help of social media. As in previous years, LBI-GMR was also



6th International Mayors' Conference NOW, 27-29 January 2019, © Act NOW

actively engaged in the [Act NOW initiative](#), which connects mayors and local administrations involved in migrant support programmes with academia and civil society of more than 25 countries from the Middle East and Europe. In January 2019, 240 participants joined the 6th Mayors "NOW Conference" focusing on the contribution of children and young people to the social cohesion of diverse local communities; LBI-GMR hosted the Working Group on Children's Rights throughout the process.

Beyond the distribution of knowledge generated through our research, this year's efforts in the research area of asylum also contributed to enhancing the

appreciation of the value of LBI-GMR's work by key academic as well as political actors in Austria and internationally.

The results of the analysis of the study on labour market integration of refugees form the basis for continuing in-depth research on the topic, in particular for a recent application to the Austrian Science Fund, and will feed into the debate on corporate responsibility for human and labour rights.

## OUTLOOK

Given the continuously high theoretical, political and legal significance, the Institute will further strengthen its focus on access to asylum in Europe. For this purpose, it will, inter alia, build upon the insights generated on the critical role of jurisdiction for obligations under refugee law to discuss and formulate state-transcending models. Apart from that, in the context of the above-mentioned project on the concept of vulnerability, a case study on asylum will focus on the role of vulnerability in accessing asylum in Europe. Drawing from insights generated through our analysis of the ECtHR's adjudication in deportation cases under Article 8 ECHR, we will continue to explore pathways to addressing the vexed relationship under human rights law between the rights of refugees and the interests of States.

## PUBLICATIONS

**M. Ammer/A. Schüchner**, "[Article 3 \(Principle of non-refoulement\)](#)", in M. Nowak/M. Birk/G. Monina (eds), *The UN Convention Against Torture: A Commentary*, Oxford University Press, Second Ed., 2019, 98–175.

**A. Reyhani**, "The Production of Absolute Rightlessness Sur Place Through Excessive Externalisation", in *European Yearbook of Human Rights*, 2019.

**A. Reyhani**, „Schrödingers Flüchtling? – Der Rechtstatus von Asylsuchenden im Dublin-System“, in *Zeitschrift für Ausländerrecht*, 11/2019.

**A. Reyhani**, „Seenotrettung – Worüber wir reden könnten“, in *derstandard.at/Kommentar der anderen*, 11/07/2019.

**M. Ammer/A. Reyhani**, [Stellungnahme zum Entwurf betreffend das BBU-Errichtungsgesetz](#) [Legal opinion on the draft law on the establishment of a Federal Agency for Care and Support Services], 36/SN-127/ME XXVI. GP, 12/04/2019.

**A. Reyhani**, „Von Juristen und gefährlichen Asylwerbern“, in *derstandard.at/Kommentar der anderen*, 08/02/2019.

## CHILDREN'S RIGHTS

On 20 November 1989, the Convention on the Rights of the Child (CRC) was adopted by the UN General Assembly; consequently, the year 2019 was marked by activities celebrating the 30<sup>th</sup> anniversary, in Austria and internationally. The Convention has been instrumental in improving rights protection and living conditions of children across the world, in terms of advances in school enrolment, health care access and legal bans on corporal punishment. At the same time, some 14 million children continue to be displaced, children continue to be sexually abused and economically exploited.

## MAIN ACTIVITIES

2019 saw the culmination of the three-year research process for the “UN Global Study on Children deprived of Liberty”. Following a final expert meeting at the Global Campus of Human Rights in Venice in March, Manfred Nowak, UN-mandated lead expert for the Study, presented the final report to the General Assembly in October 2019. The full 750+ pages Study report, containing more than 160 recommendations to end the deprivation of liberty of children across all settings, was published in November 2019 during the high-level 30th CRC Anniversary commemorative event in Geneva. LBI-GMR played a leading role throughout the Study process, from its conceptualisation to the collaboration with Manfred Nowak and the Global Study coordination team.

Moreover, Moritz Birk and Helmut Sax co-chaired the international research group on children deprived of liberty in the context of the administration of justice, which included academics, civil society representatives and focal points from UN agencies. On International Child Right’s Day, LBI-GMR organised a press conference to present the Global Study findings and their implications for Austria. In addition, follow-up activities made possible by funding from a private foundation have been implemented, including several Global Study launch events (in Australia, South Africa, Thailand, for instance) as well as the development of a practical toolkit for implementation of the Study recommendations.



Helmut Sax at the Vienna City Hall, © Martin Votava/PID – Stadt Wien

LBI-GMR continued to support the City of Vienna Human Rights Office in anchoring child rights protection at the municipal level; for this purpose, Patricia Hladschik and Helmut Sax participated in the city’s Child Rights Focus group, leading to a proposal for a child rights implementation plan in Vienna; furthermore, LBI-GMR contributed to a round table on the rights of young persons with disabilities. On the occasion of the Convention on the Rights of the Child’s 30<sup>th</sup> Anniversary, LBI-GMR was invited to hold lectures, presentations and events, including a panel discussion on current child rights challenges in the Vienna City Hall.

LBI-GMR has also provided expert support to a variety of processes and consultations in the child rights field, including in the context of the Austrian Child Rights Board (a consultative expert body providing child rights advice to the Minister on Family and Youth Affairs) and the preparation of quality standards for institutional care of children (organized by FICE Austria). For several years, LBI-GMR has also collaborated with the [Act NOW initiative](#) which focuses on community-centred measures to strengthen social cohesion with particular attention to child rights protection. Helmut Sax acted as the host of the NOW Working Group on Children’s Rights and held a workshop during the “6<sup>th</sup> Mayors NOW Conference” (“Promoting Social Cohesion Youth Participation in our Communities”) in January 2019.

In 2018, the Austrian government submitted its periodic state report to the UN Committee on the Rights of the Child in Geneva; following this, the Austrian National Coalition on the Implementation of the CRC in Austria ([Netzwerk Kinderrechte Österreich](#)) prepared its Alternative Report dealing with the civil society perspective on child rights implementation in Austria. In addition, through direct consultation with children, a separate report offering children's perspectives on rights protection in Austria was initiated by the Coalition. As a Coalition member for more than 20 years, LBI-GMR contributed substantially to the reporting process, and Helmut Sax presented the Coalition's report to the UN Committee during its pre-sessional hearing in June 2019.

On the internal level, LBI-GMR continued to update and further expand its Child Protection Code of Conduct, in line also with the National Coalition's new policy requiring members to comprehensively develop child safeguarding standards. Additionally, this is embedded in a broader LBI-GMR process about research ethics and human rights in research.

## MAIN RESULTS

Both from a child rights and criminal justice perspective, the main result in the reporting period was LBI-GMR's contribution to the "UN Global Study on Children deprived of Liberty", in particular the drafting of the key chapter on administration of justice. In fall 2019, Helmut Sax was invited to join leading regional networks on child rights research and child justice, namely the [Child Rights European Academic Network \(CREAN\)](#), hosted by the University of Geneva, and the [Child-Friendly Justice European Network \(CFJ-EN\)](#), coordinated by Defence for Children International, Belgium.

## OUTLOOK

As a cross-cutting research topic, child rights research will continue to play an essential role at LBI-GMR. Consequently, and based on the findings from the 2019 evaluation of the Institute, the research programme will comprise both mainstreaming activities in order to ensure a child-age sensitive perspective in other research areas (ranging from asylum and social justice to human rights education) as well as targeted projects specifically focusing on children as target groups and partners in research. Complementarily, a refined child safe-guarding policy for research involving children will be adopted in 2020. Finally, efforts to add a generational perspective to the human rights discourse, not least through efforts to establish human rights of older persons as LBI-GMR research topic, will continue.

## PUBLICATIONS

**M. Birk/S. Randazzo/H. Sax**, "Deprivation of Children in the context of Administration of Justice", in Nowak (ed), [UN Global Study on Children Deprived of Liberty](#), 2019, 246–339.

**H. Sax/W. Süntinger**, "All human rights for all. Wie eine Weltkonferenz ein junges Institut mit Energie füllt" in P. Hladschik/F. Steinert (eds.), Menschenrechten Gestalt und Wirksamkeit verleihen. Making Human Rights work. Festschrift für Manfred Nowak und Hannes Tretter, 2019, 297–305.

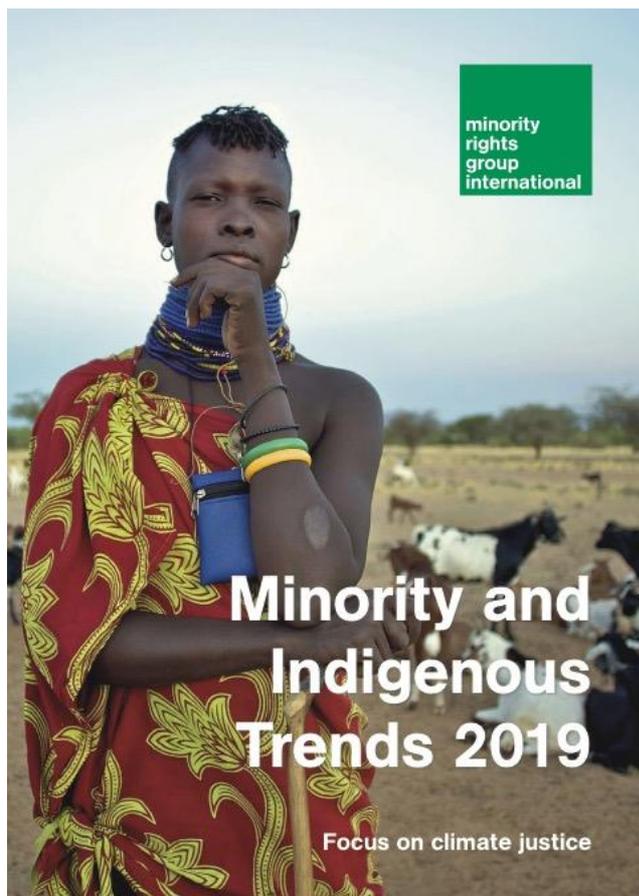
**L. Damm/H. Sax et al.**, "Kinderrechte im Gesundheitswesen – die Sicht der Kinder- und Jugendanwaltschaften und der Patientenanwaltschaften in Österreich", in *Das Gesundheitswesen*, 05/2019, (online publication, DOI: 10.1055/a-0881-9499).

## CLIMATE CHANGE-RELATED MOBILITY

Every year, millions of persons are newly displaced due to weather-related disasters more than those displaced by conflict. The likelihood of disaster displacement today is 60 percent higher than it was four decades ago. There is growing evidence that climate change is becoming an increasingly important factor with regard to human mobility. Environmental/climate change is associated with a wide variety of different mobility responses, such as displacement, labour migration, evacuations, relocations, eviction, circular migration, and permanent or short-term migration. It interacts with economic, social or political drivers which themselves impact on different forms of mobility. Thus, the interrelation between climate change and mobility is a multi-causal and complex phenomenon, where different forms and structures of inequality and marginalisation play a decisive role.

## MAIN ACTIVITIES

The project “[ClimMobil](#)” started in October 2019. Although most persons affected by climate change-related mobility remain in their regions of origin, some of them (will) arrive in Europe, including in Austria. However, the legal status of persons arriving in Europe in this context is still inadequately addressed (normative protection gap). The project funded by the Austrian Climate and Energy Fund aims at investigating the current and potential scope of international protection as well as other forms of protection (in particular humanitarian protection) for persons displaced in the context of climate change in the EU, in particular in Austria and Sweden. The Raoul Wallenberg Institute of Human Rights and Humanitarian Law in Sweden is a partner in this project. The research project started with a meeting laying the groundwork for the two-years project. Researchers started to draft a baseline report and to carry out preliminary work for the case studies.



## OUTLOOK

The next steps of the “ClimMobil” project are interviews with stakeholders at the global and European levels as well as the implementation of case studies in Austria and Sweden.

Apart from that, interim results of the project will be presented by the project team at the [Austrian Climate Day 2020](#) in September 2020 in Leoben, Austria, as well as at the ["6th Biennial Conference on Migration and Integration Research in Austria of the Austrian Academy of Sciences \(ÖAW\)"](#) in Salzburg, Austria, in September 2020.

## PUBLICATIONS

M. Mayrhofer, [“Climate Change, Minorities, Indigenous Peoples and Mobility”](#), in P.

Grant/minority rights group international (ed), *Minority and Indigenous Trends 2019*. Focus on climate justice, 2019, 53–67.

M. Mayrhofer, [“Cambio climático e inmovilidad”](#) (<https://migracionesclimaticas.org/cambio-climatico-e-inmovilidad>), blog entry, 15/07/2019.

## EUROPEAN NEIGHBOURHOOD AND INTEGRATION POLICY

Implementing a translational research approach to put academic insights into practice, LBI-GMR continues to dedicate itself to the promotion of human rights in and through the EU's enlargement policy and the European Neighbourhood Policy (ENP). The process of EU approximation opens up opportunities for change in the partner countries, which LBI-GMR aims to support through policy advice and capacity building measures. Therefore in 2019 the Institute continued its activities under the Twinning instrument as key instrument for *acquis* approximation and public institution building. Furthermore, team members continued to teach at the Master's Programmes in Human Rights at the Global Campus of Human Rights in Venice, Italy, and at the Danube University Krems.

### MAIN ACTIVITIES

All through 2019, LBI-GMR experts visited Serbia as part of the Twinning project "[Support to Strengthening the Fight against Trafficking in Human Beings](#)", conducted in cooperation with the Serbian National Anti-Trafficking Coordination Office (NATCO). LBI-GMR contributed to the improvement of the prevention of THB and the protection of trafficked persons while cooperating with partners from the Austrian and Slovene police forces as well as the Austrian LEFÖ Intervention Center for Trafficked Women.

In March 2019, LBI-GMR organised a Human Rights Talk panel discussion "Under construction: How does the EU grow and develop with the help of the instrument 'Twinning' as an area of freedom, security and justice?", hosted by the Representation of the European Union in Vienna. The event highlighted significant successes achieved under the Twinning instrument, especially in the current period of scepticism and uncertainty about further EU enlargement. It also offered an opportunity to look back on LBI-GMR's 16 years of Twinning involvement, bringing together former and current Twinning experts from various human rights related fields. In October 2019, LBI-GMR welcomed a Delegation of the Ombudsperson Institution in Kosovo. Discussions focused on how to ensure good quality in academic human rights education, sharing LBI-GMR's experiences in cooperation with national and international universities as well as the activities of the Straniak Academy for Human Rights which operates in the Western Balkan region.

### MAIN RESULTS

LBI-GMR observes with interest that EU foreign policy in general as well as enlargement policy and ENP in particular have, in recent years, been marked by efforts for a stronger strategic promotion of human rights, rule of law and democratisation. Yet, major obstacles to a coherent policy still exist in view of opposing trends within the Union. The EU has repeatedly been criticised for assuming the role of human rights promoter in external relations whilst accepting inconsistencies within its borders, thus applying double-standards. The EU's credibility suffers particularly from the poor performance of the Union and its Member States in the field of refugee protection and migration policy, as well as from worrying political developments in some Member States. Waning credibility directly affects the impact EU policies can create in third countries. This is especially salient when it comes to the enlargement process.

### OUTLOOK

Recent political agreements by the Council of the EU regarding the opening of EU accession negotiations with North Macedonia and Albania send a loud and clear message to Western Balkan citizens that their future is in the EU. It is now up to the European Commission to propose the draft negotiating frameworks with the two countries. LBI-GMR always follows pertinent developments in both the enlargement and the ENP countries with great interest – and looks forward to future opportunities for supporting change processes with its specific expertise.



## GENERAL FUNDAMENTAL AND HUMAN RIGHTS ISSUES

LBI-GMR provides outstanding interdisciplinary expertise on specific human rights issues and questions. However, as one of the leading human rights institutes in the German-speaking countries, the Institute also has to respond and to react to pressing and upcoming challenges and questions concerning fundamental and human rights issues of a general nature. In 2019, LBI-GMR started to expand its involvement in broader human rights discourses.

## MAIN ACTIVITIES AND RESULTS

### *Symposium “Menschenrechte als Zankapfel? – Zwischen globalem Anspruch und partikulärer Verwirklichung”*

Together with the Institute of Systematic Theology of the University of Vienna, LBI-GMR organised an [interdisciplinary symposium on the tension between the claim of human rights for universal application on the one hand and their particular realisation on the other hand](#). The speakers elaborated on the relevance of human rights as the ethical dimension of globalisation and exemplified the challenges with an assessment of the impact of religious freedom from a legal, historical and theological perspective.



E. Afsah, M. L. Fremuth, I. Gabriel, W. Schmale, P. Oberhammer, I. Klissenbauer, J. Pock, © M. Nachtschatt

### *Universality of Human Rights*

At the first [China-EU Seminar on Human Rights](#), Michael Lysander Fremuth presented his understanding of universality as an invitation to dialogue. He explained that the recognition, content and possible restrictions of human rights could in part be disputed, but that a serious human rights dialogue requires the recognition of the universal idea of human rights as well as a commitment to the dignity of every human being as its basis. In a lecture at the University College of Teacher Education in Vienna, he spoke on [homosexuality and the challenges it faces with regard to the universality of human rights](#).



Michael Lysander Fremuth © LBI-GMR

## OUTLOOK

Problems and challenges concerning the protection of human rights will continue to affect a broad array of fundamental and human rights. To keep the LBI of Fundamental and Human Rights in the centre of current and pressing debates, ‘general fundamental and human rights issues’ have been upgraded to a distinct research area of the Institute. The cross-sectional aspect of ‘digitalisation and human rights’ will become an integral part of this newly established research area for which scientific director Michael Lysander Fremuth will have the overall responsibility.

## PUBLICATIONS

**M. L. Fremuth**, *Menschenrechte – Grundlagen und Dokumente*, Berliner Wissenschaftsverlag/Verlag Österreich, 2nd ed., 2019.

**M. L. Fremuth/R. Friedrich**, *Datenschutz: Hosting-Anbieter haben ehrverletzende Kommentare zu löschen*, EuZW 2019, 942–946.

## HUMAN RIGHTS IN BUSINESS

Integrating human rights in corporate practice is one of the major challenges of our time. A number of legal and practical barriers remain which prevent the accountability of corporations for human rights violations, especially in the transnational context. Over the past years, LBI-GMR has put a special focus on corporate accountability and access to justice for human rights victims.

### MAIN ACTIVITIES

The following key projects covered this area from different angles:

#### *Corporate Responsibility for the Integration of Recognised Refugees and Beneficiaries of Subsidiary Protection into the Austrian Labour Market*

This study on integrating refugees in the Austrian labour market funded by Hochschuljubiläumsstiftung der Stadt Wien analysed the relevant legal framework, assessed the actual needs of companies and refugees, and highlighted good practices on the labour market as well as ways forward. This project is a pilot study for a broader research project on this issue which will be submitted in 2020.

#### *Human Rights in the Supply Chain*

Karin Lukas held a workshop on human rights challenges in the supply chain for a multinational company specialised in spice production and trade. The input and discussion focused on the prevention of child labour, corporate responsibility in the supply chain and future trends in this area.

#### *Grievance Mechanisms*

Barbara Linder provided expert advice to the International Commission of Jurists on their initiative on effective operational-level grievance mechanisms (OGMs) for business-related rights abuses. She is a member of a consultative group which unites academics and practitioners with practical expertise on OGMs. The project's activities include site visits, research of specific cases, meetings, and consultations.

### MAIN RESULTS

#### *Corporate Responsibility for the Integration of Recognised Refugees and Beneficiaries of Subsidiary Protection into the Austrian Labour Market*

The study found that the willingness of companies to hire refugees has been rising in recent years. Most companies face similar challenges in the integration of refugees in the labour market. These are: language barriers, unclear qualifications and legal barriers. The main motivation of companies to seek employees among refugees is the commitment to corporate social responsibility as well as the lack of qualified Austrian candidates.

### OUTLOOK

In 2020, LBI-GMR will continue its efforts towards mainstreaming and integrating human rights in business. It will put special emphasis on decent work for refugees and engage in a broader interdisciplinary and participatory research project on this issue.

### PUBLICATION

K. Lukas/B. Linder, "Human rights as a framework for assessing MNC impacts on sustainable development", in W. Meyer/A. Martinuzzi/N. Schönherr (eds), *Measuring business impact on sustainable development*, 2019.

## HUMAN RIGHTS AND DEVELOPMENT COOPERATION

Growing inequality within and between countries is one of the greatest challenges of our time. Here, a human rights-based approach to development has a strong role to play with its emphasis on non-discrimination and state accountability for human rights implementation. The key international policy framework in this regard are the Sustainable Development Goals which focus on the reduction of global inequalities by all states, in particular through goals 5 (gender equality) and 10 (reducing inequalities). LBI-GMR engages in these topics through the following activities and results.

### MAIN ACTIVITIES

#### *Austria: Consultancy on human rights, good governance and peace-building*

LBI-GMR extended its longstanding co-operation with the Austrian Development Agency (ADA) through a framework contract aiming at the further operationalisation of good governance, human rights and peacebuilding within the work of ADA and the Austrian Federal Ministry for European and International Affairs. In 2019, consultancies were conducted for the revision of several ADA focus papers, among them one for the Austrian working group on inclusion of persons with disabilities. Expert advice was also given on ADA's Environmental, Gender and Social Impact Management Manual.

#### *Sweden: Consultancy on human rights and democracy for Sida*

In 2019, LBI-GMR established a new partnership with the Swedish International Development Cooperation Agency (Sida). As part of a consortium led by FCG Swedish Development together with The International Foundation for Electoral Systems (IFES), Overseas Development Institute (ODI), and The Thomson Foundation, LBI-GMR was awarded Sida's Framework Agreement in Democracy and Human Rights. Through this framework agreement, LBI-GMR will support staff at the Sida headquarter and in Swedish embassies worldwide on various matters related to democracy, political participation and the human rights-based approach.

#### *Kyrgyzstan: Rule of law programme*

Please refer to chapter ACCESS TO JUSTICE (see p. 8).



### OUTLOOK

LBI-GMR will continue to support a human rights-based approach to development cooperation through its consultancies for ADA and Sida and engage in basic and applied research projects on this topic. LBI-GMR will also continue to closely follow the efforts for the implementation of the Sustainable Development Goals as the main international framework for development and human rights in the years to come.

### PUBLICATION

**K. Lukas**, "Menschenrechte in der Entwicklungszusammenarbeit", in P. Hladschik/F. Steinert (eds), Menschenrechten Gestalt und Wirksamkeit verleihen. Making Human Rights work, 2019, 517–523.

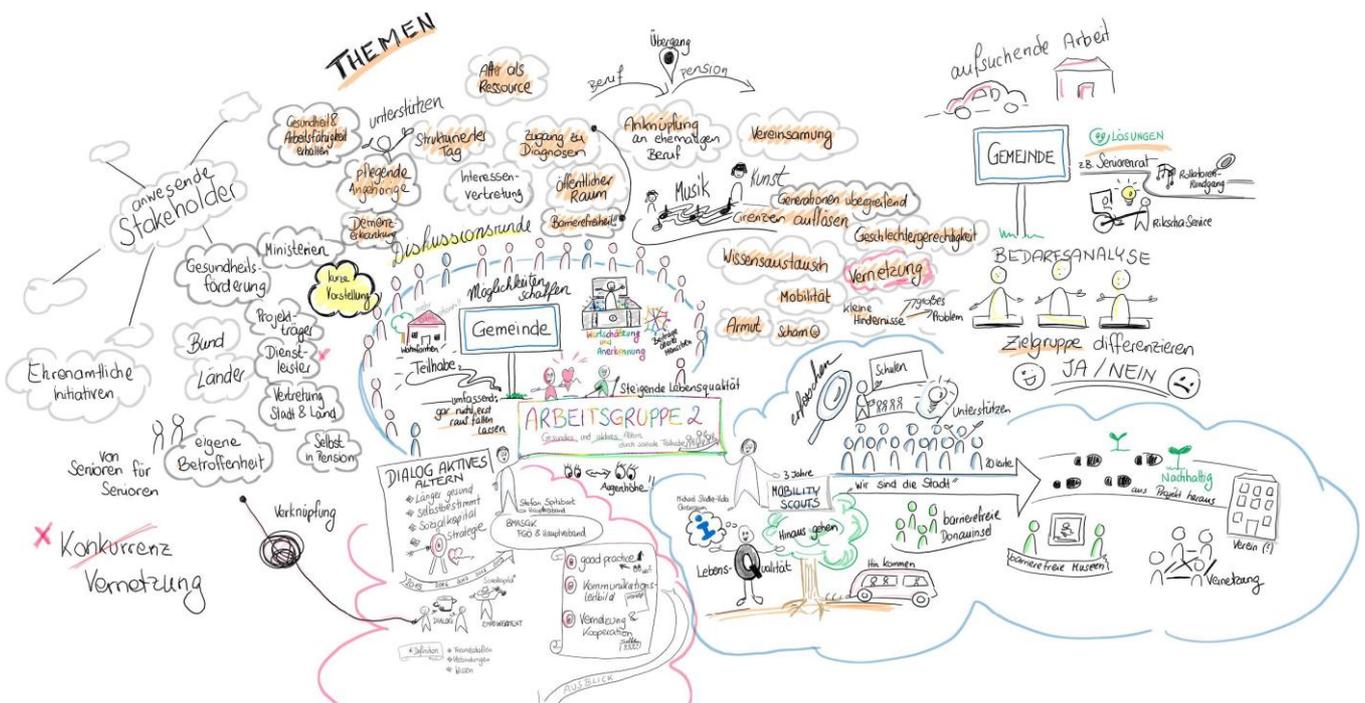
## HUMAN RIGHTS OF OLDER PERSONS

For two years now, LBI-GMR has engaged in research on human rights of older persons. This is a human rights field receiving growing attention and distinct recognition, even though no dedicated international human rights treaty has been adopted yet on this subject. Nevertheless, demographic changes in the population, sustainability of pension systems or quality concerns for long-term care of older persons have come to the forefront of public and political debate in society, calling also for a human rights-based approach to provide adequate responses.

### MAIN ACTIVITIES

During the reporting period, LBI-GMR resubmitted a research proposal on human rights and ageing in societies to the Austrian Science Fund (FWF). It aims to identify gaps in the existing human rights regime in relation to older persons, while building on lessons learned from other groups of right holders, including children, women, persons in long-term care and persons with disabilities. The analysis would concentrate on four focus areas: autonomy of older persons, inclusion, provision of services and access to justice. The application process brought together researchers from LBI-GMR, the European Centre for Social Welfare Policy and Research, the FH Campus Wien and the Austrian Interdisciplinary Platform on Ageing (ÖPIA).

In regard to the latter, LBI-GMR also participated in a review workshop in March 2019 concerning services offered by 'Netzwerk Altern', an interdisciplinary Austrian research platform on ageing hosted by ÖPIA. In November 2019, Helmut Sax was invited to participate in a multi-stakeholder workshop on the implementation of the Sustainable Development Goals (SDGs) and ageing in Austria, organised by the Federal Ministry for Labour, Social Affairs, Health and Consumer Protection. The event offered an opportunity to underline the importance of a human rights-based approach in addressing both the SDGs and issues of ageing in relation to education, health and urban development.



SDG and Ageing Workshop (graphic summary), Vienna, 6 November 2019 © Petra Plicka

## HUMAN RIGHTS OF PERSONS WITH DISABILITIES

Austria ratified the UN-Convention on the Rights of Persons with Disabilities in 2008. Yet, persons with disabilities continue to be confronted with numerous barriers and mechanisms producing exclusion and marginalisation until this day. Currently, the National Action Plan for the inclusion of persons with disabilities is being evaluated, but it is already obvious that enormous political efforts must be taken in order to transform societal structures in such a way that an inclusive environment and equal participation are actually ensured. In 2019, LBI-GMR continued its research into the multiple forms of discrimination and violence that persons with disabilities are exposed to throughout their lives, impeding their enjoyment of their fundamental rights.

### MAIN ACTIVITIES

#### Abusive Experiences and Prevention of Violence against Persons with Disabilities in Austria

This first representative study commissioned by the Federal Ministry of Labour, Social Affairs and Consumer Protection (BMASK) started in 2017 and was completed in 2019. The empirical research aimed to reveal the extent and nature of violence, including physical, psychological, sexual and structural violence, that persons with disabilities are subjected to in a variety of living and working contexts. Thus, a ‘between-method-triangulation’ research approach was defined which combined quantitative and qualitative methods. Throughout Austria, a total of 376 adult persons with disabilities or mental illness living or working in institutional settings (e.g. residential facilities, housing for assisted living, workshops for persons with disabilities etc.) were interviewed. Almost half of the respondents were persons with learning difficulties, one third were persons with mental illness and one fifth had physical impairments. In addition to these interviews, 86 staff members from 43 different institutions and 25 experts (such as representatives of people first movements, monitoring bodies, support structures etc.) were asked to ensure that multi-dimensional perspectives could be taken into consideration. Based on the wide variety of empirical data, factors that foster or prevent violence as well as three good-practice-examples were identified.



Anna Schachner, Hemma Mayrhofer, Sabine Mandl presenting the study. © Veronika Hofinger

## MAIN RESULTS

The analysis of the interviews with persons with disabilities and/or mental health illness demonstrated that more than eight out of ten reported having experienced psychological violence in their lives. Almost eight out of ten persons surveyed named physical experiences of violence. Four out of ten also stated that they had already experienced severe forms of physical violence in their lives. Every other person answered that they had already been subjected to sexual harassment or more serious forms of sexual violence in their lives.

In the study, multivariate statistical analyses were used to identify factors and barriers that might significantly increase the risk of being abused for people with disabilities. The data revealed that growing up in a family environment that is characterised by a lack of love and/or by physical violence increased the risk of being affected by psychological, physical and sometimes also sexual violence in the course of one's lifetime.

The analyses also made obvious that in facilities with low staff resources in the care sector the persons surveyed reported significantly more experiences of violence. This is likely to be the case because of limited and thus inadequate care, and the fact that staff members most probably do not have sufficient time to intervene and mediate when residents come in conflict with other residents. Interviewed experts also discussed that disproportionate structural restrictions in an institution, e.g. lack of places for rest or fixed washing and eating times, violate the autonomy and self-determination of residents and consequently increase the risk of violence.

## OUTLOOK

Even though the methodology used in the study included questionnaires in easy language, symbols and pictograms explaining plenty of items, to some extent persons with complex support needs and/or limited spoken language skills could not be reached. Since the data suggested that these persons are at a higher risk to be exposed to violence, further research is needed to explore the prevalence, the root causes and factors enabling violence. Service providers and residential institutions need to be informed how they can create a violence-free and supportive environment where people's dignity and human rights are fully respected.

## PUBLICATION

**Bundesministerium für Arbeit, Soziales, Gesundheit und Konsumentenschutz:** [Erfahrungen und Prävention von Gewalt an Menschen mit Behinderung](#). Study by Hemma Mayrhofer, Anna Schacher, Sabine Mandl, Yvonne Seidler, 2019.

## HUMAN RIGHTS EDUCATION

Educational activities are at the core of LBI-GMR's work. Each department conducts trainings for different target groups (e.g. judges, journalists, teachers, social workers) and many of our staff are involved in university teaching. An important place in our work in 2019 was given to the European Master's Degree in Human Rights and Democratisation (E.MA), the Vienna Master of Arts in Human Rights, and the Fundamental Rights Trainings for Austrian Judgeship Trainees. The Straniak Academy for Democracy and Human Rights, a summer school for young academics, established by LBI-GMR in 2013, was held in Montenegro for the first time.

## MAIN ACTIVITIES

The main project of the Human Rights Education Department is "polis – the Austrian Centre for Citizenship Education in Schools". polis is the central education service institution for citizenship education in schools, conducted by LBI-GMR on behalf of the Austrian Federal Ministry of Education since 2006.

The centre helps teachers to bring citizenship and human rights education into the classroom, serves as an information platform and advisory centre, develops new materials for the classroom on a regular basis, plays a part in the European and Austrian discussions on citizenship education, has an influential role in teacher training, and organises events for students.

### *30 years of children's rights*

The work of an educational service institution for schools is, by definition, largely determined by a child rights approach. That is why the 30th anniversary of the Convention on the Rights of the Child played an important role in the activities of polis. Inter alia, polis issued an extended new edition of its long-seller on children's rights. The right to participate is an essential cornerstone of children's rights. polis, therefore, consciously integrates a participatory approach into new projects, for example in "Citizenship Education to go", a project developed together with students before the national council election.



Focus on Children's Rights: polis aktuell 2019/7. © zentrum polis

### *EPAN-Network*

An important task of the Council of Europe's Education Policy Advisors Network (EPAN), founded in 2018, is to promote the national implementation of the 'Reference Framework of Competences for Democratic Culture' (RFCDC). The Austrian representatives in this network (Sigrid Steiningner for the Ministry of Education and Patricia Hladschik for polis) were in constant coordination in 2019, and polis launched a number of initiatives: In a focus group of the NECE (Networking European Citizenship Education) network, participants from all over Europe are conducting pilot projects in order to implement the reference framework. Moreover, polis is involved in the development and testing of a reflection tool for teachers commissioned by the Council of Europe.



EPAN-Network meeting. © zentrum polis

### *European Citizenship Education*

Our two main projects on European Citizenship Education continued in 2019: the Federal Ministry of Education, the European Parliament Information Office and the European Commission Representation Office in Austria commissioned polis with the coordination of the network “Europe at school”. The European Parliament Liaison Office draws on polis’s expertise when implementing the European Parliament Ambassador Schools Programme (EPAS).

### *Digital Citizenship Education*

Digital Citizenship Education as a new dimension of Citizenship Education requires increased attention. Digital offers have been part of the polis portfolio for several years (e.g. the First Vienna Protest Path, the political encyclopaedia for young people, the online database with lesson plans, handouts on digital tools and digital games), and the challenges of digitalisation are addressed in various ways, e.g. in our work for Austria’s national No Hate Speech Committee.

In order to anchor these activities more systematically and strategically in the programme, an intensive examination of the Council of Europe's activities in the area of digital citizenship education took place in 2019. The comprehensive Council of Europe project on Digital Citizenship Education serves as the reference for the development of national measures.

### *Trainings, events, workshops organised by LBI-GMR*

From 23 April to 9 May, Austria’s largest annual event on citizenship education brought nine major events in all federal states and eight online offers like a book market, quizzes, publications etc.

The City of Vienna's Human Rights Office celebrated the five-year anniversary of the Vienna City of Human Rights Declaration. LBI-GMR was responsible for the organisation of the event and polis contributed with a workshop on human rights education.

polis organized numerous presentations and market stands with materials throughout the year, e.g. at the diversity days at the Vienna Teacher Training College.

## OUTLOOK

The year 2020 will see a number of important historical anniversaries and jubilees of human rights milestones that will directly influence the work of polis, inter alia: 25 years of Austria's membership in the European Union, 100 years of the Austrian constitution, 70 years of the European Convention of Human Rights, 20 years of United Nations Security Council Resolution 1325, 10 years of UN women.

## PUBLICATIONS

In 2019, the magazine “polis aktuell” focused on the following topics: understanding democracy, music and human rights, planned obsolescence, borders, modern masculinity, child labour, children's rights, Roma in Austria. The year saw a high proportion of publications that were developed in cooperation with long-term partners, which allowed for new methods and led to new target groups.

- The issue on understanding democracy was created in cooperation with SORA Institute for Social Research and Consulting and is a digest of the results of the Austrian Democracy Monitor for students.
- A special issue featuring the Austrian Boys' Day was published together with the Ministry of Social Affairs.
- The issue on the history of Roma in Austria was compiled together the Roma community.



## (IN)EQUALITIES, ANTIDISCRIMINATION & DIVERSITY

Rising inequalities are a worrying global trend. Although the rights to equality and non-discrimination are core elements of the human rights system, diverse, complex and intersecting forms of inequality and discrimination remain a challenge. LBI-GMR has a long-standing history of work in this field. Researchers in several departments contribute to projects analysing different aspects of (in)equalities and non-discrimination.

### MAIN ACTIVITIES

A broad range of activities were carried out in the research area of (in)equality and non-discrimination. Besides the conceptualisation and implementation of research projects, researchers disseminated research results in publications, gave lectures and contributed to academic conferences.

#### *The concept of vulnerability in the context of human rights*

The three-year research project “The concept of vulnerability in the context of human rights” funded by the Austrian Science Fund FWF started in April 2019. (see p. 10)

#### *Non-Discrimination in the context of dyslexia and dyscalculia*

The study on Non-Discrimination in the context of dyslexia and dyscalculia funded by the Straniak Foundation compares the situation of pupils with learning disabilities and specific learning needs in 17 European countries as regards protection against discrimination, the right to reasonable accommodation and effective access to justice.

#### *Economic, social and cultural (ESC) rights in Europe*

Karin Lukas analysed developments and challenges surrounding the application of ESC rights in the European context as well as relevant dogmatic issues such as the justiciability of ESC rights, the principle of non-retrogression in times of economic crisis, and the model of reasonableness. Her further activities concentrated on the interactions between the European Social Charter and EU standards as interpreted by recent case law of the European Committee of Social Rights and the Court of Justice of the European Union in the context of the economic crisis; the right to housing in Europe, in reference to case law of the European Committee of Social Rights, including (non-)discrimination aspects concerning the right to shelter and housing for so-called unlawfully present migrants; and an analysis on the European Social Charter and the principle of non-discrimination.

### MAIN RESULTS

#### *Non-Discrimination in the context of dyslexia and dyscalculia*

We identified big differences in which legal areas and on which legal level—e.g. constitution, law, ordinance, decree, school regulations—the rights of pupils with learning disabilities are defined and regulated. Based on the findings from other European countries, we developed recommendations for Austria. They included amending the Federal Disability Equality Act, the School Education Act, the Performance Assessment Regulation and the School Supervision Act in order to create more legal certainty as well as to enhance access to justice in the area of performance assessment as well as compensation for disadvantages.

### *Economic, social and cultural (ESC) rights in Europe*

Karin Lukas was a speaker at a high-level conference with academics, judges and lawyers on social rights in Europe which took place in Madrid in October 2019. In the course of her work on a first comprehensive commentary on the European Social Charter, she contributed three chapters on the Charter to an extensive commentary project on international and European labour law.



### *Conference: Critical Perspectives on Human Rights, New York, 13–15 March 2019*

Monika Mayrhofer presented the paper “Postcolonial Theory and Human Rights: Exploring the Relevance of Postcolonial Perspectives with the Example of the Human Rights Discourse on Female Genital Mutilation/Cutting” at the Conference “Critical Perspectives on Human Rights” organised by the City College of New York, 13–15 March 2019.

## OUTLOOK

The next steps concerning the FWF project “The concept of vulnerability in the context of human rights” are the conclusion of the literature review and the drafting of pre-studies to the case studies carried out in the policy fields of asylum, climate change-related migration and non-discrimination. The research team will also start to implement the field work of the case studies.

The next phase of the Elise Richter FWF excellency project “Economic, social and cultural (ESC) rights in Europe”, will be a habilitation treatise on the subject above after the completion of a commentary on the European Social Charter by Karin Lukas.

## PUBLICATIONS

**M. Mayrhofer**, “Gender (in)equality, disaster and human rights—the CEDAW Committee and General Recommendation No. 37”, in *Yearbook of International Disaster Law*, 2019.

**M. Mayrhofer**, “Collecting Statistical Data on Sexual Orientation and Gender Identity, Characteristics and Expression”, in *Zeitschrift für Menschenrechte/journal for human rights*, Vol. No. 1, 2019.

**K. Lukas**, “Austerity and human rights. Reflections on the jurisprudence of the European Committee of Social Rights”, in M. Salomon/B. de Witte (eds), *Legal trajectories of neoliberalism. Critical inquiries on law in Europe*. EUI Working Paper Series, RSCAS; 2019/43, 2019, 26–31.

## ONLINE HATE SPEECH

An article<sup>1</sup> published in 2018, showed 'detrimental effects of exposure to hate speech on intergroup relations'. People become desensitised through hostile statements, which results in increased prejudice towards those affected by verbal violence. Combating and preventing online hate speech is, therefore essential for guaranteeing equal treatment and non-discrimination of all members of our societies. A central element in combating online hate is the support of people who have experienced such forms of hate. In 2019 therefore, LBI-GMR strengthened its capacity supporting women and girls who have been affected by online hate speech and cyber violence.

## MAIN ACTIVITIES AND RESULTS

In 2018, a representative study on 'combatting cyber violence against women and girls' commissioned by the Austrian Federal Chancellor was carried out by the Human Rights Research Centre of the University of Vienna in cooperation with Weisser Ring and the Ludwig Boltzmann Institute of Fundamental and Human Rights. The research revealed that one third of all women and girls surveyed (32.4 %, n=1,005) had experienced at least one form of cyber violence in the past year. Most often, women and girls were insulted for their political views and their different identities. Young women aged 15 to 18 were significantly more often abused (almost two-thirds) in comparison to older age groups. Besides the empirical results, the full report contains measures taken by internet service providers to combat cyber-violence against women and girls as well as a comprehensive overview of the legal situation.

Based on the research findings, a training manual was developed aiming to raise awareness for cyber violence among staff members of support structures working with women and girls who have been exposed to violence.



Sabine Mandl, LBI of Fundamental and Human Rights, and Dina Nachbaur, Executive Director Weisser Ring, at the ÖZPGS-symposium in Vienna, 10 April 2019, © Weisser Ring/Orhan Maglajlic

Consequently in 2019, LBI-GMR in collaboration with Weisser Ring conducted three trainings in Vienna, Graz and Salzburg targeting school psychologists and social workers to strengthen their capacities in assisting children and youth when subjected to cyber harassment and abuse.

The trainings provided space for reflexion, discussion on case studies, and exchange of personal experiences, but also for thematic inputs on legal options and practical support.

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<sup>1</sup> W. Soral, M. Bilewicz, M. Winiewski, Exposure to hate speech increases prejudice through desensitization, in *Aggressive Behavior*, Volume 44, Issue 2, March/April 2018, 136–146, 144.

Additionally, LBI-GMR contributed to the volume “Online Hate Speech – Limits of Digital Freedom” edited by Flossmann/Ulrich/Neuwirth/Graf. In the chapter “Cyber violence against women and girls”, the main results of the empirical research including the harmful impact and consequences of cyber-violence on women and girls as well as the need for action are illustrated.

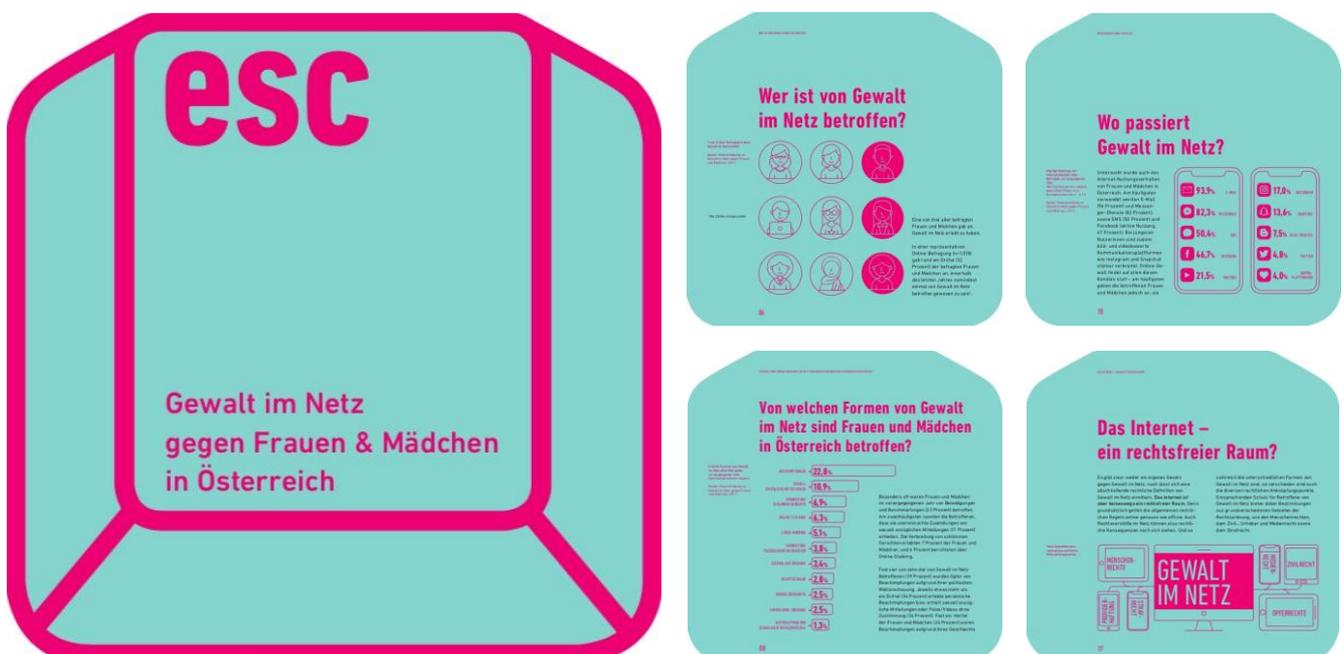
## OUTLOOK

The abovementioned study showed that 'exposure to ethnic slurs decreases sympathy for the victims [...] through the desensitization process' (p. 144). In 2020, LBI-GMR will therefore look into possibilities of using artificial intelligence for countering online racist hate speech. Hate posters are habitually very persistent, which is why even highly motivated people for countering hate speech give up sooner or later. So the idea of the project “Counter-bot: Artificial Intelligence combating racist hate speech online” is to create a scientifically sound basis for the implementation of a counter-bot that automatically generates effective counter-speech against racist hate speech online. A consortium of LBI-GMR, ZARA – Zivilcourage und Anti-Rassismus-Arbeit, the University of Vienna (Department of Linguistics), the University of Klagenfurt (Department of Psychology) and TUNNEL23 will analyse the structure of hate postings and the effects of counter-speech. Such patterns will play a pivotal role in determining the mode of operation of the counter-bot and will become an integral part of the functional specification document, which is the basis for the technical realisation of the counter-bot in a potential follow-up project.

## PUBLICATIONS

S. Benecchi/N. Brügge/R. Hosner/S. Mandl (et al.), “Gewalt im Netz gegen Frauen & Mädchen in Österreich. Representative study commissioned by the Austrian Federal Chancellor.” Research Centre for Human Rights at the University Vienna, Weisser Ring, LBI of Fundamental and Human Rights (eds), 2019.

S. Mandl/D. Nachbaur/R. Hosner/A. Müller-Funk, “Gewalt im Netz gegen Frauen & Mädchen in Österreich”, in Linzer Schriften zu Gender und Recht, Vol. 63, 2019, 44–92.



## TORTURE AND PREVENTION OF ILL-TREATMENT

Despite their absolute and universal prohibition under international law, torture and other forms of ill-treatment remain a widespread problem around the world. LBI-GMR has long-standing experience researching and consulting on how to effectively prevent torture and ill-treatment. In 2019, it published the revised Commentary to the UN Convention against Torture (CAT) and its Optional Protocol (OPCAT). Moreover, our research was used to launch the [Atlas of Torture](#), a global platform on torture and ill-treatment.

In addition, LBI-GMR expanded its activities to include other areas key to the prevention of torture and ill-treatment: strengthening National Human Rights Institutions (NHRI) and National Preventive Mechanisms (NPM), ensuring procedural rights in the first hours of detention, as well as contributing to the improvement of detention standards and conditions.

## MAIN ACTIVITIES

### *Revision of the Commentary to the CAT/OPCAT and the Atlas of Torture*

The revised edition of the [Commentary to the CAT/OPCAT](#) – financed by the Austrian Research Fund (FWF) – was released in December 2019. The Commentary represents the most comprehensive publication yet on the prevention of torture and ill-treatment, containing up-to-date analyses of all the CAT and OPCAT provisions, as well as a newly detailed analysis of the work of the Subcommittee on Prevention of Torture (SPT) and NPMs. The new edition will ensure that the Commentary continues to serve as a comprehensive guide for researchers and practitioners worldwide. The volume was edited by Manfred Nowak, Moritz Birk, and Giuliana Monina, and many researchers working at LBI-GMR contributed by authoring several articles (M. Ammer, M. Birk, N. Katona, G. Monina). It is an open access publication, being the first ever open access Commentary of this kind published by OUP.

### *Atlas of Torture*

In 2019 the LBI-GMR also launched the Atlas of Torture platform ([www.atlas-of-torture.org](http://www.atlas-of-torture.org)) in partnership with HURIDOCS. The platform is a ‘one-stop-shop’ for information on torture and ill-treatment and how they can be prevented. It aims at raising awareness, empowering individuals and organisations as well as fostering cooperation. It provides access to information, documents, and relevant projects and activities, and facilitates exchange among experts and practitioners.

The website was launched at a side event to the UN Human Rights Council in Geneva organised in cooperation with HURIDOCS, OMCT and ODIHR and which took place on 26 June 2019. The Atlas of Torture contributes to facilitating exchanges on current projects and will significantly increase the impact of LBI-GMR’s research in the future.



### *Enhancing procedural rights of suspected and accused persons: the role of NHRIs*

Despite relevant EU legislation, procedural rights of suspects and accused persons remain a challenge in Austria and in many other EU countries. Over the course of a two-year EU-funded project, LBI-GMR explored how EU NHRIs can contribute to strengthening the rights of persons suspected or accused in criminal proceedings. The project culminated in the publication of a Guidebook intended to support NHRIs with up-to-date information on standards, good practices from other EU Member States, as well as guidance on how to enhance procedural rights in criminal proceedings. The Guidebook is the product of the research and broad consultations at national (in Austria, Hungary, Slovenia, and Poland) and international level organised by LBI-GMR and its Partners.

### *Improving detention standards*

LBI-GMR started a new EU project to improve treatment in detention in the EU by supporting the work of NPMs. The project aims at clarifying and consolidating existing standards on the rights of persons in detention through research and exchange among practitioners and experts in four areas: detention in detention (i.e. solitary confinement and segregation); security and violence in detention (i.e. coercive treatment, inter-prisoner violence); complaints, disciplinary measures, reprisals; and treatment of certain groups in a situation of vulnerability.



Consultation Workshop “Strengthening the rights of persons suspected or accused in criminal proceedings”, Budapest © LBI-GMR

October 2019 marked the end of an EU-funded project assessing de-radicalisation programmes and measures in Austrian prisons, including risk assessment tools from a human rights perspective. In two national conferences, representatives of the relevant Austrian stakeholders working in prisons, external organisations and the General Directorate of Prisons discussed strategies and programmes for the first time. A final report including key recommendations was published by LBI-GMR and discussed with the MoJ and other relevant stakeholders.

### *International criminal law*

LBI-GMR established Centre for the Observation of the Rome Statute in the European Union (CORE). The overall objective of the project is to analyse how national law contributes to the enforcement of international criminal law and how international treaties like the Rome Statute are implemented in

domestic law. In 2019, the project focused mainly on victim participation in international criminal proceedings and published its findings on the website [www.core-humanrights.com](http://www.core-humanrights.com).

## MAIN RESULTS

Our research has shown that there have been significant developments in the interpretation of the CAT and OPCAT over the last years. These findings were published in a comprehensive Commentary. Moreover, we launched Atlas of Torture (<https://atlas-of-torture.org>), a global platform on torture and ill-treatment to improve access to information and exchange and facilitate cooperation between defenders worldwide.

Despite broad EU legislation on procedural rights, the practical application of procedural rights poses challenges in Austria and throughout the EU. Our research has shown that NHRIs and NPMs can play an important role in strengthening procedural rights of suspects and accused. We have published a Guidebook collecting good practice example and concrete guidance to support NHRIs.

## OUTLOOK

LBI-GMR will build upon the research conducted under the CAT/OPCAT Commentary and continue its work towards advancing the fight against torture by improving access to information, enhancing exchange, and cooperating with advocates working on torture prevention worldwide, especially via the Atlas of Torture platform.

In 2020 LBI-GMR will continue its work on detention standards in the EU. It will conclude its research on the harmonisation of detention standards in the EU and publish four handbooks intended to provide practical guidance for NPMs; as well as start a new project assessing the extent to which the overuse of pre-trial detention undermines mutual trust and the functioning of EU mutual recognition instruments, like the EAW.

Finally, LBI-GMR will keep focusing on the rights of suspects and accused in Europe in close cooperation with national and international stakeholders.

## PUBLICATIONS

**M. Nowak/M. Birk/ G. Monina (eds)**, *The UN Convention against Torture and its Optional Protocol: A Commentary*, 2 ed OUP, 2019.

**G. Monina/N. Katona**, *Strengthening the rights of suspects and accused in criminal proceedings: the role of National Human Rights Institutions—A Guidebook*, 2019.

**G. Monina/M. Nowak**, "United Nations Committee against Torture (CAT)", in *Max Planck Encyclopedia of International Procedural Law*, OUP, 2019.

**N. Katona**, *Evaluation of Prison De-Radicalization Practices and Risk Assessment Tools in Austria*, 2019.

## TRAFFICKING IN HUMAN BEINGS AND HUMAN RIGHTS

Research at LBI-GMR concerning trafficking in human beings (THB) approaches the issue from a human rights perspective. LBI-GMR boasts unique expertise on anti-trafficking standards, as enshrined in the Council of Europe Convention on Action against Trafficking in Human Beings. In 2020, Julia Planitzer and Helmut Sax will publish the first legal Commentary on this Convention offering a comprehensive analysis and guidance for practitioners. Our research for the Commentary is complemented by our involvement in various working groups or bodies. As member of the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA), Julia Planitzer conducted a country visit to Denmark in 2019. At the national level, LBI-GMR participated in the work of the Austrian Task Force on Action against Trafficking in Human Beings and its thematic sub-groups on child trafficking and on the development of a shelter concept for trafficked children. In October 2019, LBI-GMR co-organised a workshop on *Child trafficking and monitoring of cybercrime* with ECPAT Austria at the Task Force's annual conference on combating THB at the Vienna Diplomatic Academy.

### MAIN ACTIVITIES

Julia Planitzer and Helmut Sax continued their work on a legal "Commentary to the Council of Europe Convention on Action against Trafficking in Human Beings" in 2019. This project is funded by FWF and will result in a major book publication (Edward Elgar Publishing) edited by the two experts and will be published in the second half of 2020.



Julia Planitzer on an evaluation visit in Denmark, December 2019. © Mats Lindberg/GRETA

Julia Planitzer supported the EU-funded project "Justice at Last – European Action for Compensation for Victims of Crime" ([www.justiceatlast.eu](http://www.justiceatlast.eu)) as advisory board member and presented findings on access to compensation at a workshop in Brussels in May 2019. She also spoke on this topic at a seminar for Austrian judges and state prosecutors in May 2019.

Furthermore, LBI-GMR acts as a partner to the EU Twinning project "Support to strengthening fight against trafficking in human beings" in Serbia, led by the Austrian Federal Criminal Office of the Ministry of the Interior. Together with the Austrian anti-trafficking NGO LEFÖ-IBF, LBI-GMR has coordinated an assessment of existing Serbian anti-trafficking legislation and policies. Helmut Sax as LBI-GMR's lead expert presented the findings to stakeholders at a workshop in Belgrade in April 2019.

## MAIN RESULTS

In 2019, Julia Planitzer was awarded the Research Prize of the City of Vienna for her research in relation to rights of trafficked persons. As a result of supporting the project “Justice at Last – European Action for Compensation for Victims of Crime” Julia Planitzer co-authored a publication in an Austrian journal with Evelyn Probst. The Twinning assessment of the Serbian anti-trafficking law and practice served as a key instrument for the further implementation of measures in relation to victim protection throughout 2019.



Julia Planitzer on a panel at the Regional Counter-Trafficking Conference in Tbilisi, Oct. 2019. © IOM

## OUTLOOK

LBI-GMR intends to conduct research on the establishment of comprehensive frameworks for an anti-trafficking monitoring at national level. Furthermore, we envisage to continue working on the role of the private sector in preventing trafficking, and to assess the impact of Covid-19 in labour-intensive sectors such as agriculture or home care. In addition, LBI-GMR intends to conduct research on access to compensation for trafficked children. Consultancies and training activities on the prevention of THB and protection of victims in Serbia will carry on into late 2020.

## PUBLICATIONS

**J. Planitzer/E. Probst**, “Entschädigung für Betroffene des Menschenhandels. Rechtliche Verpflichtungen und ihre Umsetzung in der Praxis”, in *SIAK—Zeitschrift für Polizeiwissenschaft und polizeiliche Praxis*, 4/2019, 16–28.

**H. Sax/E. Probst/J. Wagner**, Analysis report—Victim protection and prevention of trafficking in human beings in Serbia. Belgrade: IPA 2014 Twinning Project “Support to Strengthening the Fight against Trafficking in Human Beings in the Republic of Serbia” SR 14 JH 01 18 (Activity 3.1), 03/2019.

## EVENTS

In order to share the knowledge and expertise gained from our research work and to contribute to public debates, the Institute and its researchers engage in knowledge transfer. In addition to conferences and seminars for professional exchange and discussion among experts, we also implement various event formats for the general public. These events are intended to provide information, transfer knowledge and foster dialogue on human rights issues.

### PUBLIC EVENTS – HIGHLIGHTS 2019



G. Doujak, T. Weber, P. Mussi-Mailer, J. Bostock, M. O'Flaherty E. Gilmore © Konstantina Stavrou

#### *PANEL DISCUSSION on Human Rights Day 2019*

On December 10<sup>th</sup>, Eamon Gilmore, European Union Special Representative for Human Rights, and Michael O'Flaherty, Director of the European Union Fundamental Rights Agency (FRA), discussed [“The EU and Human Rights”](#) at Haus der EU. The event was organised by Ludwig Boltzmann Institute of Fundamental and Human Rights, FRA and the Austrian Federal Ministry for Europe, Integration and Foreign Affairs.



Victor Madrigal Borloz, Human Rights & LGBTIQ 2019 © Moritz Nachtschatt

#### *CONFERENCE on Human Rights & LGBTIQ*

LBI-GMR together with the University of Vienna and the Université de Lausanne organised the conference [“Somewhere beyond the Rainbow?”](#) in September 2019. After an address by Federal President Alexander Van der Bellen, Victor Madrigal-Borloz, UN Independent Expert on Protection against violence and discrimination based on sexual orientation and gender identity, held a keynote speech. Experts presented country studies or addressed specific aspects and a panel discussion focused on practical insights.



H. Sax and M. Nowak, Global Study press conference 2019 © Moritz Nachtschatt

#### *MEDIA EVENT on Children Deprived of Liberty*

On the occasion of the publication of the [“UN Global Study on Children Deprived of Liberty”](#) and the 30th anniversary of the “UN Convention on the Rights of the Child”, the Ludwig Boltzmann Institute of Fundamental and Human Rights organised a press conference in Vienna. Manfred Nowak and Helmut Sax, Expert for Child's Rights presented the results of the study to the media. As special guests, we welcomed the young editors of a pupil's magazine from a Viennese school.

## INTERNAL EVENTS

The Institute's Brown Bag Lunches (BBL) offer the opportunity for internal exchange between our staff. In each BBL, colleagues or external guests present a specific topic or project followed by a discussion. The format can also be used for brainstorming, for the exchange of ideas and experiences or for joint reflection on upcoming issues.

The BBL was relaunched after a break in May 2019 and held 6 times under lively participation.

### *May 8<sup>th</sup>: Violence on the Internet against Women and Girls in Austria*

BIM Researchers Sabine Mandl and Anna Müller-Funk report on their project on violence on the Internet, share the research results and the successful dissemination.

### *May 29<sup>th</sup>: Discussion on Ethics in Research*

Marjo Rauhala, Ethics Research Coordinator at TU Vienna, joins the BIM to discuss ethics in research from a practical perspective.

### *June 13<sup>th</sup>: Initiative to support informal movements in Bosnia and Herzegovina*

Nina, Susanne, Dajana, BIM Researchers, inform about the outcomes of the initiative to support informal and grass-root movements in Bosnia and Herzegovina.

### *September 17<sup>th</sup>: How can research and practice mutually benefit?*

Reinhard Kreissl, Director of VICESSE (Vienna Centre for Societal Security), joins to lead a discussion on the value of translational research

### *October 23<sup>rd</sup>: How can the LBG Career Center support BIM Researcher?*

Lisa Grum and Simone Fürst, LBG Career Center, report on the various opportunities for the professional development of BIM employees and the support provided by the Career Center.

### *November 21<sup>st</sup>: Data Protection at BIM*

BIM colleague Martin Neubauer explains which data are to be protected and how the specifications are implemented in the daily business of the institute.

## Retreats 2019

To provide the basis for the quadrennial evaluation of the Institute, as well as to develop the research plan for the next period, two retreats were held.



# PROJECTS

LBI-GMR's projects range from basic and applied research to educational and training activities for NHRIs, decision makers, and society at large.

## LIST OF PROJECTS

### ***ACCESS TO ASYLUM IN THE EUROPEAN UNION AND THE PERSISTENT RIGHTLESSNESS OF ASYLUM-SEEKERS***

- Lead organisation: LBI of Fundamental and Human Rights
- Funded by: Ludwig Boltzmann Gesellschaft
- Starting/end date: January 2017 to December 2019

### ***ASSISTANCE TO COMMISSION 4 OF THE AUSTRIAN OMBUDSMEN BOARD***

- Lead organisation: LBI of Fundamental and Human Rights – Research Association
- Funded by: Austrian Ombudsman Board
- Starting/end date: ongoing since July 2012

### ***ATLAS OF TORTURE: AN INFORMATION AND COOPERATION PLATFORM TO FIGHT TORTURE AND ILL-TREATMENT WORLD-WIDE***

- Lead organisation: LBI of Fundamental and Human Rights
- Funded by: Austrian Science Fund (FWF), Innovative Publications; Foundations; startnet Crowdfunding
- Starting/end date: ongoing since January 2018

### ***AUSTRIAN DEVELOPMENT COOPERATION: CONSULTATION IN THE THEMATIC FIELDS OF GOVERNANCE, HUMAN RIGHTS AND PEACE KEEPING***

- Lead organisation: LBI of Fundamental and Human Rights
- Funded by: Austrian Development Agency (ADA)
- Starting/end date: September 2016 to December 2020

## **NEW**

### ***BREAKING THE BARRIERS – TRANSNATIONAL PARTICIPATORY JUDICIAL TRAINING ON PROCEDURAL RIGHTS***

- Lead organisation: Centre for European Constitutional Law (CECL), Greece
- Funded by: European Commission, Directorate-General for Justice and Consumers; Federal Ministry of Constitutional Affairs, Reforms, Deregulation and Justice
- Starting/end date: October 2019 to January 2022

## **NEW**

### ***CLIMMOBIL – JUDICIAL AND POLICY RESPONSES TO CLIMATE CHANGE-RELATED MOBILITY IN THE EUROPEAN UNION WITH A FOCUS ON AUSTRIA AND SWEDEN***

- Lead organisation: LBI of Fundamental and Human Rights
- Funded by: Climate and Energy Fund of the Austrian Federal Government
- Starting/end date: October 2019 to January 2022

## **NEW**

### ***COUNTER-BOT: USING ARTIFICIAL INTELLIGENCE TO COUNTER RACIST HATE BOTS***

- Lead organisation: LBI of Fundamental and Human Rights
- Funded by: City of Vienna – Kulturabteilung (MA 7)
- Starting/end date: December 2019 to November 2020

#### ***ECONOMIC, SOCIAL AND CULTURAL RIGHTS***

- Lead organisation: University of Vienna
- Funded by: FWF Austrian Science Fund, Elise Richter Programme
- Starting/end date: February 2017 to December 2020

#### ***EU TWINNING: STRENGTHENING THE INSTITUTIONAL CAPACITY OF THE SUPREME COURT OF UKRAINE IN THE FIELD OF HUMAN RIGHTS PROTECTION AT THE NATIONAL LEVEL IN THE UKRAINE***

- Lead organisation: German Foundation for International Legal Cooperation (IRZ), Germany
- Funded by: European Commission, Directorate-General for European Neighbourhood Policy and Enlargement Negotiations (DG NEAR)
- Starting/end date: March 2017 to February 2019

#### ***EU TWINNING: SUPPORT TO STRENGTHENING FIGHT AGAINST TRAFFICKING IN HUMAN BEINGS IN SERBIA***

- Lead organisation: Agency for European Integration and Economic Development (AEI)
- Funded by: European Commission, Directorate-General for European Neighbourhood Policy and Enlargement Negotiations (DG NEAR)
- Starting/end date: September 2018 to December 2020

#### ***EUROPEAN MASTER'S DEGREE IN HUMAN RIGHTS AND DEMOCRATISATION (E.MA)***

- Lead organisation: European Inter-University Centre for Human Rights and Democratisation (EIUC), Italy
- Funded by: European Commission through the European Instrument for Democracy and Human Rights (EIDHR); The Municipality of Venice; Region of Veneto; Council of Europe et. al.
- Starting/end date: ongoing since September 1997

#### ***EUROPEAN PRISON OBSERVATORY: STRATEGIES AND PROGRAMMES FOR DE-RADICALISATION AND RISK ASSESSMENT (PRP)***

- Lead organisation: Associazione Antigone Onlus, Italy
- Funded by: European Commission, Directorate-General for Justice and Consumers; Zukunftsfonds of the Republic of Austria
- Starting/end date: November 2017 to October 2019

#### ***EXPERIENCES AND PREVENTION OF VIOLENCE AGAINST PERSONS WITH DISABILITIES***

- Lead organisation: Institute for the Sociology of Law and Criminology (IRKS), Austria
- Funded by: Austrian Federal Ministry of Labour, Social Affairs, Health and Consumer Protection
- Starting/end date: January 2017 to April 2019

#### ***NEW***

#### ***FRANET – DATA COLLECTION AND RESEARCH SERVICES ON FUNDAMENTAL RIGHTS ISSUES.***

##### ***LOT 30 – EU AND INTERNATIONAL LEVEL COMPARATIVE ANALYSIS***

- Lead organisation: Human European Consultancy (HEC), Netherlands
- Funded by: European Union Agency for Fundamental Rights (FRA)
- Starting/end date: January 2019 to December 2022

##### ***INTEGRATION OF REFUGEES INTO THE LABOUR MARKET***

- Lead organisation: LBI of Fundamental and Human Rights
- Funded by: Hochschuljubiläumsstiftung der Stadt Wien
- Starting/end date: August 2018 to January 2019

**NEW**

**IMPROVING JUDICIAL COOPERATION ACROSS THE EU THROUGH COMMON DETENTION STANDARDS: STRENGTHENING THE ROLE OF NATIONAL PREVENTIVE MECHANISMS (NPM STANDARDS)**

- Lead organisation: LBI of Fundamental and Human Rights
- Funded by: European Commission, Directorate-General for Justice and Consumers; Federal Ministry of Constitutional Affairs, Reforms, Deregulation and Justice
- Starting/end date: January 2019 to March 2021

**NON-DISCRIMINATION IN THE CONTEXT OF DYSLEXIA AND DYSCALCULIA**

- Lead organisation: LBI of Fundamental and Human Rights
- Funded by: Hermann and Marianne Straniak Foundation
- Starting/end date: November 2018 to January 2019

**PARTICIPATION FOR PROTECTION (P4P)**

- Lead organisation: Centre for Children's Rights of the Queens's University of Belfast (QUB), Ireland
- Funded by: European Commission, Directorate-General for Justice and Consumers
- Starting/end date: December 2017 to November 2019

**POLIS – AUSTRIAN CENTRE FOR CITIZENSHIP EDUCATION IN SCHOOLS**

- Lead organisation: LBI of Fundamental and Human Rights – Research Association
- Funded by: Austrian Federal Ministry of Education, Science and Research
- Starting/end date: Established in February 2006

**POLIS – EUROPEAN PARLIAMENT AMBASSADOR SCHOOL PROGRAMME**

- Lead organisation: LBI of Fundamental and Human Rights – Research Association
- Funded by: European Parliament, Information Office in Austria
- Starting/end date: January 2017 to December 2019

**POLIS – “EUROPE AT SCHOOL” NETWORK**

- Lead organisation: LBI of Fundamental and Human Rights – Research Association
- Funded by: European Commission Representation in Austria
- Starting/end date: June 2017 to May 2020

**POLIS – NECE FOCUS GROUP ON THE COUNCIL OF EUROPE'S REFERENCE FRAMEWORK OF COMPETENCIES FOR DEMOCRATIC CULTURE (RFDCD)**

- Lead organisation: DARE Network / Arbeitskreis deutscher Bildungsstätten e. V., Berlin
- Funded by: Bundeszentrale für Politische Bildung, Bonn
- Starting/end date: September 2018 to June 2020

**PROMOTION OF RULE OF LAW IN THE KYRGYZ REPUBLIC, PHASE 2**

- Lead organisation: Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), Germany
- Funded by: European Commission, Directorate-General for International Cooperation and Development
- Starting/end date: May 2018 to October 2022

**NEW**

**RIGHTS OF VICTIMS OF SURVIVED BODILY HARM: IMPROVED ACCESS TO CLINICAL FORENSIC EXAMINATION (RIVI)**

- Lead organisation: LBI of Fundamental and Human Rights
- Funded by: European Commission, Directorate-General for Justice and Consumers; Ludwig Boltzmann Gesellschaft GmbH
- Starting/end date: February 2019 to January 2021

**NEW**

**SCRUTINIZING THE CONCEPT OF VULNERABILITY FROM A HUMAN RIGHTS PERSPECTIVE**

- Lead organisation: LBI of Fundamental and Human Rights
- Funded by: FWF Austrian Science Fund, Stand-Alone Projects
- Starting/end date: April 2019 to January 2023

**NEW**

**SIDA FRAMEWORK AGREEMENT – DEMOCRACY AND HUMAN RIGHTS**

- Lead organisation: FCG Sweden
- Funded by: Swedish International Development Cooperation Agency (SIDA)
- Starting/end date: March 2019 to March 2022

**STRANIAK ACADEMY FOR DEMOCRACY AND HUMAN RIGHTS**

- Lead organisation: LBI of Fundamental and Human Rights – Research Association
- Funded by: Hermann und Marianne Straniak Foundation;  
Central European Initiative (CEI)
- Starting/end date: ongoing since September 2013

**STRENGTHENING THE RIGHTS OF PERSONS SUSPECTED OR ACCUSED IN CRIMINAL PROCEEDINGS – THE ROLE OF NATIONAL HUMAN RIGHTS INSTITUTIONS (NHRIS)**

- Lead organisation: LBI of Fundamental and Human Rights
- Funded by: European Commission, Directorate-General for Justice and Consumers,  
Justice Programme
- Starting/end date: March 2018 to December 2019

**TRAFFICKING IN HUMAN BEINGS IN EUROPE – A COMMENTARY TO THE COUNCIL OF EUROPE CONVENTION ON ACTION AGAINST TRAFFICKING IN HUMAN BEINGS**

- Lead organisation: LBI of Fundamental and Human Rights
- Funded by: FWF Austrian Science Fund, Stand-Alone Projects
- Starting/end date: January 2016 to November 2020

**TRAINING CURRICULUM ON FUNDAMENTAL RIGHTS FOR JUDGESHIP TRAINEES**

- Lead organisation: LBI of Fundamental and Human Rights
- Funded by: Austrian Federal Ministry of Justice; Higher Regional Courts of Vienna,  
Graz, Linz and Innsbruck
- Starting/end date: ongoing since April 2007

**UNITED NATIONS GLOBAL STUDY ON CHILDREN DEPRIVED OF LIBERTY – KEY AREA: CHILDREN IN CONFLICT WITH THE LAW**

- Lead organisation: LBI of Fundamental and Human Rights
- Funded by: Austrian Federal Ministry of Justice; United Nations Office of the High  
Commissioner for Human Rights
- Starting/end date: January 2017 to May 2020

**VIENNA – HUMAN RIGHTS CITY**

- Lead organisation: LBI of Fundamental and Human Rights
- Funded by: City of Vienna – Human Rights Office
- Starting/end date: ongoing since 2013

# PUBLICATIONS

## POSITIONS AND OPINIONS

**Ammer, Margit/Reyhani, Adel-Naim:** [Stellungnahme zum Entwurf betreffend das BBU-Errichtungsgesetz](#). Vienna: Ludwig Boltzmann Institute of Human Rights, 2019.

**Fremuth, Michael Lysander:** [Liebe verdient Respekt – keine Steinigung](#). Stellungnahme des Ludwig Boltzmann Instituts für Menschenrechte zur Einführung der Todesstrafe für Homosexuelle in Brunei, 2019.

## INDIVIDUAL PUBLICATIONS AND ARTICLES

**Ammer, Margit/Schüchner, Andrea:** Article 3 (Principle of Non-Refoulement). In: Nowak, Manfred/Birk, Moritz/Monina, Giuliana [eds.]: *The UN Convention against torture. A Commentary*. Oxford: Oxford University Press, 2019. pp. 98–175.

**Ausserer, Ingrid/Haupt, Maria/Hladschik, Patricia:** *Europa in der Volksschule. Unterrichtsbeispiele und Projektideen*. Vienna: Edition *polis*, 3<sup>rd</sup> edition, 2019. 44 pp.

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**Birk, Moritz/Süntinger, Walter:** A systemic approach to human rights practice. In: Hladschik, Patricia/Steinert, Fiona [eds.]: *Menschenrechten Gestalt und Wirksamkeit verleihen. Making Human Rights Work. Festschrift für Manfred Nowak und Hannes Tretter*. Vienna ; Graz: nww, 2019. pp. 649–675.

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**Fremuth, Michael Lysander/Friedrich, Roman:** Datenschutz – Hosting-Anbieter haben ehrverletzende Kommentare zu löschen. In: *Europäische Zeitschrift für Wirtschaftsrecht*, 30. Jg./Heft 22. München: Beck, 2019. pp. 942–945.

**Gärtner, Reinhold/Haupt, Maria/Steininger, Sigrid:** Politische Bildung und Menschenrechtsbildung. Zehn Jahre Politiklexikon für junge Leute. In: Hladschik, Patricia/Steinert, Fiona [eds.]: *Menschenrechten Gestalt und Wirksamkeit verleihen. Making Human Rights Work. Festschrift für Manfred Nowak und Hannes Tretter*. Vienna, Graz: nww, 2019. pp. 587–598.

**Hladschik, Patricia/Wirtitsch, Manfred:** Das BIM und die Politische Bildung. In: Hladschik, Patricia/Steinert, Fiona [eds.]: *Menschenrechten Gestalt und Wirksamkeit verleihen. Making Human Rights Work. Festschrift für Manfred Nowak und Hannes Tretter*. Vienna, Graz: nww, 2019. pp. 583–586.

**Hladschik, Patricia/Steininger, Sigrid:** Demokratiekompetenzen – Die Bildungsprogramme des Europarats und ihre Bedeutung für die nationalen Kontexte. In: Furch, Elisabeth/Wiedner, Manfred [eds.]: Tagungsband Menschenrechtsbildung 2018. 1. Jahrestagung zur Menschenrechtsbildung an der Pädagogischen Hochschule Wien. Baltmannsweiler: Schneider Hohengehren, 2019. pp. 15–36.

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