

Table of Contents

A. INTRODUCTION	5
B. RESEARCH PROJECTS AND STUDIES.....	7
1. Human Rights in the EU enlargement process.....	7
1.1 Data State Inspection in Latvia	7
1.2 Strengthening Administrative and Technical Capacity of Personal Data Protection	7
1.3 Strengthening Anti- discrimination Policies in Poland	8
1.4 Improvement of Statement-Taking Methods and Statement-Taking Rooms in the Republic of Turkey	8
1.5 Assistance to the Legal and Administrative Reforms in Ukraine in the Sphere of Migration and Refugees' Protection According to the Norms and Standards of the European Union.....	8
1.6 Improvement of administrative justice in view of the fight against corruption.....	9
1.7 Enhancement of Policies on Equal Treatment of Women and Men.....	9
1.8 Justice of Minors.....	9
1.9 Strengthening Institutions in the Fight against Trafficking in Human Beings 	10
2. Human Rights in Foreign and Development Politics	10
2.1 Consultancy for the Regional Bureau of the Austrian Development Cooperation in Uganda	10
2.2 Workshop on “Development Cooperation and Human Rights – two sides of the same coin”	10
2.3 Yearbook “Human Rights in Development”	10
2.4 Human Rights in Bosnia and Herzegovina	11
3. Business and Human Rights	11
3.1 Research Project on „Business and Human Rights“.....	11
3.2 Discussion paper on Corporate Social Responsibility (CSR) and Human Rights	12
3.3 Round Table on Corporate Social Responsibility and Human Rights.....	12
4. International protection of human rights.....	12
4.1 Enforced Disappearance	12
4.2 International Covenant on Civil and Political Rights (CCPR- Commentary) 	12
4.3 Commentary on the UN Convention on Torture (CAT-Commentary).....	12
4.4 Human Rights Handbook for Parliamentarians – IPU	13
4.5 Year book Human Rights	13

5. Networking	13
5.1 Association of Human Rights Institutes (AHRI)	13
5.2 European Network of Independent Experts on Fundamental Rights – EUGEN	14
5.3 European Inter University Center for Human Rights and Democratisation (EIUC)	14
6. Counteracting Discrimination and Racism	14
6.1 RAXEN Focal Point for Austria	14
6.2 INTERkulturLOTSEN Österreich	15
6.3 COMPAS	15
6.4 Leaflet about Equal Treatment and Gastronomy	15
7. Rights of Refugees and Migrants	15
7.1 Temporary Protection	15
7.2 Migrants in Austria	16
8. Human Rights of Women	16
9. Trafficking in Human Beings	17
10. Human Rights of Children and Juveniles	17
11. The Human Rights Advisory Board and its Visiting Commissions at the Austrian Ministry of the Interior	18
C. EDUCATION AND TRAINING	20
1. Service Center for Human Rights Education	20
2. Service Center for Civic Education	21
3. Optional Curriculum: Fundamental Rights and Human Rights	21
4. European Master’s Degree in Human Rights and Democratisation – (EMA)	22
5. University Course in Information Law and Legal Information	22
6. European Studies Vienna	22
7. Dissertations on Human Rights	22
8. Training Against Discrimination	23
8.1 Awareness Raising and Legal Training for Legal Practitioners on Discrimination Practices	23
8.2 Pre- and In-Service Training for Judges, Public Prosecutors and Attorneys in the field of Anti-Discrimination Legislation	24
D. LIBRARY, DOCUMENTATION AND COMPUTING	25
1. Library and Documentation	25
2. Computing	25

E. PUBLICATIONS	26
1. BIM Human Rights Study Series	26
2. Books with Other Publishers	26
3. Co-publishing	27
4. “Teaching Human Rights. Informationen zur Menschenrechtsbildung”	27
5. info blatt – information leaflet of the Service Center for Civic Education	27
6. Individual Publications and Articles	27
F. PARTNER ORGANISATIONS AND FINANCING.....	30
G. STAFF	31
1. Directors	31
2. Permanent Staff	31
3. Temporary Staff / Freelances	32
4. Academic Trainees / Interns	33
5. Members of the Board and Auditor of the BIM-Research Association	34

A. INTRODUCTION

Within Europe, the year 2004 was marked with the enlargement of the European Union. Based on political assessments these change processes include a broad spectrum and it is certain that the adjustment to the EU *acquis* in the new member states cause main changes on a legal and institutional level. Many of these changes affect areas relevant to fundamental and human rights.

Based on this important European development, in 2004, the Ludwig Boltzmann Institute of Human Rights put an emphasis on the promotion of human rights structures in new member states, ascending countries and neighbour regions, starting with the well-prepared Twinning Projects in their operative phase.

In Poland the main focus was on equal treatment, which optimally suited numerous other Institute activities regarding this topic. Also, two major projects in the area of data protection in Latvia and Lithuania as well as a project concerning Asylum and law relating to aliens in the Ukraine were started.

In Turkey, whose human rights standards and EU-access negotiations gave rise to discussions in 2004, the Ludwig Boltzmann Institute for Human Rights, together with Turkish authorities, is working on the improvement of standards regarding the examination of suspects through the Turkish police.

The work within the Twinning projects holds a high potential of human rights efficiency as it starts at a point in time where countries have already decided to accomplish improvements in areas relevant to human rights. Even if problems are likely to arise in the course of the project, be it because of the general political situation in the country concerned or because of institutional difficulties within the partner agencies, the starting point is a very promising one.

As the present report shows in more detail, the other parts of the Institute also continued their tasks successfully in 2004.

The start of the Twinning projects also meant a considerable financial expansion of the Institute. This correlated with the consolidation of internal structures, financial controlling and project management as well as with a further improvement of the working climate, in which team work and a constructive and cooperative handling of problems is cultivated. We consider our every day working life to be a sign of how we wish the future development of the world to be.

In spring 2004, Mr. *Hannes Tretter* habilitated at the jurisprudential faculty of the University of Vienna in the new scientific subject "Fundamental and Human Rights". Since then, he is also working as an extraordinary University professor at the Institute for constitutional and administrative law.

In sum, 2004 was a very successful year for the Ludwig Boltzmann Institute for Human Rights. Moreover, it was a year influenced by the new structuring of the Ludwig Boltzmann Society.

The BIM is not among the newly founded LBI offices, but based on an evaluation of its previous activities it was classified as very successful and will continue to exist in its present form in the future. We hope that in the near future the success of the institute will also cause a noticeable increase of its basic funding by the Ludwig Boltzmann Society.

Nicole Lieger

Manfred Nowak

Hannes Tretter

B. RESEARCH PROJECTS AND STUDIES

1. Human Rights in the EU enlargement process

In 2004, the Institute continued carrying out “EU Twinning Projects” under the PHARE, TACIS, CARDS and MEDA programs due to its general mandate granted by the European Commission in fall 2002. The aim of these projects is to support the new EU member states, candidate countries as well as other “states in transition” in their implementation of the *acquis communautaire* in the context of human rights, democracy and the rule of law. For each project, besides the Project Leader (PL), a Resident Twinning Adviser (RTA), Pre-Accession Adviser (PAA) or Partnership Adviser (PA) is installed to manage the projects on the spot and contribute his/her expert knowledge. The numerous project activities (missions, analyses, elaboration of standards, law proposals and recommendations, workshops with experts of the respective states, counseling, education and trainings, evaluations, etc.) are carried out by a pool of experts from the BIM as well as from other national or international academic institutions, national and international authorities and, international organizations working for the Institute.

The coordination and management of the Twinning Projects including logistics and finances fall within the competence of *Susanne Fraczek*, *Marion Kirsch* and *Kerstin Buchinger*. On the part of the institute’s leadership *Nicole Lieger* and *Hannes Tretter* are responsible for the Twinning Projects.

Currently, the Institute is involved in the following projects:

1.1 Data State Inspection in Latvia

PHARE Twinning Project No. LV/2002/IB/OT-01, Latvia

PL: *Friedrich Lachmayer*

RTA/PAA: *Thomas Giesen*

The overall objective of this twinning project is to strengthen the administrative capacity of the Data State Inspection (DSI) to implement the data protection acquis (including the independence of the DSI), in particular by improving the legal base of the DSI and through training. The training covers legal as well as technical aspects of the control of personal data processing. Further means to improve the operational base of the DSI manuals for the day-to-day work of the DSI are going to be prepared.

1.2 Strengthening Administrative and Technical Capacity of Personal Data Protection

PHARE Twinning Project No. LT02/IB-JH-02/-03, Lithuania

PL: *Friedrich Lachmayer*

RTA/PAA: *Lukas Gundermann*

The aim of this twinning project is to strengthen the administrative capacity of the State Data Protection Inspectorate (SDPI) to implement the data protection acquis and to enable the Inspectorate to work according to the good practice of Austrian and German Data Protection Authorities. In order to achieve this goal, the practice of the SDPI regarding certain work fields is to be analysed and recommendations to be given. To increase the general

knowledge on data protection in the beneficiary country the provision of training packages is envisaged. Furthermore, inspectors of the SDPI receive training at data protection institutions in other member states. To assist the day-to-day work of the SDPI, a commentary on the Lithuanian Data protection law will be prepared.

1.3 Strengthening Anti-discrimination Policies in Poland PHARE Twinning Project No. PL 02/IB/SO/06, Poland

PL: *Hannes Tretter*

RTA/PAA: *Albin Dearing*

The overall objective of this twinning project is to strengthen the capacity of the Government Plenipotentiary for Equal Status of Women and Men in the area of anti-discrimination policy. This is to be achieved especially in respect of the task assigned to the Government Plenipotentiary to prepare the legal and operational basis for the new organizational structures, implementing anti-discrimination policies and co-ordination mechanisms including positive measures in charge of counteracting discrimination on grounds of race, ethnic origin, believes, age and sexual orientation and initiating and implementing programs aimed at counteracting discriminations on the above grounds will be elaborated and carried out.

1.4 Improvement of Statement-Taking Methods and Statement-Taking Rooms in the Republic of Turkey Twinning Project No. TUR 02-JH-01, Turkey

PL: *Hannes Tretter*

PAA: *Karlheinz Grundböck/Albin Dearing*

This twinning project aims at consolidating a functioning democratic system, including respect for the rule of law and human rights, according to an extensive constitutional reform package that passed the Turkish National Assembly in October 2001. The project is related to two "harmonisation packages" approved by the Turkish Parliament in 2002, intending to bring penal procedures and other law in line with the new principles of the constitution. Firstly, the intention is to improve and place statement-taking activities in the process of judicial investigations in the context of a shift towards evidence-based prosecutions. Secondly, the purpose of the project is to strengthen the cooperation and coordination regarding judicial investigations between law enforcement institutions.

1.5 Assistance to the Legal and Administrative Reforms in Ukraine in the Sphere of Migration and Refugees' Protection According to the Norms and Standards of the European Union TACIS IBPP Key Institutions Project No. KI 03-13 UA, Ukraine

PL: *Josef Rohrböck*

PA: *Martin Wagner*

The overall objective of this TACIS twinning project is to increase the competence of the staff of Ukrainian institutions in asylum and asylum related matters and the inter-institutional cooperation of the institutions involved by establishing internal working relations. Furthermore, the project aims at assisting Ukraine in approaching its asylum and asylum related legislation to the standards of the EU and EU member state practice. To

assist the day-to-day work of the involved institutions, an asylum practical guide book will be prepared.

1.6 Improvement of Administrative Justice in view of the Fight against Corruption PHARE Twinning Project No. BG02/IB/JH/03, Bulgaria

PL: *Uwe Stark*, Deutsche Stiftung für Internationale Rechtliche Zusammenarbeit – IRZ
RTA/PAA: *Susette Schuster*

The aim of this project, which started on 26 November 2003 and is carried out in cooperation with the German Foundation for International Legal Cooperation - IRZ, is to improve the legal and organisational framework of administrative justice in Bulgaria. The project assists, advises and supports the introduction of a modern system of administrative legislation establishing effective mechanisms for external judicial control and internal review of the work of the public administration which will help to prevent corruption and encourages an effective impartial service of the public administrative agencies. The project aims at providing direct assistance to the Bulgarian executive and judiciary in drafting the Administrative Procedure Code.

1.7 Enhancement of Policies on Equal Treatment of Women and Men PHARE Twinning Project No. PL/ IB/ 2002/ SO/ 01, Poland

PL: *Kim Benzou Knudsen*
RTA/PAA: *Rebecca Kledal*

This project is carried out under the leadership of the Danish Research Center for Gender Equality with the BIM acting as “supporting institution”. The main objective of the project is to support the Polish administration in developing and implementing equal treatment policies of women and men through strengthening law and policy enforcement mechanisms and developing tools for gender mainstreaming policy. Further information please find under chapter 8 – Human Rights of Women.

1.8 Justice of Minors PHARE Twinning Project No. RO03/IB/JH/09, Romania

PL: *Max Longeron*
RTA/PAA: *Marie Anne Baulon*

This project aims at improving the general framework concerning the enforcement of children’s and minors’ rights. Therefore, a system of juvenile jurisdiction is about to be implemented. This goal will be achieved on the one hand through the development of particular structures on a central and local level and on the other hand through a sustainable specialization of experts in this field.

1.9 Strengthening Institutions in the Fight against Trafficking in Human Beings Twinning Project No. TR03-JH-03, Turkey

PL: *Uwe Wilhelms*

PAA: *Andreas Reinhardt*

The aim of this project is to strengthen institutions in the fight against trafficking in human beings and to develop a comprehensive anti-trafficking strategy involving all relevant actors from the Turkish Government and civil society. For more details please see chapter 9 – Trafficking in Human Beings.

2. Human Rights in Foreign and Development Politics

2.1 Consultancy for the Regional Bureau of the Austrian Development Cooperation in Uganda

In 2001, in close cooperation with the Austrian Regional Bureau in Kampala, Uganda, *Karin Lukas* and *Helmut Sax* developed a strategy to support the bureau's activities in the areas of human rights, good governance and the promotion of democracy. In 2004, consultancy on the Ugandan Justice Sector continued. The focus is on research on latest international developments in the area of human rights, good governance and the promotion of democracy as well as on feedback on the respective documents of the Regional Bureau.

2.2 Workshop on “Development Cooperation and Human Rights – two sides of the same coin”

The aim of this workshop for the staff of the Austrian Development Agency and the Austrian Foreign Ministry is to inform about current international developments on a human rights approach to development and to take first steps towards an operationalisation of human rights in development cooperation. Topics include: human rights and poverty reduction, human rights in the activities of bilateral donors, a child rights approach to development, and the implementation of economic, social and cultural rights in Austrian development cooperation activities. The workshop was designed in 2004 and it will be conducted in 2005 together with FIAN Austria. On the part of the BIM, *Manfred Nowak*, *Karin Lukas* and *Helmut Sax* are responsible for the workshop.

2.3 Yearbook “Human Rights in Development”

The Ludwig Boltzmann Institute for Human Rights has been a co-publisher of this publication project of leading European Human Rights Institutes for more than 10 years. These institutions also constitute the core of the AHRI network (see 5.1.). With some delay, the yearbook 2002 with the title “A Human Rights Approach to Development” was published in 2004 (editors: *Martin Scheinin* and *Raija Hansi*), in which *Manfred Nowak* published a contribution about “A Human Rights Approach to Poverty Reduction Strategies”.

2.4 Human Rights in Bosnia and Herzegovina

Even after his resignation from the Human Rights Chamber for Bosnia and Herzegovina, the Human Rights situation of this country continued to be a research focus of *Manfred Nowak* and the BIM. In spring 2004, ENGEL published a digest of the case law of the Human Rights Chamber for Bosnia and Herzegovina with a detailed introduction, in which *Manfred Nowak* explains the importance of this High Court for the establishment of the rule of law in BiH and the reasons for its termination. In April, *Manfred Nowak* gave a speech about the Genocide in Ex-Yugoslavia in the framework of the “contemporary witness seminar” in Salzburg, in May he held a lecture about the current human rights situation in the Balkans at the University of Sarajevo in the context of the European Regional Master in Democracy and Human Rights in South East Europe, and as a member of the International Advisory Council of the “Association Bosnia and Herzegovina 2005” he gave a speech about future perspectives of this country in Sarajevo. Furthermore, within the framework of an international conference about truth, justice and reconciliation in Ex-Yugoslavia, a jointly-organised initiative of the Humanitarian Law Center and the Council of Europe, he gave another speech about “Truth and reconciliation in respect of the Srebrenica massacres of July 1995”, in which he reported, amongst other things, about the implementation of the reparation responsibilities decided by the Human Rights Chamber for BiH through the republic Sprska.

At the beginning of 2005 an extensive study of *Anne Charbord* about “Human Rights of Internally Displaced Persons in Bosnia and Herzegovina” was published as the 13th volume of the BIM study series. In the reporting year, *Hannes Tretter* was able to finish the 2nd volume of his study about “Temporary Protection of Bosnian refugees in Europe” which will be published as the 7th volume of the BIM study series.

3. Business and Human Rights

3.1 Research Project on „Business and Human Rights“

Although there are a number of voluntary initiatives by enterprises that touch upon human rights issues, usually referred to as “corporate social responsibility” (CSR) initiatives, recent international and state initiatives show an emerging regulatory and binding approach toward corporate activity to prevent human rights abuses. The research project on business and human rights will analyse both the voluntary CSR and the regulatory approaches and give recommendations for legal and political measures in this regard. Voluntary standards are mainly drawn from the Green Paper of the European Commission, while regulatory standards are based on the European Convention on Human Rights, the Universal Declaration of Human Rights and EC antidiscrimination legislation. This project is financed by the Jubilee Fund of the Austrian National Bank and will be carried out by *Karin Lukas* and *Hannes Tretter*.

3.2 Discussion paper on Corporate Social Responsibility (CSR) and Human Rights

Human Rights do not feature very prominently in the Austrian CSR discourse. Usually, the focus is rather on areas such as environment and sustainability. The aim of the discussion paper is to present the relevant human rights standards for Austrian enterprises operating abroad. Besides international standards, “good practice” examples of voluntary CSR initiatives as well as current legal initiatives of EU member states and other countries are discussed. Based on this analysis, possible options for the Austrian situation will be presented. These proposals are considered to be first steps to assist in the Austrian CSR discussion process. The study has been mandated by the Human Rights Department of the Austrian Foreign Ministry and will be written by *Karin Lukas*.

3.3 Round Table on Corporate Social Responsibility and Human Rights

In October 2004, a BIM Round Table on Corporate Social Responsibility and Human Rights took place with participants from Austrian NGOs, Ministries and Universities. A summary of the discussion can be downloaded from the BIM website.

4. International protection of human rights

4.1 Enforced Disappearance

In 2004, as UN expert for legal aspects in relation with enforced disappearances *Manfred Nowak* advised a working group of the UN Human Rights Commission which drafted a specific international treaty against enforced disappearances under the guidance of the French Ambassador in Geneva. The working group met for 2 weeks in October 2004 and again in January 2005 and eventually provided the UN Human Rights Commission with a final draft for its consideration. However, important questions such as the definition of enforced disappearances, the responsibility of non-governmental actors and the form of the treaty (stand-alone treaty with an enforcement organ or 3rd optional protocol to the International Covenant on civil and political rights) remain controversial.

4.2 International Covenant on Civil and Political Rights (CCPR- Commentary)

With the support of *Sadie O'Mahoney*, *Manfred Nowak* finished the second edition of his standard commentary on the International Covenant on civil and political rights (CCPR-Commentary). *Mourad Mahidi* was involved as an intern in the final editing of the commentary. In 2005, the book of 1200 pages will be published by Engel (Kehl/Strasbourg/Arlington).

4.3 Commentary on the UN Convention against Torture (CAT-Commentary)

Supported by *Sadie O'Mahoney*, in 2004, *Manfred Nowak* has carried out important preparatory work for the development of an extensive commentary on the UN Convention against torture. Not only the common literature and jurisprudence has been collected and studied, but also the travaux préparatoires to the Convention as well as to its optional protocol, which was adopted by the UN General Assembly in 2002, has been analysed. *Manfred Nowak* was appointed UN Special Rapporteur on torture as from December 1st, 2004. Consequently, the practical activities and experiences in the context of this task will flow into the commentary. After *Sadie O'Mahoney* resigned (she is currently working as a hu-

man rights officer in Liberia), *Liz McArthur* took over the management of the research project. Further contributions from *Walter Suntinger*, *Kerstin Buchinger*, *Julia Kozma* and *Anne Charbord* are envisaged. The research project is funded by the “Fonds zur Förderung der Wissenschaftlichen Forschung” (Fund for the Promotion of Scientific Research) and the book will be published by Oxford University Press.

4.4 Human Rights Handbook for Parliamentarians – IPU

Supported by *Sadie O Mahoney* and in close co-operation with the Inter-Parliamentary Union (*Ingeborg Schwarz*) and the UN High Commissioner for Human Rights (*Dzidek Kedzia*, *Jeroen Klok*), *Manfred Nowak* finished the Human Rights Handbook for Parliamentarians which is supposed to be published within the series “Handbook for Parliamentarians” in 2005.

4.5 Yearbook Human Rights

For the “Yearbook Human Rights” (Suhrkamp Taschenbuch), which has been published since 1999 by *Gabriele von Arnim*, *Volkmar Deile*, *Franz-Josef Hutter*, *Sabine Kurtenbach* and *Carsten Tessmer* together with the BIM, the German section of amnesty international, the Institute for Development and Peace (Duisburg) and the German Institute for Human Rights (Berlin), *Christian Hainzl* (together with *Margit Bruck-Friedrich*) wrote a contribution on “The 60th Meeting of the Human Rights Commission of the United Nations – no escape from the credibility crisis” and *Birgit Weyss* and *Constanze Pritz* contributed with an article on “European equal treatment: The European legislative development of the equal treatment principle”.

5. Networking

5.1 Association of Human Rights Institutes (AHRI)

AHRI is an association of independent Human Rights Institutes in a growing number of especially European states. Until 2004 the secretariat of this scientific association, whose aim is the implementation of joint research projects, was accommodated by the Dutch Human Rights Institute (SIM) at the University of Utrecht. At AHRI’s yearly conference at the University of Oslo in September 2004, it was decided to assign the secretary’s tasks to the Norwegian Center for Human Rights. However, the director of SIM, *Cees Flinterman*, will remain chairman of AHRI.

The yearly conference was primarily dedicated to the implementation of the EU Commission’s COST project on “Human Rights, Peace and Security in EU Foreign Policy”. *Manfred Nowak* represents the BIM in the management of AHRI and in the administrative board of the COST project. The BIM (*Manfred Nowak* and *Karin Lukas*) will contribute mainly within the context of the working group on Human Rights and Development.

5.2 European Network of Independent Experts on Fundamental Rights – EUGEN

Based on the initiative of the European Parliament, in 2002, a network of individual experts of each EU member state (Director: *Olivier de Schutter* of the University of Leuven, Austrian member: *Manfred Nowak*) was established by the EU Commission. Since then, this network publishes a yearly report on the fundamental rights situation in the European Union and the individual member states with regards to the EU Charter of Fundamental Rights. It also issues special reports on particular topics specified by the EU commission. In 2005, supported by *Alexander Lubich*, *Manfred Nowak* presented the Austrian country report about the fundamental rights situation in 2004 (the human rights adverse asylum policy of the Minister of the Interior Ernst Strasser still being foremost and fiercely criticised). Special studies were conducted on political rights and the protection of minorities. The pan-European reports and the individual country reports are published on the website of the network: http://europa.eu.int/comm/justice_home/cfr_cdf/index_en.htm. The pan-European reports are also published by the EU Commission. The Austrian country reports will be published by the BIM starting from 2005.

5.3 European Inter University Center for Human Rights and Democratisation (EIUC)

The EIUC is a Venice-based association established by more than 30 European Universities in 2002. It manages and organises not only the European Master's Degree in Human Rights and Democratisation (EMA, see C4), but also a range of other education and research projects in the area of human rights and democratisation relevant to the EU. At the EIUC Assembly, the University of Vienna is represented by its director and the dean of the Faculty of Law and, in their absence, by *Manfred Nowak*, who was the first EIUC guest professor for human rights in Venice in summer 2004.

6. Counteracting Discrimination and Racism

6.1 RAXEN Focal Point for Austria

The European Monitoring Centre on Racism and Xenophobia (EUMC) collects information on racism, xenophobia, and antisemitism in the EU member states. The "Racism and Xenophobia Network" RAXEN is set up for this purpose and is made up of so called "Focal Points". The BIM-FV runs the RAXEN Focal Point for Austria in co-operation with the Institute of Conflict Research and the Department of Linguistics of the University of Vienna. *Hannes Tretter* is director of the Focal Point and together with *Anton Pelinka* (Institute of Conflict Research) and *Ruth Wodak* (Department of Linguistics) they form the Steering Committee. In 2004, legal researcher *Birgit Weyss*, political scientist and employee of the Institute of Conflict Research *Barbara Liegl*, and linguist *Katharina Köhler* were once more responsible for the reporting to the EUMC. In the period from April 2004 to January 2005 the team continued its regular reporting on combating racist discrimination and xenophobia in the areas of legislation, education, employment, racist violence, and housing. Furthermore, a special study on the education of Roma in Austria was issued. *Claudia Reitmayr* and *Viktoria Wagner* contributed as interns to the work of the Focal Point.

6.2 INTERkulturLOTSEN Österreich

IKLÖ (INTERkulturLOTSEN Österreich) is one of eight projects carried out within the framework of the European Community initiative EQUAL which aims at combating racism and xenophobia in the labour market. The project is led by Volkshilfe Österreich with the BIM, the “Initiative Minderheiten“, “Startbahn“, “Verein für Arbeits- und Beschäftigungsinitiativen“ and “Trigon Entwicklungs- und Unternehmensberatung GmbH“ cooperating as operational partners. The project provides employees of private businesses and NGOs as well as public officials with the opportunity to be trained in intercultural conflict management. Amongst others, the participants attend a workshop on “Legal instruments against discrimination in occupation and employment” designed by the BIM. In congruence with parts of the content of the workshop, the staff of the BIM has conducted three studies. *Constanze Pritz* was responsible for the disquisitions on “The access of migrants to the Austrian labour market” and “The protection against discrimination of migrants in the workplace. *Maria-Theresia Röhsler* elaborated a study on the topic “TNCs and the prohibition of discrimination”. The publications will be published in February 2005.

6.3 COMPAS

COMPAS (Combating and Preventing Discrimination within and by Police and School) is a transnational project in the framework of the EU Community Action Programme to combat discrimination, in which the BIM (*Constanze Pritz*) cooperates with the Commissioner for Integration and Migration of the Berlin Senate, the Centre UNESCO de Catalunya (Spain), RADAR (Netherlands) and UCODEP (Italy). The aim of the project is to combat ethnic and religious discrimination within schools and by the police through the selection, evaluation, exchange and implementation of good practice models among the five partner countries as well as research and reports on the implementation of the EU anti-discrimination directives. The results of the project were compiled at a final conference in July 2004 in Barcelona.

6.4 Leaflet about Equal Treatment and Gastronomy

Due to a request by the Austrian Federal Economic Chamber (Wirtschaftskammer Österreich) *Constanze Pritz*, *Birgit Weyss* and *Kerstin Buchinger* elaborated a leaflet for restaurant operators and their employees about equal treatment in the gastronomy. The leaflet was developed in order to demonstrate the legal situation in Austria regarding the access to restaurants and the use of gastronomic goods and services. The text was composed in an easily understandable language and contains clear case studies. Furthermore, information provided by the security authority (*Herbert Hutter*, BPD Wien) was included.

7. Rights of Refugees and Migrants

7.1 Temporary Protection

The second volume of “Temporary Protection in Europe” analyses the country reports as well as the development of the temporary protection system in the EU, compares this analysis with the substantive law of the Geneva Refugees Convention, and concludes with a summarizing evaluation. The volume could be finished at the end of 2004 and the publication is planned for spring 2005. The authors are *Ulrike Brandl*, *Ulrike Davy*, *Tim Engel*,

Sonja Grabner, Caroline Paar, Thomas Weber and Hannes Tretter. Tim Engel was also engaged in the layout of the book.

7.2 Migrants in Austria

Astrid Evrensel and Cordula Höbart prepared a paper on “Needs of Migrants in Austria” for the Austrian Red Cross. The aim of the study, which was finalized in summer 2004, was to identify the gaps in the support for migrants and possible fields of activities for the Red Cross.

8. Human Rights of Women

In 2003 and 2004, the BIM participated in the Phare Twinning Project „Enhancement of Policies of Equal Treatment on Women and Men”. This project was carried out in partnership with the Polish Government Plenipotentiary on the Equal Status of Women and Men and the Danish Research Center on Gender Equality. On the part of the BIM, *Angelika Kartusch* managed the project. The aim of the project was to foster the capacity of the Polish public administration in gender equality policies and gender mainstreaming and to raise awareness among Polish public officials and the general public for this topic. In the course of this project, BIM experts participated in research, training and awareness raising activities which took place in Poland. In April 2004, a study visit for Polish gender equality experts to Vienna was organized.

In fall 2004, *Angelika Kartusch* and *Helmut Sax* started to work on the research project “Domestic violence from a human rights perspective. Prevention and protection – the case of domestic violence against women and children in Austria”. This project addresses the problem of domestic violence from a human rights perspective. In particular, prevention and protection aspects are discussed. The analysis will be based on both, a women’s rights and a child rights perspective, in order to take the respective needs and standards into consideration. The project is funded by the Jubilee Fund of the Austrian National Bank. It is led by *Manfred Nowak* and is supposed to be finalised by 2006.

Further activities in this context include courses at the University of Vienna, other lectures and workshops as well as publications. For example, during summer term 2004, a seminar on women’s rights was held by *Manfred Nowak, Angelika Kartusch* and *Karin Lukas* at the Law Faculty of the University of Vienna. *Angelika Kartusch* held several lectures and workshops (for instance during the University Course on Civic Education at the Faculty for Interdisciplinary Research and Vocational Training (IFF), University of Klagenfurt (March 2004) or the lecture series “One out of five. Violence against women in the social sphere” at the University of Vienna (June 2004)) on women’s rights and related issues with violence against women being a major topic. *Angelika Kartusch* and *Karin Lukas* wrote, in co-operation with *Irena Illieva* from the Bulgarian Academy of Sciences, the Austrian contributions to the study “Challenges for Bulgaria in the field of gender equality before its accession to the European Union. A legal comparison of Bulgarian, Austrian and EU gender legislation”. The contributions of the BIM concerned such topics as non-discrimination at the working place, sabbatical time for parents, payment for taking care of children and domestic force. First results were presented at a conference “Equal opportunities for women and men in Bulgaria, Austria and Europe” in October 2003 in Sofia.

For the twinning project on gender equality in Poland see B 1.7

9. Trafficking in Human Beings

In 2004, the BIM was engaged in several anti-trafficking projects. In fall 2004, for instance, *Angelika Kartusch* was assigned by UNDP to draft a legal opinion on anti-trafficking legislation in the Republic of Belarus and to participate as an expert in a seminar in Minsk to discuss recommendations on improving the national anti-trafficking legislation. In spring 2004, she drafted a matrix of benchmarks of international and regional anti-trafficking standards for the Council of Europe in the framework of the CARDS project “Strengthening police capacities against serious crime in South Eastern Europe”.

In cooperation with the German Foundation for International Legal Cooperation (IRZ) and the Romanian NGO Center for Legal Resources, *Gabriele Reiter* and *Angelika Kartusch* have prepared and implemented a series of seminars for representatives of police, justice and NGOs in Romania. These activities were part of the EU funded AGIS project “Improving Criminal Investigation, Collaboration and Network-building against Trafficking in Human Beings in Southeastern Europe”. The seminars, which aimed at strengthening the support and protection of victims of human trafficking in Romania and at fostering cooperation among the relevant actors, were held in Romania in November 2004.

As part of an international consortium, the BIM supports the design and implementation of the Twinning Project “Strengthening Institutions in the Fight Against Trafficking”, which aims at improving anti-trafficking legislation and at strengthening the capacity of the Turkish authorities to combat trafficking in human beings. The BIM will contribute to this project by sending experts to Turkey who will be engaged in research, training and awareness raising activities with an emphasis on victim assistance and protection.

Furthermore, *Angelika Kartusch* has held several lectures and workshops on the issue of trafficking, for instance at two seminars of the European Commission in Antalya und Istanbul and within the framework of a police training programme on the rights of victims of crimes which is being implemented by the BIM in cooperation with the Austrian Federal Ministry of the Interior and the “White Ring”.

10. Human Rights of Children and Juveniles

The year 2004 was marked by several child-focused activities aimed at integrating children’s rights on a structural level. These activities included support of the preparatory process for an Austrian National Plan of Action (NPA) for children’s rights, participation in the state reporting monitoring process by the UN Committee on the Rights of the Child and preparation for child-focused training programmes for field personnel.

By the end of 2003 all four working groups of the NPA preparatory process had completed their reports and an expert group, consisting of two senior researchers from the European Centre for Social Welfare Policy and Research in Vienna (*Prof. Liselotte Wilk, Renate Kränzl-Nagl*) and two researchers from the BIM (*Helmut Sax and Helmut Wintersberger*), was mandated by the Austrian Federal Ministry for Social Affairs, Generations and Consumer Protection to prepare a comprehensive report on the results of the process and recommendations for follow-up. Based on this (500-pages) report the Austrian government finally adopted the NPA for Children’s Rights in Austria (“Austria fit for Children”) in November 2004. Apart from this *Helmut Sax* supported the Ministry as a consultant for children’s rights.

The BIM has been involved in the Austrian Convention process commissioned to prepare a new Federal Constitution; in relation to children's rights. *Helmut Sax* submitted proposals for relevant provisions to the social democratic fundamental rights forum in support of the Convention and participated in two meetings of the fundamental rights committee of the Convention.

In 2003, the BIM had prepared a model training curriculum on children and armed conflicts, mandated by the Federal Ministry of Foreign Affairs during its Chair of the Human Security Network. As a follow-up, in 2004, various activities to prepare for actual implementation of such trainings intended to sensitize field personnel for child rights and child protection issues were carried out. The first trainings are planned to take place in 2005. Against this background, *Helmut Sax* participated in the symposium "Childhood - Trauma - Ways of healing", organised by "Welt der Kinder" in Schwarzenberg/Vorarlberg (October 2004), where he also attended discussions with *Mr. Olara Otunnu*, UN Special Representative on Children and Armed Conflict. Furthermore, the BIM was asked to prepare a first draft position paper on a more focused integration of children's rights into the Austrian development cooperation.

2004 saw intense engagement of the BIM in networking and collaboration with non-governmental child rights organisations. As a member of the Austrian National Coalition (NC) for the implementation of the CRC it contributed to the 2004 "shadow report" elaborated in response to the Austrian government's 2002 State report. The shadow report was presented to the public during a press conference in June 2004. Upon an invitation by the UN Committee on the Rights of the Child, the BIM also represented the NC - together with four more institutions and organisations - at a hearing of the Committee in October 2004 (the hearing of the government delegation will take place in January 2005, followed by the Committee's concluding observations on children's rights in Austria).

Moreover, the BIM was also actively involved in the Austrian NGO network against commercial sexual exploitation of children (ECPAT Austria) which was founded in 2003. In 2004, the BIM, in cooperation with the Institute "respect", started preparations for a major study on sexual exploitation and trafficking.

Helmut Sax gave lectures on various child rights topics, including at the ETC Summer Academy on Human Rights and Human Security in Graz and at the Peace studies Master's Programme at the University of Innsbruck. *Bea Ferenci* continuously supported the BIM as a free-lance specialist with her wide expertise, particularly in the child rights field. Together with *Manfred Nowak* and *Helmut Sax*, she organised the annual seminar "human rights of children" at the University of Vienna. She also supported students of the EMA Master's Programme at the BIM.

11. The Human Rights Advisory Board and its Visiting Commissions at the Austrian Ministry of the Interior

The Human Rights Advisory Board was established in 1999 based on a constitutional stipulation in the Austrian security police law. Its task is to observe the Ministry of the Interior and all subordinated authorities (in particular the police) with regard to the respect of human rights, to identify structural deficits and to contribute to an improvement of the human rights culture within the concerned authorities by giving recommendations. To this purpose, six regional visiting commissions monitor the behaviour of police and security staff at different departments regarding detention procedures and the exercise of police authority in general. Two commissions are accommodated at the BIM and are coordinated by *Bettina Frisslovics*. *Manfred Nowak* is head of the Commission "Vienna 2". Further

members are *Marijana Grandits* (vice-director), *Elisabeth Hofmann*, *Ina Manfredini*, *Bülent Öztöplü*, *Hannes Tretter* and *Alfred Zauner*.

Due to the unclear legal situation, the commission members were selected by the Human Rights Advisory Board, but employed by the Ministry of the Interior. Due to a modification of the rules of procedure of the Human Rights Advisory Board, this selection by the Board was replaced with an appointment by the Ministry. After lengthy discussions with the Minister of the Interior, *Ernst Strasser*, all heads of the commissions were reappointed for another term of office. As far as other members are concerned, continuity was also one of the major factors taken into consideration. In the commission Vienna 2 only *Bülent Öztöplü* resigned and *Vera Pfersmann* took over his position. In 2004, the focus of the monitoring was on the treatment of refugees in the border region *Gmünd*, on the conditions in the detention centre *Roßauer Lände* in Vienna and on the treatment of detainees who are under hunger strike or who show suicidal tendencies.

Caroline Paar renewed her contract with the BIM-FV to work directly at the office of the Human Rights Advisory Board. In 2004, her focus was on servicing several working groups set up by the Advisory Board, such as a working group on the use of police force and risk minimisation in critical situations, one on the activities of the commissions with regard to allegations of mistreatment, and one on the implementation of the recommendations given by the Human Rights Advisory Board.

C. EDUCATION AND TRAINING

1. Service Center for Human Rights Education

The Service Center for Human Rights Education was established by the Austrian Federal Ministry for Education, Science and Culture / Department for Civic Education in 1997. It was set up as part of the Ludwig Boltzmann Institute of Human Rights-Research Association.

The Service Center is an advisory institution and information platform mostly for schools, teachers and students. It has its own website (www.humanrights.at) which was newly designed in 2004 and publishes a newsletter "Teaching Human Rights. Informationen zur Menschenrechtsbildung". The Service Center provides advice and support to teachers, pupils, educational organizations and institutions in putting human rights education into practice. One of the key activities of the Center is the provision of educational material and trainings to children, juveniles and teachers. Since spring 2001, for example, the Service Center together with the WUK-KinderKultur organizes the project "Recht hat jede(r)!" ("Everybody has rights/is right") which comprises trainings for a cooperative every day life. Children and young people actively learn about various human rights issues in workshops which focus on responsibility, peaceful conflict resolution, mutual respect, empowerment, etc. The project was awarded one prize for civil engagement and one for children's rights.

The Service Center participated in events at pedagogic institutes and academies and held seminars on civic and human rights education for teacher-students at the University of Vienna during the winter semester 2003/04 and 2004/05.

Furthermore, since 2003, the Service Center for Human Rights Education and the Service Center for Civic Education have been implementing the peer group concept of ADL and EPTO (European Peer Training Organisation) "A World of Difference" in Austrian schools. It is a joint project of the two Service Centers, the Asylum Coordination Austria and the Working Group of Young People against Violence and Racism.

Both Service Centers founded the "LehrerInnenplattform für Politische Bildung und Menschenrechtsbildung" ("Teachers' Network for Civic and Human Rights Education), which is a network for teachers all over Austria to exchange projects and experience and to search for project partners. The newly invented Website (www.lehrerInnenplattform.at) will function as a platform with articles on background information and didactical implementation of Civic and Human Rights Education. The participation of teachers guarantees the practical orientation of the network.

In cooperation with the Austrian Federal Ministry for Education, Science and Culture, the Service Center organized the "Human Rights Days 2004" in December 2004. During three weeks different kinds of events and activities referring to important aspects of Human Rights were offered in all parts of Austria. In addition to the "Human Rights Days 2004" the Service Center started the school campaign "hinschauen – Diskriminierung und Menschenrechte" ("Look closely – Discrimination and Human Rights") which will last until the end of summer term 2005.

The Service Center is led by *Dorothea Steurer*. Other members of the staff are *Reinhard Eckert*, *Martina Sekulin* and *Elisabeth Turek*.

2. Service Center for Civic Education

In 2001, the Service Center for Civic Education was founded at the Ludwig Boltzmann Institute of Human Rights Research Association on the initiative of the Federal Ministry for Education, Science and Culture. Its task is to support and consult teachers in realising the principle of civic education as well as in teaching the subject itself. The Service Center is responsible for the distribution of the “info-blatt”, an information leaflet dedicated to current political topics, background information and useful hints for didactical implementation. The Service Center provides free teaching materials and services the website <http://www.politische-bildung.at> which contains specific information for teachers as well as relevant literature, new media and recent political topics.

Besides that, the Service Center provides seminars on political didactics and political education in pedagogical institutes.

In April 2004, the Service Center participated in the “ZeitzeugInnenseminar” of the Federal Ministry for Education, Science and Culture supported teachers at the Conference of the Scheduling Service for Guest Appearances by Witnesses and Survivors (RVZ Conference).

The Service Center also took part in the COE-Conference of the “European Year for Civic Education 2005” in Sofia, Bulgaria.

Together with the Service Center for Human Rights Education, the Service Center held seminars on political education for teachers at the University of Vienna in the winter semester 2004.

Both Service Centers founded the “LehrerInnenplattform für Politische Bildung und Menschenrechtsbildung”, which offers a network for teachers all over Austria to communicate projects, experiences and to search for project-partners. Also on the platform articles on background information and didactical implementation of Civic Education can be found. The participation of teachers guarantees the “practice-orientation” of the network.

3. Optional Curriculum: Fundamental Rights and Human Rights

At the Law Faculty of the University of Vienna *Manfred Nowak* and *Hannes Tretter* gave the following lectures (together with colleagues from the BIM) :

- Introduction to the International Human Rights Regime
- Economic and social rights of asylum seekers
- Europäischer Menschenrechtsschutz
- Human Rights of Children
- Human Rights and Racism
- International Covenant on Civil and Political Rights
- Human Rights of Women
- Human Rights Round Table
- EU und Menschenrechte – Neueste Entwicklungen
- Die Richtlinien der EU zur Bekämpfung von Diskriminierung und ihre Umsetzung in nationales Recht

4. European Master's Degree in Human Rights and Democratisation – (EMA)

This European Master's is a unique example of a European inter-university co-operation of almost 40 participating universities from the 25 EU member states. It is co-ordinated by the EIUC (European Inter-University Center for Human Rights and Democratisation) in Venice. The University of Vienna (represented by Manfred Nowak and supported by BIM) is actively involved in the EMA programme since 1998. Since September 2000 Manfred Nowak is EMA chairman. In the winter semester 90 students received a comprehensive introduction in to the historical, philosophical, anthropological, political and legal foundations of international Human Rights Protection. The course is completed by a organised field trip to the Kosovo (Marijana Grandits, BIM). In the summer semester students graduate and write a master's thesis, which seeks to prepare them for their future tasks in an international organisation (especially EU, UN, OESCE) or for the status of a Human Rights Expert.

In summer 2004, 5 students came to Vienna where they were supervised by Louise Sperl and other BIM employees. They were also participating at different courses in the area of fundamental and human rights.

5. University Course in Information Law and Legal Information

The University Course in Information Law and Legal Information was started by the BIM in 1999. It is headed by *Nikolaus Forgó* (University Hannover), an expert in information law. Hannes Tretter gave a presentation on "Fundamental and Human Rights in Informational Law" in summer 2004.

6. European Studies Vienna

In the context of the postgraduate M.E.S. Programme "European Studies" (University of Vienna, winter term 2004/2005) *Hannes Tretter, Angelika Kartusch, Alexander Lubich und Louise Sperl* held a lecture on Human Rights Protection in Europe. Additionally, an excursion to the OSCE was organised.

7. Dissertations on Human Rights

Under supervision of BIM's staff, the following dissertations on human rights topics and EMA Master Theses were finished and approved in 2004:

- Johann Alexander Niernsee, legal philosophy, Aspects of Human Rights on development
- Anne Beatrice Charbord, Human Rights of Internally Displaced Persons in Bosnia and Herzegovina
- Dorothy Yolande Kremser, Culture and Human Rights of Women
- Petra Sulovska, Separated Refugee Children in Slovakia
- Dorien Deketele, Global Women: Filipina Domestic Workers in Belgium

- Carl Ekström, Political Participation for Non-Citizens – A Comparative Legal Study on Belgium, Italy and Sweden.
- Martin Nagler, The policy of the European Union Towards Children and Armed Conflict – Strengthening Children’s Rights through EU external relations?
- Deliana Popova, “Illegal Migrants or “Victims of Trafficking: The Human Rights of Trafficked Women in the Social and Political Discourse of Trafficking in Women.

8. Training Against Discrimination

8.1 Awareness Raising and Legal Training for Legal Practitioners on Discrimination Practices

The overall objective of this transnational EU project was to contribute towards combating discrimination by enhancing the capacity of the judicial system to apply and implement the existing anti-discrimination legislation in the participating states: Finland, France, Greece, Sweden and Austria. The main target group of the project were judges, public prosecutors and attorneys. The project started in September 2002 and was completed in August 2004.

In the first project year the BIM together with International Organisations for Migration (IOM Vienna) organised a conference on the transposition of the two EU Anti-discrimination Directives, which attracted approximately 150 participants from ministries, the judiciary and NGOs. In the framework of this project the BIM further published a handbook on anti-discrimination legislation which can be downloaded from following website: <http://www.iom.fi/anti-discrimination/pdf/IOMsaksataitto.pdf>.

In June 2004, the BIM organised a Summer School at the premises of the European Inter-University Centre for Human Rights and Democratisation (EIUC) at the Lido of Venice. The Summer School took place on 27- 30 June 2004 and attracted 26 students of human rights and international law.

The programme of the summer school was structured into two different parts. The first part of the course focused on awareness-raising activities whereas the second part concentrated on anti-discrimination legislation in the context of human rights. The awareness raising training was held by two trainers of the Anti-Defamation League who guided the participants through different role games and discussions. On the more theoretical part of the summer school Manfred Nowak gave an introductory lecture on the principle of equality by referring to participants’ personal experiences. The students were then able to choose between three different working groups on positive measures, migration and EC legislation.

The summer school ended with a Moot Court which dealt with the French law concerning the prohibition of wearing religious symbols in public schools.

The participants’ feedback on the summer school was very positive and the need for further summer schools like this one was expressed.

8.2 Pre- and In-Service Training for Judges, Public Prosecutors and Attorneys in the field of Anti-Discrimination Legislation

Within the framework of this EU Project, the Ludwig Boltzmann Institute of Human Rights in cooperation with the Federal Ministry of Justice and the Federal Bar Association organised five pre- and in-service training workshops for judges, public prosecutors and lawyers. The workshops focused on the newly amended Equal Treatment Act and other anti-discrimination provisions.

- Pre-service training for judges, prosecutors and attorneys
March 30, 2004, Judicial Training Center in Vienna
- Pre-service training for judges, prosecutors and attorneys
April 30, 2004; Judicial Training Center in Kitzbühel, Tyrol
- Pre-service training for judges, prosecutors and attorneys
November 16, 2004, Judicial Training Center in Vienna
- In-service training for judges, prosecutors and attorneys
November 30, 2004; University of Vienna, Law Faculty
- In-service training for judges, prosecutors and attorneys
December 2, 2004; Hotel Mercure in Salzburg

The seminars aimed at enhancing the knowledge and awareness on these new provisions. Furthermore, interactive training components were included in order to sensitise participants for a better understanding of the dynamics of discrimination. Among the persons invited to give presentations at the seminars were experts from the Federal Ministry of Economics and Labour, specialised judges and attorneys, representatives of the Ombuds-person for Equal Treatment, and NGO representatives.

Given the participants' positive feedback the BIM is presently negotiating to further offer such workshops in the course of in and pre-service training for judges, prosecutors and attorneys.

This one year project was finalised in December 2004. It was implemented in the framework of the European Commission's Action Programme to combat discrimination. The project funds mainly derived from the European Commission. Furthermore, the Federal Ministry of Justice and the Federal Bar Association co-financed the project.

D. Library, Documentation and Computing

1. Library and Documentation

The departmental library of the BIM is a reference-library granting access to publications and documents relevant in the human rights field. The collection consists mainly of human rights related books and journals but also includes relevant law and contract texts, case law, publications of international organisations and NGOs, press releases and brochures. The library is divided into two sections: one is organised by topics, the other by countries. The emphasis of the documentation is on international organizations, e.g. UN, European Union and Council of Europe, OSCE (the BIM serves as Depository Library for the OSCE), rights of children and adolescents, rights of women (in particular trafficking of women), discrimination and racism, minorities, development and globalisation. The library can be searched with the help of a database that is also available on-line on the Internet. (<http://www.humanrights.at/bimlibrary>). Author, title and keywords can be searched in English and German. Approximately half of the stock of books and documents are in English.

In 2004, *Martin Neubauer* and later *Margit Braun* were in charge of the library. Both were standing-in for the main librarian *Tanja Vospernik* who is currently on maternity leave. *Paul Angeli* remains to be responsible for Ex-Yugoslavia documentation. They were supported by *Christian Fischer* doing an internship.

The library is open to the public from Mo though Fr 9.00 a.m. to 1.00 p.m.

2. Computing

As usual, the main work of the network administrator *Rainer Jantscher* was to service the central server, PC work stations and network printer/copier/scanner, in total around 40 IT systems. Three new PC working places have been established. Since 2004 it is possible to access the network of the institute over the Internet by VPN. Thus, enabling staff to work on any kind of document at any time be it from at home or on the road as long as an internet connection is available. In addition, data security, in particular possible data loss due to viruses or hardware malfunction, was significantly improved. The re-design of the homepage was started in 2004 and is to be completed in 2005.

E. PUBLICATIONS

1. BIM Human Rights Study Series

- Volume 1: *Nikolaus Marschik*, Die UN-Rassendiskriminierungskonvention im österreichischen Recht, 1999, 195 pages
- Volume 2: *Helmut Sax/Christian Hainzl*, Die verfassungsrechtliche Umsetzung der UN-Kinderrechtskonvention in Österreich, 1999, 257 pages
- Volume 3: *Ursula Kriebaum*, Folterprävention in Europa – Die Europäische Konvention zur Verhütung von Folter und unmenschlicher oder erniedrigender Behandlung oder Bestrafung, 2000, 786 pages
- Volume 4: *Manfred Nowak/Xin Chunying* (Editor.): EU-China Human Rights Dialogue. Proceedings of the Second EU-China Legal Expert Seminar held in Beijing on 19 and 20 October 1998, 2000, 190 pages
- Volume 5: *Martin Ölz*, NGOs im internationalen Menschenrechtsschutz, 2002, 431 pages
- Volume 6: *Hannes Tretter* (editor.), Temporary Protection für bosnische Flüchtlinge in Europa – Länderberichte/Country Reports, 2000, 530 pages
- Volume 7: *Hannes Tretter* (editor.), Temporary Protection für bosnische Flüchtlinge in Europa – Analysen und Schlussfolgerungen (erscheint im September 2005)
- Volume 8: *Christian Hainzl*, Human Rights in Bhutan, The Legal System, The Southern Problem, 2000, 166 pages
- Volume 9: *Angelika Kartusch/Katharina Knaus/Gabriele Reiter*, Bekämpfung des Frauenhandels nach internationalem und österreichischem Recht, 2000, 246 pages
- Volume 10: *Johannes Binder*, The Human Dimension of the OSCE, From Recommendation to Implementation, 2001, 473 pages
- Volume 11: *Anette Windmeißer*, Der Menschenrechtsansatz in der Entwicklungszusammenarbeit, 2002, 490 pages
- Volume 12: *Louise Sperl/Karin Lukas/Helmut Sax*, Wirtschaftliche, soziale und kulturelle Rechte von Asylwerbern, 2004, 350 pages
- Volume 14: *Barbara Jauk*, Exekutive und Menschenrechte, 2004, 548 pages
- Volume 15: *Anne Charbord*, Human Rights of Internally Displaced Persons in Bosnia and Herzegovina, 2005, 477 pages

2. Books with Other Publishers

Manfred Nowak, Einführung in das internationale Menschenrechtssystem, Neuer Wissenschaftlicher Verlag, Wien/Graz 2002, 375 pages

Manfred Nowak, Civil Rights (Chinesische Übersetzung des CCPR-Commentary 1993), Chinese Academy of Social Sciences – Institute of Law, Beijing 2003, 2 Bände, 1045 pages

Manfred Nowak, Introduction to the International Human Rights Regime, Martinus Nijhoff Publishers, Leiden/Boston 2003, 365 pages

Manfred Nowak, U.N. Covenant on Civil and Political Rights – CCPR Commentary, 2nd revised edition, N.P. Engel Publishers, Kehl/Strasbourg/Arlington 2005, 1277 pages

3. Co-publishing

Volkmar Deile/Franz-Josef Hutter/Sabine Kurtenbach/Carsten Tessmer (editor), *Jahrbuch Menschenrechte* 2005, Frankfurt am Main, 2004.

Martin Scheinin/Markku Suksi, *Human Rights in Development- Yearbook 2002, Empowerment, Participation, Accountability and Non-Discrimination: Operationalising a Human Rights-Based Approach to Development*, Leiden 2005, pages 418.

4. “Teaching Human Rights. Informationen zur Menschenrechtsbildung”

The newsletter “Teaching Human Rights. Informations on Human Rights Education“ of the Service Center for Human Rights Education contributes to steadily raise the awareness of human rights education of teachers and other interested people. Scientists and experts from the field give their opinion on certain focal topics, there is a separate educational part where one can find ideas for the classroom and short impulse texts and the service part at the end of the newsletter provides information on current events, classroom material as well as literature and web tips. The following newsletters have been published in 2004:

Issue 18/2004: All for All. The Universality of Human Rights

Issue 19/2004: Education for a Better World. Peace-, Democracy-, Global- and Human Rights Education.

Issue 20/2004: Special issue on “Human Rights Days 2004”

5. info blatt – information leaflet of the Service Center for Civic Education

The “info-blatt” is a newsletter dedicated to current political affairs and developments to provide additional information for teachers when treating a current political topic in their classes. It is distributed four times a year and contains relevant background information, useful hints to events, literature and links on the web.

Edition nr. 1, April 2004: **Women in politics**

Edition nr. 2, May 2004: **The Austrian Convention for Constitution**

Edition nr. 3, October 2004: **Youth Unemployment**

Edition nr. 4, December 2004: **The Roma-Minority in Austria**

6. Individual Publications and Articles

Kerstin Buchinger/Constanze Pritz/Birgit Weys, *Merkblatt zur Gleichbehandlung im Gastgewerbe*, im Auftrag der Wirtschaftskammer Österreich 2004.

Angelika Kartusch, Elternkarenz und Kinderbetreuungsgeld – das österreichische Modell, in: *Angelika Kartusch/Irena Ilieva/Karin Lukas* (Hg.innen), *Gleichheit von Frauen und Männern in Bulgarien, Österreich und der Europäischen Union*, Sofia 2004, p. 79-94.

Angelika Kartusch, Schutz vor Gewalt in der Familie in Österreich, in: Angelika Kartusch/Irena Ilieva/Karin Lukas (Hg.innen), Gleichheit von Frauen und Männern in Bulgarien, Österreich und der Europäischen Union, Sofia 2004, p. 95-105.

Angelika Kartusch, Opferrechte-Menschenrechte, in: SIM Das Sicherheitsmagazin, 2/2004, p. 46-47.

Renate Kränzl-Nagl/Helmut Sax/Liselotte Wilk/Helmut Wintersberger, YAP-Bericht - Ergebnisse des YAP-Prozesses 2003, Wien, März 2004.

Barbara Liegl/Bernhard Perchinig/Birgit Weyss, Combating Religious and Ethnic Discrimination in Employment, Hrsg. European Network against Racism (ENAR) 2004.

Karin Lukas, Gleichheit in der österreichischen Verfassung, in: Angelika Kartusch/Irena Ilieva/Karin Lukas (Hg.innen), Gleichheit von Frauen und Männern in Bulgarien, Österreich und der Europäischen Union, Sofia 2004 (p. 62-69).

Karin Lukas, Gleichbehandlung von Frau und Mann im Beruf, in: Angelika Kartusch/Irena Ilieva/Karin Lukas (Hg.innen), Gleichheit von Frauen und Männern in Bulgarien, Österreich und der Europäischen Union, Sofia 2004, p. 73-77 / p. 95-105.

Karin Lukas, Das Recht auf Arbeit, in: Sperl/Lukas/Sax, Wirtschaftliche, soziale und kulturelle Rechte von AsylwerberInnen, Verlag Österreich 2004, p. 239-258.

Karin Lukas, Das Recht auf Bildung, in: Sperl/Lukas/Sax, Wirtschaftliche, soziale und kulturelle Rechte von AsylwerberInnen, Verlag Österreich 2004, p. 261-284.

Manfred Nowak, Die Universalität der Menschenrechte im Gespräch, in Teaching Human Rights 2004/18, 3-5.

Manfred Nowak/Alexander Lubich, Report on the Situation of Fundamental Rights in Austria in 2003 (gemeinsam mit den anderen Mitgliedern des EU Networks of Independent Experts in Fundamental Rights), European Communities Brussels 2004, 49 pages.

Manfred Nowak/Alexander Lubich, Synthesis Report: Conclusions and Recommendations on the Situation of Fundamental Rights in the European Union and its Member States in 2003 (gemeinsam mit den anderen Mitgliedern des EU Networks of Independent Experts on Fundamental Rights), European Communities Brussels 2004, 80 pages.

Manfred Nowak, Menschenrechte: Die universelle Sprache der Unterdrückten, www.humanrights.at

Manfred Nowak/Paul Hunt/Siddiq Osmani, Human Rights and Poverty Reduction, A Conceptual Framework, Office of the United Nations High Commissioner for Human Rights, Geneva 2004, 36 pages.

Manfred Nowak, The Big Challenges for the International Protection of Human Rights, in FIAN/Amnesty International/Ludwig Boltzmann Institute of Human Rights, "Beyond Purchasing Power", 10 Years after the Vienna World Conference on Human Rights, Vienna 2004, 5-7.

Manfred Nowak/Alexander Lubich, Opinion on the Role of National Institutions for the Protection of Human Rights in the Member States of the European Union (gemeinsam mit den anderen Mitgliedern des EU Networks of Independent Experts in Fundamental Rights), European Communities Brussels 2004, 161 pages.

Manfred Nowak, Wie eine ansteckende Krankheit – Die Folter erlebte im 20. Jahrhundert eine wahre Renaissance, in Standard Album vom 15. Mai 2004, A3.

Manfred Nowak/Tanja Vospernik, Permissible Restrictions on Freedom of Religion or Belief, in Tore Lindholm/W. Cole Durham/Bahia Tahzib-Lie (eds.), Facilitating Freedom of Religion or Belief: A Deskbook, The Netherlands 2004, 147-172.

Manfred Nowak, Has Dayton Failed?, in Christophe Solioz/Tobias K. Vogel (eds.), Dayton and Beyond: Perspectives on the Future of Bosnia and Herzegovina, Baden-Baden 2004, 45-58.

Manfred Nowak/Alexander Lubich, Fundamental Rights in the External Activities of the European Union in the Fields of Justice and Asylum and Immigration in 2003, Thematic Comment 2 (gemeinsam mit anderen Mitgliedern des EU Network of Independent Experts in Fundamental Rights), European Communities, Brussels 2004, 38 pages.

Manfred Nowak, Ein Menschenrechtsansatz für die Armutsbekämpfung, in Stefan Hammer/Alexander Somek/Manfred Stelzer/Barbara Weichselbaum (Hrsg.), Demokratie und sozialer Rechtsstaat in Europa, Festschrift für Theo Öhlinger, Wien 2004, 550-572.

Manfred Nowak, Estados ocidentais, democráticos e altamente desenvolvidos ignoram as suas obrigações nos direitos humanos, in Pública (Lissabon) No. 442 (November 2004), 7-10.

Helmut Sax, Europa: Insel der Seligen - Keine Kinderrechte?, in „zB - Zeitschrift für Jugendarbeit“, Oktober 2004, p. 4.

Birgit Weyss/Constanze Pritz, Antidiskriminierung auf Europäisch, in: Volkmar Deile/Franz-Josef Hutter/Sabine Kurtenbach/Carsten Tessmer (Hrsg.), Jahrbuch Menschenrechte 2005, Frankfurt am Main 2004, p. 304 - 313.

Birgit Weyss, Analysis of the status quo of Polish Anti-Discrimination Legislation and Policies, herausgegeben von der Polnischen Regierungsbeauftragten für die Gleichbehandlung von Frauen und Männern, Warschau 2004.

F. Partner Organisations and Financing

Beyond the support which we have been experiencing from the Ludwig Boltzmann Society, the “umbrella organisation” of this institute and the University of Vienna (Institute for constitutional and administrative law as well as the jurisprudential faculty) we would like to thank our partner organisations for the good co-operation as well as the necessary financing of our joint work.

This especially affects the Federal Ministry for foreign Affairs, as well as the Austrian Development Agency (ADA) with regard to the work in development and human rights. The BMaA also acts as a co-ordination office of the EU Twinning projects, which played a very important role for the institute in 2004.

The “Interkulturlotsen project”, the “Compas project” as well as professional trainings in the judiciary area (amongst others with IOM and the Federal Ministry of Economics and Labour) and the participation in the EUGEN and E.MA/EIUC network were financed directly through the EU. Besides that, the BIM received support from the Federal Ministry of Social Security, Generations and Consumer Protection with regard to the National Action Plan for Children’s Rights. Moreover, cooperations exist with the Federal Ministry of Justice in the area education and anti-discrimination as well as with the OSCE and UNDP with regard to trafficking. As the present report shows in subsequent chapters, further cooperations such as with other networks and universities permit the BIM to pursue its broad range of activities.

In 2004, the Federal Ministry for Education, Science and Culture was the biggest partner of the Ludwig Boltzmann Institute of Human Rights Research Association (“BIM-Forschungsverein”). With its funding of the two service areas human rights education and political education it ensures a very important field of activity of the Institute. Likewise, the cooperation with the Federal Ministry of Internal Affairs represents an essential and continuous field of activity and so does the RAXEN Focal Point which is funded by the EUMC and operated in cooperation with the Institute for Conflict Prevention and the Institute for Linguistics. The second edition of the CCPR commentary could be finished with the support of the Raoul Wallenberg Institute for Human Rights and Humanitarian Law and the Swedish Research Council. Furthermore, the work on the CAT-commentary funded by the FWF Austrian Science Fund has begun. Besides the cooperation with EIUC through the E.MA network numerous cooperations exist with other NGOs, ministries, partners and financial supporters through which several publications, events and smaller projects could be realized. Of course we also thank the members of the Association which have continued to support us!

Like in previous years, the budget volume of the Association ranged around 500,000 Euro. For the BIM, the budget doubled to 1,200,000 Euro due to the successful start of the Twinning Projects. The cost related to the projects incurred in 2003 could thus be covered and a positive bottom line could be achieved in 2004. At the end of 2004, both, the asset as well as the financial position, was satisfactory in both parts of the Institute.

G. STAFF

1. Directors

Administrative directors:

Nicole LIEGER, political scientist

Hannes TRETTER, lawyer

Scientific directors:

Manfred NOWAK, lawyer

Hannes TRETTER, lawyer

2. Permanent Staff

Elisabeth BOULTER, lawyer and mediation, Service Center for Civic Education

Margit BRAUN, administration and library

Kerstin BUCHINGER, lawyer, Twinning, CAT commentary

Albin DEARING, lawyer, Twinning Poland, Pre Accession Advisor

Reinhard ECKERT, educationalist, Service Center for Human Rights Education

Susanne FRACZEK, lawyer, twinning-coordination

Bettina FRISSLOVICS, administrator, coordination of the commission OLG 2 and 3 of the Human Rights Advisory Board

Thomas GIESEN, lawyer, Twinning Lettland, Pre Accession Advisor

Karlheinz GRUNDBÖCK, Hauptmann, stellv. Bezirksgendarmeriekommandant, Twinning Turkey, Pre Accession Advisor

Lukas GUNDERMANN, lawyer, Twinning Lithuania, Pre Accession Advisor

Rainer JANTSCHER, law student, homepage- und network-services

Angelika KARTUSCH, lawyer, trafficking of persons, rights of women

Katharina KÖHLER, linguist, RAXEN Focal Point for Austria

Barbara LIEGL, political sciences, anti-discrimination

Karin LUKAS, E.MA., lawyer, rights of women, development, globalisation

Sabine Mandl, political sciences, Service Center for Civic Education

Martin NEUBAUER, MA, political sciences, administration

Sadie O'MAHOONEY, B.S., LL.M., lawyer, CCPR-commentary, CAT-commentary, IPU handbook

Maria-Theresia RÖHSLER, lawyer, anti-discrimination, EU-China dialogue

Caroline PAAR, lawyer, secretary of the Human Rights Advisory Council

Constanze PRITZ, lawyer, Anti-discrimination

Helmut SAX, lawyer, human rights of children and juveniles, Human Security Network, economic and social rights, development

Martina SEKULIN, administration and accounting, supervise EPTO-project, Service Centers for Human Rights and Civic Education

Louise SPERL, lawyer, E.MA, development

Dorothea STEURER, lawyer and mediator, head of Service Center for Human Rights Education

Elisabeth TUREK, ethnologist, Service Center for Human Rights Education

Tanja VOSPERNIK, lawyer, documentation, currently on maternity leave

Christoph WAGNER, pedagogue, Service Center for Civic Education

Martin WAGNER, lawyer, Twinning Ukraine, Pre Accession Advisor

Birgit WEYSS, E.MA, lawyer, anti-discrimination, project co-ordination

3. Temporary Staff / Freelances

Paul ANGELI, lawyer, documentation
Christina BINDER, lawyer, RAXEN
Jasmine BÖHM, Short Term Expert, Twinning Poland (Anti-discrimination)
Ulrike BRAND, lawyer, temporary protection
Ulrike DAVY, lawyer, temporary protection
Nikolaus DIMMEL, Short Term Expert, Twinning Turkey
Guillaume DELAFOSSE, Short Term Expert, Twinning Lithuania
Karlheinz DUDEK, Short Term Expert, Twinning Turkey
Elisabeth DUHR, Short Term Expert, Twinning Latvia and Twinning Lithuania
Karin FELNHOFER-LUKSCH, Short Term Expert, Twinning Turkey
Beatrix FERENCI, lawyer, human rights of children and adolescents
Volker FREY, Short Term Expert, Twinning Poland (Anti-discrimination)
Claudia GOLEMBIEWSKI, Short Term Expert, Twinning Lithuania
Sonja GRABNER, lawyer, temporary protection
Marijana GRANDITS, political sciences, European Master's Degree in Human Rights and Democratisation, Human Rights Advisory Board, Short T. Exp. Twinning Turkey
Elisabeth HOFMANN, physician, Human Rights Advisory Board
Marit HANSEN, Short Term Expert, Twinning Lithuania
Peter HAUSER, Short Term Expert, Twinning Turkey
Christoph HUNDERTPFUND, Short Term Expert, Twinning Turkey
Angelika JENNEN, Short Term Expert, Twinning Lithuania
Tamara KERBL, Short Term Expert, Twinning Turkey
Reinhard KLAUSHOFER, Short Term Expert, Twinning Turkey
Martin KÖHLE, Short Term Expert, Twinning Bulgaria
Verena KRAUSNEKER, Short Term Expert, Twinning Bulgaria
Dr. Ursula KRIEBAUM, lawyer, EMA, Short Term Expert, Twinning Turkey
Gerhard KUNNERT, Short Term Expert, Twinning Lithuania
Friedrich LACHMAYER, lawyer, twinning Lithuania and Lithuania, Project director
Peter LAMPLLOT, Short Term Expert, Twinning Turkey
Nils LEOPOLD, Short Term Expert, Twinning Lithuania
Alexander LUBICH, lawyer, EUGEN
Elke LUJANSKY-LAMMER, Short Term Expert, Twinning Poland (Gender)
Roman MACZKOWSKY, Short Term Expert, Twinning Lithuania
Thomas MAUERSBERGER, Short Term Expert, Twinning Lithuania
Edith MEINHART, Short Term Expert, Twinning Poland (Anti-discrimination)
Brian MERRIMAN, Short Term Expert, Twinning Poland (Anti-discrimination)
Jan MÖLLER, Short Term Expert, Twinning Lithuania
Gerhard MUZAK, Short Term Expert, Twinning Ukraine and Twinning Bulgaria
Tino NAUMANN, Short Term Expert, Twinning Lithuania
Wiebke NEUHÄUSER, Short Term Expert, Twinning Turkey
Martin PARSCHALK, Short Term Expert, Twinning Lithuania
Bernhard PERCHINIG, Short Term Expert, Twinning Poland (Anti-discrimination)
Christian PISKA, Short Term Expert, Twinning Bulgaria
Rafael Koldo POLO GUARDO, Short Term Expert, Twinning Poland (Anti-discrimination)
Alexander POLLAK, linguist, RAXEN
Elmar PUCK, Short Term Expert, Twinning Bulgaria
Judith PUTZER, Short Term Expert, Twinning Ukraine
Josef ROHRBÖCK, lawyer, Twinning Ukraine, head of project

Ulrich SALBURG, lawyer, twinning Lithuania, head of project
Dieter SCHINDLAUER, Short Term Expert, Twinning Turkey and Twinning Poland (Anti-discrimination)
Christian SCHNOOR, Short Term Expert, Twinning Latvia
Paul SCHWEIBELHOFER, student of sociology and linguistic, RAXEN
Hartmut SELTMANN, Short term Expert, Twinning Turkey
Petra SMUTNY, Short Term Expert, Twinning Poland (Gender)
Ernst SPEISER, Short Term Expert, Twinning Turkey
Christoffer STIGER, Short Term Expert, Twinning Lithuania
Walter SUNTINGER, lawyer, human rights education, CAT commentator, Short Term Expert, Twinning Turkey
Wolf SZYMANSKI, Short Term Expert, Twinning Turkey
Petra STUIBER, Short Term Expert, Twinning Poland (Gender)
Harald TIEGS, Short Term Expert, Twinning Turkey
Thomas WEBER, lawyer, temporary protection
Helmut WINTERSBERGER, political scientist and social sciences, Human Rights of children and juveniles (NAP report)
Gerd WIPPERMANN, Short Term Expert, Twinning Latvia
Walter WITZERSDORFER, Short Term Expert, Twinning Turkey
Katrin WLADASCH, Short Term Expert, Twinning Poland (Anti-discrimination)
Alfred ZAUNER, Short Term Expert, Twinning Turkey

4. Academic Trainees / Interns

Brigitte EGARTNER, lawyer, library
Angelika EISTERER, psychologist, SEM library
Karin FENNES, Migrants in Austria
Iris FIGL, student of ethnology, Service Center for Human Rights and Civic Education
Christian FISCHER, political scientist and librarian trainee, documentation, library
Ann FUNAKOSHI, sexual exploitation of children
Iris GLOCKENGIESSER, lawyer
Aurangzeb HANEEF, Bachelors of Commerce, ÖNB project “Domestic violence against women and children”
Lejla HELILOVIC, sociologist, library
Dagmar KOBLISCHKE, IBWL, European Fundamental Rights Charta
Viktoria KONOVA KNAPP, law student, Twinning
Erika LAGALLY, Trading Sciences, European Fundamental Rights Charta
Ulrike MADENGRUBER, graduate of the post-graduate course of European studies, Service Centers for Human Rights and Civic Education
Mourad MAHIDI, student of political science, CCPR-commentary
Axel MAIREDER, political scientist, library
Markus NEBEL, student of ethnology, cultural and social anthropology, trainee at the Service Center for Human Rights and Civic Education
Wiebke NEUHÄUSER, law trainee
Vanessa PEWAL, student of journalism and communication science, Service Center for Human Rights and Civic Education
Stephanie REITER, lawyer, Human Trafficking
Claudia REITMAYR, law student, anti-discrimination
Josef SCHEUCHER; journalist and political scientist, Twinning

Gisela SPREITZHOFER, ethnologist, law student, Round Tables for Human Rights, research

Martina TSCHÖRNER, student of pedagogy: music in combination with history, Service Center for Human Rights and Civic Education

Tanja VISNJEVSKI, migrants in Austria

Victoria WAGNER, political scientist, anti-discrimination

Kathi WEHRSTEIN, lawyer, anti-discrimination

Corrinna WINDISCH, student of political sciences, Twinning

5. Members of the Board and Auditor of the BIM-Research Association

Univ. Prof. Dr. Manfred NOWAK, chair person

Ass. Prof. Dr. Hannes TRETTER, vice chair person

Mag. Paul ANGELI, rapporteur

Hon. Prof. Dr. Rudolf MACHACEK, vice rapporteur

Mag.^a Marijana GRANDITS, treasurer

Univ. Prof. Dr. Wolfgang BENEDEK, vice treasurer

Univ. Prof. Dr. Peter GERLICH

Univ. Prof. Dr. Otmar HÖLL

RA Dr. Gabriel LANSKY

Univ. Prof. Dr. Theo ÖHLINGER

RA Dr. Thomas HÖHNE, first auditor

Mag.^a Jutta ZALUD, second auditor