

Personal liberty of children in Austria revisited –

Achieving impact through comprehensive national follow-up to the UN Global Study on Children deprived of Liberty

September 2020

Background:

In 2019, the first **UN Global Study on Children Deprived of Liberty** was published. Commissioned by the UN General Assembly, coordinated by Manfred Nowak (Austria) and supported by some 170 non-governmental organisations, the Study examined compliance of states with international child rights standards on personal liberty of children and alternatives to its deprivation. This applies to any placement in a custodial setting of a child by state order, which he/she may not leave at will; it includes institutions in the context of criminal justice, migration-related detention and types of institutional care. On more than 750 pages, the Study provides a global situation analysis, highlighting the plight of some 7.2 million children in the world, and leading to more than 160 recommendations to governments to challenge existing standards and practices and to ensure the effective use of alternative, non-custodial measures for all children (to access the online version of the study: <https://omnibook.com/Global-Study-2019>).

In August 2020, the **Ludwig Boltzmann Institute for Fundamental and Human Rights** in Vienna started a project examining to what extent the recommendations of the UN Global Study on Children Deprived of Liberty have actually been implemented specifically in Austria.

Objectives:

- **Analyse the status quo** of the existing legal and policy framework and practice in regard to alternative measures to deprivation of liberty in Austria.
- **Design a National Implementation Programme** to close identified implementation gaps and support the realisation of good practices.
- **Strengthen the comprehensive monitoring** of children's rights in situations of deprivation of liberty as well as cooperation between all relevant actors, in particular the Austrian Ombudsman Board, Child and Youth Ombudsoffices of the Austrian *Länder* (provinces) and the monitoring body for persons in institutional care, including children with disabilities.
- **Ensure the direct participation of children and young people** throughout the entire research process.

Project duration: 18 months (August 2020 to January 2022)

Project Advisory Board: Georges Younes (UN Global Study Manager), Renate Winter (International child rights expert, member of the UN CRC Committee), Andrea Holz-Dahrenstaedt (Child and Youth Ombudsperson Salzburg)

Child participation consultants: Laura Lundy (Queen's University Belfast, UK), Claudia Grasl (Child and Youth Ombudsperson Vienna)

Project team: Helmut Sax (Project Coordinator), Alexandra Hoheisel, Laura Stelzer

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