



## **UPR Submission**

### **Austrian Federal Association of Autonomous Rape Counselling Centres**

#### **„BAFÖ“ („Bundesverband der Autonomen Frauennotrufe Österreichs)**

„BAFÖ“ („Bundesverband der Autonomen Frauennotrufe Österreichs) is a German acronym for „Federal Association of the Austrian Autonomous Rape Counselling Centres“. Its members are the five Austrian rape-counselling-centres in the provinces Vienna, Upper Austria, Styria, Salzburg, and Tyrol. Note that four provinces do not provide autonomous rape-counselling-services.

The Austrian Rape Counselling Centres offer highly specialised short- and long-term psycho-social counselling and support for women and adolescent girls aged 14 following rape, harassment, sexual attack or abuse, regardless of when the incident occurred. The services also include legal advice and support for legal procedures. Prevention and awareness raising measures as well as information about all issues concerning sexual violence against women and adolescent girls complete the service offerings. Our work is based on the feminist principles of autonomy, voluntariness and empowerment.

The Federal Association of the Austrian Autonomous Rape Counselling Centres acts as an interface between the Austrian Rape Counselling Centres and other professionals, politics and society. It is an instrument to reach socio-political objectives in the fight against sexual violence against women, such as the obvious condemnation of any kind of sexism and misogyny.

BAFÖ's understanding of sexual violence is that of a serious human rights violation. It includes physical and verbal attacks as well as visual expressions. Sexual violence ranges from different forms of sexual harassment to sexual attack and rape. Sexual violence against women has a strong impact on society. It has a lasting negative influence on women's physical and mental health, on their family lives, their social relations, their working lives and often the negative effects are passed to the next generation. According to a study of the Austrian Institute of Family research (ÖIF, 2011) one woman of three has suffered some form of sexual violence at some stage in her life. One woman of four of this group has been the victim of rape.

## **The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence**

On 14<sup>th</sup> of November 2013 Austria ratified The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Council of Europe Treaty Series No 210, „Istanbul Convention“). The so-called „Istanbul Convention“, entered into force on the 1<sup>st</sup> of August 2014, Austria is thus obliged to implement the provisions contained therein.

**The purposes of the „Istanbul Convention“ (Chapter 1, Article 1) are inter alia to:**

- protect women against all forms of violence<sup>1</sup>, and the prevention, prosecution and elimination of violence against women;
- contribute to the elimination of all forms of discrimination against women and promote substantive equality between women and men, including by empowering women;
- design a comprehensive framework, policies and measures for the protection of and assistance to all victims of violence against women and domestic violence.

**In Article 9 - Non-governmental organisations and civil society** - the „Istanbul Convention“ requires that

- Parties shall recognise, encourage and support, at all levels, the work of relevant non-governmental organisations and of civil society active in combating violence against women and establish effective co-operation with these organisations.

**In Article 22 - Specialist support services** – it is said that

- Parties shall take the necessary legislative or other measures to provide or arrange for, in an adequate geographical distribution, immediate, short- and long-term specialist support services to any victim subjected to any of the acts of violence covered by the scope of this Convention.

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<sup>1</sup> „Violence against women“ is understood as a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life“ (Article 3).

# **The current situation in Austria regarding sexual violence against women**

## **1. Individual support for the victims**

Of Austria's nine provinces only five provide for rape-counselling-centers. Although funded by the federal state, the provinces and the communities, there is no long-term security and each has to regularly advocate and secure the necessary funding.

Women and adolescent girls who have experienced sexual violence often feel guilty and frequently also experience a great deal of shame. Many of our clients have not shared their experience with another person. When their families, friends and other persons from the context of their lives hear about it, they are shocked and often they blame the victims for what happened because they refuse to realise that sexual violence is a permanent threat that affects all women, no matter their age, socio-economic status, level of qualification or education, whether they are perceived as looking „sexy“, or not. Furthermore, sexual violence can happen everywhere, any time: in sports, at work, at home, on the street, at a concert, at the doctor`s, at school, at university, on holiday, etc.

Because of these specific challenges in dealing with sexual violence against women - compared with other forms of violence – it is essential that victims and relevant persons of their social environment have access to specialised psycho-social counselling in qualified and appropriate rape-counselling-centres.

### **Our work is thus dependent on:**

- Adequate funding of existing specialised Austrian Autonomous Rape Counselling Centres for women and adolescent girls affected by sexual violence.
- Sufficient funding of the Federal Association of the Austrian Autonomous Rape Counselling Centres (BAFÖ).
- Funding of at least one Autonomous Rape Crisis Centre in each of the remaining four Austrian provinces (Carinthia, Lower Austria, Vorarlberg, Burgenland).

## **2. Problems in the judicial proceedings for sexual violence**

In Austria all victims of violence have a legal claim to psychosocial and legal support. This support does help our clients to make it through the criminal proceedings by making the process more bearable. The problem is that most of the judicial proceedings for sexual violence are concluded early, the conviction rate for rape is 11,3 % of those cases report to the police.<sup>2</sup> So most of our clients regret having made a report to the police and many of them even stop believing in the rule of law and our judicial system, respectively following such a process. They feel deeply offended and report feeling treated like defendants, not like victims.

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<sup>2</sup> Ministry of Interior: Statistics on Crime 2013.

To improve the situation it is necessary that the responsible members of the police, the judicial system and the health care system have basic knowledge about the specific dynamics, the impact and the effects of sexual violence. In dealing with the victims such knowledge is on the one hand a potential opportunity to increase the conviction rate for sexual violence and on the other hand it can help to avoid re-traumatisation of the victims and to protect the responsible professionals of the risk of secondary traumatisation.

**Recommendations:**

- Funding of obligatory trainings focused on sexual violence against women for members of the police, the judicial system and the health care system held by experts of specialised counselling centres for women and girls affected by sexual violence.
- Reliable relay of accurate information about specialised counselling centres for women and girls affected by sexual violence by members of the police, the judicial system and the health care system.

**3. Unwanted pregnancy as a possible consequence of non-consensual sex**

Unwanted pregnancy is a possible consequence of non-consensual sex. In Austria abortion is exempt from punishment within three months of conception. Frequently, abortions are offered mainly in private clinics at high expense because most of the public hospitals do not offer the service. Furthermore, in women are attacked, harassed and stalked by aggressive anti-abortion activists around the vicinity as well as in front of private clinics known to offer abortions.

**Recommendation:**

- Legal claim to safe abortions free of charge in accessible public hospitals.

**4. The importance of research on sexual violence**

Sexual violence against women touches all of us. The analysis of sexual violence confronts us with gender stereotypes and sexism, among others. Sexual violence triggers fear, helplessness, anger, defense behaviour and disbelief. Despite the important progress modern societies have made in the field of equality between men and women, sexism and sexual violence run like a common thread through public and private spheres, sometimes obvious, sometimes seemingly invisible. The attitudes that permeate society contribute largely to the violence girls and women experience, it is so engrained in our culture that countering it is difficult.

For a better understanding of the multiple causes, effects and ripple effects as well as the impact of sexual violence against women on our society, we need more and more nuanced research.

**Recommendation:**

- Increased funding for criminological, socio-legal and qualitative social research on the causes and effects of sexual violence.

**5. Prevention of sexism and sexual violence**

Sexist attitudes and gender stereotypes are learned by boys and girls from early childhood. Fighting sexual violence against women is not only a question of saying „No“ to sexual assaults, it requires self-confidence, powerful and affirmative awareness of one’s own body, will and desires as basic conditions to enable mutual respect and ensure consensual relationships.

**Recommendations:**

- Support and funding of obligatory prevention measures from secondary education onward.
- The implementation of lessons about sexuality, self-determination, consent and sexual violence in school curricula
- The obligatory discussion of sexuality, self-determination, consent and sexual violence in the professional and advanced trainings of pedagogues.