

GenderWorks

WAVE (Women Against Violence Europe)
submission to the Austrian Strategic
Report on Strategies for Social Protection
and Social Inclusion 2008 – 2010

June 2008



WAVE (Women Against Violence Europe) submission to the Austrian Strategic Report on Strategies for Social Protection and Social Inclusion 2008 – 2010

WAVE (Women Against Violence Europe) is the biggest Europe-wide network of women's shelters and women's support organisations. The WAVE coordination office is located in Austria, in the premises of the Association of Autonomous Austrian Women's Shelters. WAVE has been supporting women's organisations in 47 European countries¹ since 1994, in particular through specialized projects concerning the issues of domestic violence and protection and the prevention of violence. WAVE is currently participating in the European Commission-funded PROGRESS project "GenderWorks - Mainstreaming and Communicating Gender Equality in Anti-Poverty and Inclusion Strategies", together with two European partner organisations, Oxfam GB (UK) and Lamoro (Italy).

The project's goal is to strengthen the gender perspective on poverty and social inclusion issues within the European Union, as well as on a national level within Austria, Italy and the U.K. The role of WAVE in particular is to highlight the intersection between violence against women and poverty, to collect existing knowledge within Austria and to provide expertise to professionals working to prevent domestic violence.

Within the framework of the project, WAVE has established a National Expert Group made up of staff from women's shelters, women's and migrants' counselling centres, the intervention centre², a debt counselling centre and a representative of the anti-poverty network. This working group focuses on the social situation of women affected by violence, and in particular on the risk of them being trapped by poverty, and has analysed the NAP with regard to these issues. WAVE is indirectly represented within the Austrian Anti-Poverty Network through its umbrella organisation, the Association of Autonomous Austrian Women's shelters.

WAVE has received the draft of the NAP and welcomes the changes it contains, as well as the improvements in tackling poverty and social exclusion in Austria. The suggestion of a "minimum security payment" in Austria, which would help to tackle poverty more effectively, is especially positive. Further, some negative aspects of the last NAP have been removed (e.g. on page 15, the reference to victim protection in Styria). The chapter on victim protection and violence prevention has been extended through improvements to the second violence protection act, which strengthens the rights of victims. Nevertheless, we would like to suggest some amendments. We hope that the measures detailed in

the NAP will be implemented, and that our comments will be considered.

Comments on and suggested amendments to the NAP 2008 – 2010:

I. Poverty among and violence against women and children

The new draft of the NAP highlights different social contexts, especially among people affected by poverty and social exclusion. A large group of people – women and children affected by violence – is not explicitly mentioned, despite the fact that in Austria about every fifth woman is affected by violence within an intimate relationship. A study in Germany has shown that 25 percent of women are affected by violence at least once during their lives.

A woman affected by intimate partner violence can fall into the poverty trap as a result of various factors: she might lose or have to give up her job; she might have to seek safety in a women's shelter; or she might have to give up her job because of physical injury and severe traumatisation. Women who don't work can fall into the poverty trap when their attackers have been responsible for providing an income and are evicted from the shared home and/or sent to prison. Women experiencing violence will have their working lives interrupted, and their access to the job market and re-entry into it may be aggravated by a number of factors (e.g. minimized ability to work under pressure as a result of traumatisation, location, mobility, flexibility, qualifications, number and age of children etc).

For women with a migrant background the situation is even more challenging, because their permits to live in Austria very often depend on the people attacking them. They may not be able to work, may not have a sufficient income of their own and may not be able to afford somewhere to stay. They are therefore condemned to stay with or return to their partner after a stay at a women's shelter.

The percentage of women and children affected by violence is quite high in Austria, so we propose that the issue and its social and health consequences should be highlighted in the NAP, and given a high priority.

Austria has supported and implemented numerous important preventative measures during the last few decades (e.g. the extension of women's shelters

and victim protection centres), and made substantial improvements to the rights of the victims with the first Violence Protection Act of 1997. The second Violence Protection Act – the draft of which is currently being reviewed by parliament - is in general supported and welcomed by victim protection centres, and can additionally serve as a measure for poverty protection. Crucial in tackling poverty among women and children affected by violence are the extension of preventative and protection measures, and the provision of adequate support before, during and after violence occurs. In order to reduce poverty caused by violence, there must be an improvement in financial, labour market-related and social measures.

Recommendation 19 of the United Nations Convention on the Elimination of Discrimination Against Women (CEDAW Rec. 19) states that every country that has ratified the convention, including Austria, is obliged to guarantee, protect and fulfil human rights; and further that “States may also be responsible for private acts if they fail to act with due diligence to prevent violations of rights or to investigate and punish acts of violence, and for providing compensation.” Every woman has the right to life, to protection, to liberty and security of person, and these rights should be available and protected for every single woman living in Austria.

II. A gender perspective throughout the NAP is missing

A gender-specific approach is employed in individual chapters of the new draft of the NAP, but is not used throughout. We therefore suggest integrating a gender perspective in order to differentiate between women and men in all aspects of life, and to analyse and consider the different effects of the goals, measures and legislation set out in the NAP on women and men. The allocation of funds, including how and to whom they are distributed, should be analysed using a Gender Budgeting approach. With regard to young people (e.g. Chapter 2.1), the issue of gender is mentioned only marginally, but during this critical period it is particularly important to adjust measures to adequately meet the needs of female and male youths.

III. Adequate monetary transfers and advanced alimony payments for the children of women affected by violence

S. 3: 2.1.1.

We welcome the amendment of the present Advanced Alimony Payment law, described in the last paragraph of this chapter, which calls for the process of receiving an advanced alimony payment to be made simpler and quicker. We hope that in cases where it is obvious

that the father will not be paying alimony, an advance payment of alimony will be granted. The advance payment of alimony should be backdated to the time when entitlement began.

An advance payment of alimony should be granted to all mothers who live in Austria and have a regular residence permit. This reflects the rights of their children, and it is crucial that alimony is available for all children. The reluctance of the perpetrator of domestic violence to pay alimony money is in itself a form of violence, as the need for a woman affected by violence to demand alimony directly from the perpetrator is unreasonable. Further, the advance payment of alimony by the state should be unconnected to the possibility of the state getting the money back from the perpetrator. Advance payment of alimony to all women living in Austria (and therefore also to their children) would be desirable, at least for all long-term settled Austrian inhabitants from non-EU countries, for ‘subsidiär Schutzberechtigte’³, or for foreign family members of Austrians (residence status: “family member”).

IV. Childcare and special hindering factors for women affected by violence

S. 3: 2.1.2:

The NAP sets out an extension of childcare facilities across Austria, an important and long-overdue step to create better compatibility between family commitments and work that should be implemented urgently within the next few months. For women affected by violence, childcare is even more crucial; for these women to establish an independent living, it is crucial to have Austria-wide, adequate, affordable childcare facilities, which are adapted to women’s needs, have flexible opening hours and accept children under the age of three.

While this is lacking, women with children are rarely able to earn an independent living after a stay in a women’s shelter, and therefore often have to return to the perpetrator of violence against them. Free (or affordable) childcare should be available throughout Austria, and examples such as the following should be eliminated. In the Salzburg area, parents must pay a minimum cost for childcare, which means municipalities that want to provide free childcare facilities are not allowed to do so. Minimum contributions for childcare are €72 for children older than three and €116 for children younger than three. This is especially difficult for women earning low wages, as while in special ‘cases of hardship’ a payment towards the minimum contribution is possible, as soon as a woman has an income she cannot claim it. This regulation leads to

social exclusion and should be changed urgently.

Migrant women should have the right to flexible and affordable childcare without losing the 'childcare money' they receive.

V: Support services for families in crises

S. 8: 2.1.11

1. This chapter describes the strong co-operation that occurs between various different counselling centres and counselling centres specifically for families. Women's and children's protection centres are mentioned, presumably with women's shelters in mind. We therefore request the explicit use of the term women's shelters (instead of women's protection centres).

S. 8/ 9:

2. In another paragraph, new models within youth welfare are mentioned for the growing number of clients with a migration background. An extension of support services is warmly welcomed, but we request a more detailed description of this model, since it is not given in the NAP.

S. 9:

3. Plans for counselling services that address children more directly are welcome. In domestic violence situations in particular, there is a need to offer specific counselling services to children that address issues such as the violence protection act, eviction and banning orders, and the possibility of interim injunctions.

VI: Extension of measures for the reintegration of delinquent youths

S. 9: 2.1.12

The last paragraph of this chapter mentions the prevention of violence at school, and a project run by the association 'Neustart', which should start this autumn. Violence prevention work for and with children and youths is crucial in order to identify violence at an early stage, to discuss it, to develop strategies to counter it, and to find ways to end it, as well as to offer support. Free workshops on preventing violence are also offered by women's shelters and victim protection centres. However, the financial means and state subsidies required to provide this important service in all kindergartens and schools are unfortunately lacking. We therefore demand regular (at least once a year) violence-prevention workshops in all schools and kindergartens in Austria, and the financial means to support this. Violence prevention should be a fixed item

on school curricula.

Many violence-prevention projects focus only on violence in school and among children and youths, and violence in the family, within marriage and between partners - as well as the effects it has on children - are often not discussed at all. But the root of violent behaviour among children and youths is often located in the family itself, and it is therefore important to discuss domestic violence and its effects on children, as well as violence prevention. Violence prevention should also include sensitisation and awareness raising among the staff of kindergartens and schools. We have been calling for many years for the issues of domestic violence and violence prevention to be integrated into the training of these professionals. The issue of violence should be integrated as a matter of course into the training of all professionals who may confront it.

VII. Reintegration measures for long-term unemployed people

S.12: 2.2.1

At the bottom of the left-hand column, programmes for integration into the job market are listed, together with specific programmes for women with a migration background and other projects such as "case management". We request further explanation of these projects (which projects they refer to, goals, methods, duration, participants, budgets, results, sustainability).

VIII. Increasing the participation of women in the labour market

S. 13: 2.2.3

In the same chapter, the issue of violence against women is not mentioned as a hindering factor for women's participation in the labour market (described above in detail in relation to chapter I).

S. 13: 2.2.3

In the first sentence of this chapter, women's risk of poverty is described in a rather simplified manner: in general, women are confronted with more challenges to participation in the labour market than simply "being a mother".

The NAP is also missing references to the Gender Pay Gap, which is not explicitly mentioned as a problem. To reduce the Gender Pay Gap, an adequate, just payment is crucial. For years women's organisations and politicians have been demanding an equal salary for equal work. Full-time employment should be made possible for all women, especially single women with children. One obstacle to full-time employment is the lack of flexible, affordable and adequate childcare

facilities. Part-time employment as a risk factor for poverty is not yet mentioned in the NAP. Part-time employment leads to a lower income and in the long term to a lower pension.

S. 13:

In this chapter, there is a contradiction between the programme 'Women into Trade and Technology' on the one hand, and in the same paragraph the mention of a need for qualified women to perform 'future-oriented jobs' in the services and care sectors. That there is a need for these jobs is beyond question, but taking a gender mainstreaming approach, men should also be identified as a target group for these jobs, in order to prevent a horizontal segregation of the labour market.

Further, there is a need to substantially improve the access to education and re-entry, transition and promotion/upgrade possibilities for women in the labour market, especially also for migrant women, who are often affected by a lack of qualifications. Well-qualified women often have to work in the lowest-income jobs in the cleaning industry, catering or tourism, where they are often also exploited according to labour legislation).

IX. People with a migration background

S. 16. 2.2.5

In this chapter a gender perspective is once again missing with regard to the situation of women and men with a background of migration. Migrant women, especially when they are affected by violence, are at a very high risk of poverty. When they leave the perpetrator of the violence, they need opportunities to live on their own. These opportunities are not currently available, and they often have to return to the perpetrator of the violence. We therefore call for:

1. Migrant women to possess a residence permit independently of their partner. If they don't possess their own residence permit, their integration into the job market is difficult, as is their separation from the perpetrator of the violence against them.
2. Migrant women need improved access to the labour market, recognition of their education, and access to education without barriers (e.g. no age limit for funding the obtaining of the GCSEs, no discrimination in the education system).

The mention in the third paragraph of 'centres of competence' to combat the "lack of qualifications" of migrants, is very welcome, but it would be interesting to learn more about these centres: who are the organisations responsible for running them? What are their specific goals? Which services do they offer? It is crucial not to set an age limit for obtaining the CSE. Women with or without a background of migration who didn't have the chance to get a good education have

little chance of getting a job that pays the bills, and are often forced to take several so-called 'Mac Jobs' (jobs with the lowest income).

Further, there is a strong demand for mothertongue counselling and training services in counselling and further education centres. Access to the University of Applied Sciences for social work or equivalent education should be improved. The support required for migrant women is often missing.

There is also a strong demand for mothertongue counselling services at men's counselling centres, so that male migrants can also gain access to them.

3. Migrant women need access to an affordable housing market.

A high percentage of residents at women's shelters are women with a migrant background. Most of them stay longer in shelters because apartments on the housing market are not affordable for them.

4. Standardised regulation of and eligibility for the new 'minimum social protection' (gesetzliche Mindestsicherung)¹⁴ for all migrants in all areas of Austria is urgently required.

In some areas of Austria, there are different regulations for migrant women concerning their eligibility for social welfare benefits. This hinders their independence, makes it more complicated to find a home and as a result, makes it more difficult to leave the perpetrator of violence against them.

5. To obtain a residence permit, 'childcare benefit' is not sufficient as proof of income. There is a need to ensure that legislation regarding maternity leave/ dismissal protection and legislation regarding the residence permit is not contradictory in order to prevent discrimination.

'Childcare benefit' should be accepted as 'secured income', regardless of the form of 'childcare benefit'. Otherwise, single mothers in particular are forced to earn some money to supplement the 'childcare benefit', and as a result lose their protection against dismissal while on maternity leave.

6. Migrant women receive social welfare only after their residence permits have been proven valid. In some areas of Austria (e.g. Vienna) this process is quite fast, but in other regions it can take three - four weeks. During this period no social welfare benefit is paid to the women, who subsequently have the benefit backdated.

For the women and their families this is a huge problem, as it is difficult to backdate your eating. A quick procedure to check the validity of residence permits would be very welcome.

EEA citizens are only entitled to receive social benefits

after they have been in Austria for six months. There are differences regarding the freedom of movement between old and new EU member states; adjustments and identical regulations in all EU countries are needed.

7. Short-term interim aid should be available for all, particularly migrant women, with no consequences for their residence permits.

If a woman is affected by violence and receives short-term interim aid, it should have no negative impact on her residence permit. Equally, an interim injunction against the perpetrator of domestic violence should have no negative consequences in terms of obtaining Austrian citizenship. In extreme cases, women are unable to hide in shelters or apply for divorce, because it would mean losing their residence permits or being unable to obtain Austrian citizenship.

8. Residence and work permit

The residence permit should be automatically linked to a work permit, independently of a husband (a work permit can currently only be obtained after a one-year stay in Austria). Women who live in Vienna for a shorter period of time should be entitled to individual support (advanced alimony money) and access to the labour market, and there should be no discrimination between different groups of migrants.

9. Obligation for the perpetrator to pay the rent for an apartment when an Interim Injunction is issued.

The situation for women who were trafficked or forced into prostitution should be improved by amendments to the legislation and opportunities to escape their situation. Women asylum seekers in particular are confronted with laws that minimize their job options (e.g. they are only able to work as 'dancers' and prostitutes, and not in 'ordinary' jobs).

In chapter 2.1.12 of the NAP, an EQUAL project is mentioned. Many associations and organisations have participated in EU-EQUAL programmes and successfully carried out innovative EQUAL projects. Unfortunately, only a few projects have been maintained and financed at national level in order to ensure sustainability (one of the objectives of EQUAL). For instance the project FEMQUA, which offered qualification programmes and access to the labour market for migrant women affected by violence, was carried out successfully but was not continued. Further financial assistance for this successful project would be a step towards sustainability and social inclusion.

X. Improved minimum standards in working life

S. 17: 2.2.7

The implementation of minimum standards for work are essential, but we propose for 38-40 hours a minimum wage of €1,000 net (and not gross).

XI. Demand-oriented 'minimum security payment/social benefit':

S. 18: 2.3.

In general the 'demand-orientated minimum social protection' (bedarfsorientierte Mindestsicherung) is very welcome, because it is a contribution to tackling poverty in general, and women and children affected by violence will benefit from it. Also positive is the fact that 'emergency benefit' (Notstandshilfe) will now be calculated separately from partner income, and that in the future it will be paid without a recourse claim. Further positive aspects are that there will be a nationwide, unified way of compensating costs, a support benefit for returning to the labour market and non-limited access to medical benefits.

Nevertheless, many points regarding the 'minimum social protection' remain unclear and still need to be regulated. For example, who is eligible to receive the 'minimum social protection'? Will everyone living in Austria be eligible (including migrants and asylum seekers)? Is the removal of regress⁵ also valid retroactively? We intend to examine in more detail the gender equity of the 'minimum social protection', in order to prevent discrimination and consequences that might increase poverty for women and men. Dependency should not be structurally supported in law, and all women are entitled to a life free of violence.

S.19

We welcome the fact that in future there will be no distinction between main- and co-beneficiaries, a distinction that previously pushed women into dependency. Nevertheless, a partner's income will be taken into account if the other partner wants to receive the 'minimum social protection', even for partners who don't claim alimony. This regulation discriminates mainly against women. If a partner does not voluntarily pay alimony, the income of that partner should not be taken into account.

Another problem is that 'subsidiär Schutzberechtigte'⁶ are excluded from the 'minimum social protection'. Minimum standards, which give easier access to the 'minimum social protection' and more predictable legal decisions, would clearly improve the social situation of people affected.

S.20

To apply for the 'minimum social protection', so-called 'One Stop Shops' should be set up at the Austrian Public Employment Service (AMS). However, it's

questionable whether this can be implemented in the AMS, since national and regional competencies are not clear. The general agreement between the state of Austria and its regions mentions only non-specific measures concerning consultation/counselling, advisory services and qualification, which can lead to implementation problems due to constitutional law.

Concerning the sub-chapter 'Non take up rate', we would like to add that for migrants it's often not clear whether they can apply for social welfare or not, because the rules differ between the various regions of Austria. This lack of transparency is a poverty trap, and can also result in 'hidden homelessness' for the people affected. Migrants who live in Austria for a significant period of time should have the same right to receive 'minimum social protection' as Austrian citizens. Access and entitlement to the "minimum social protection" should be the same for the whole of Austria.

WAVE supports the demands of the Austrian Anti-Poverty Conference/Network regarding the 'minimum social protection':

Austria-wide standards on entitlement: At the moment there is no Austria-wide, standard definition of what a 'special life situation' is.

To cover the real cost of housing: The increase in rental costs has not been taken into account in the 'minimum social protection', which currently does not cover real housing costs. In order to leave a violent relationship, a woman needs her own apartment, but often this is not affordable – the standard housing subsidy payment does not correspond with the real cost of renting. In Vienna, women affected by violence (including migrant women) have access to so called 'emergency apartments' (Notfallwohnungen) for the duration of one year, but in other regions of Austria there is no such service.

Reform of the active employment market⁷: It remains unclear what additional resources will be given to the Austrian Public Employment Service (AMS) and its employees in order to cope with the additional workload. A reform of social welfare must be linked to reforms in the active employment market, but it is not currently clear how this will happen.

Help for homeless people

S. 21: 2.4.1

In the last paragraph of this chapter, a gender-sensitive approach in the support for homeless people regarding the different needs of women and men is mentioned. We request a further description of this approach.

S. 21:

In the last paragraph of this chapter, there is a description of 'assisted living' (sozial betreute

Wohnhäuser). We would like to highlight the lack of (good) institutions/organisations for 'mentally ill' women and their children who have been affected by violence, which are needed to provide adequate assisted living for women and their children after a stay in a women's shelter.

XII. Amendments regarding violence prevention

S. 23: 2.4.5

The second violence prevention act which is now under consideration is in general supported by WAVE and the Austrian women's shelters, as in large part the amendments represent a substantial improvement in victim protection⁸.

There are two international recommendations that estimate the number of safe places that need to be provided by women's shelters. In 1997, the Council of Europe recommended that there should be one place in a women's shelter for every 7,500 citizens. According to this recommendation, Austria lacks 250 safe places in women's shelters.

Another recommendation, from the European parliament (1986) states the need for one family place (a woman plus an average number of children in the respective country) in a women's shelter for every 10,000 inhabitants.

At the moment, Austria has 29 women's shelters with a capacity of almost 800 places, fulfilling the 1986 recommendation by the European Parliament. Nevertheless, we have identified the need for more shelter places, especially in remote areas of the countryside, for example in parts of Lower Austria, the southern part of the Burgenland, in Styria and Tyrol. In Kufstein, another shelter is planned.

Despite the fact that in remote areas of the countryside there is a lack of prospects for earning a living or finding an apartment, access to safety and security in acute situations of violence and danger should be provided as a priority.

We would like to highlight that not all women are entitled to stay in shelters in all areas of Austria; for example in Upper Austria or in the Burgenland. Every woman who lives in Austria, as well as her children, regardless of their country of origin or their age, should be entitled to security and safety in a women's shelter, free of charge.

A longer-term perspective is needed to ensure an independent living for women affected by domestic violence. This should include access to the housing and job markets, as well as entitlement to 'minimum social protection' and an improved access to the health system.

'Emergency benefit': in order to calculate 'emergency benefit', a partner's income is taken into account until a request for divorce is handed in at court. For women affected by violence, this policy is particularly unsound. At the moment, separation (geographically) or an interim injunction against the perpetrator of violence are not considered sufficient grounds to calculate 'emergency benefit' independently of a partner. With unmarried relationships, the proof of separation is even more difficult. Evidence that a woman is affected by violence (either from a physician or the fact of an Interim Injunction) should be sufficient grounds for calculating 'emergency benefit' independently of a partner's income.

In this context, we would like to add a comment that also applies to the subject of violence prevention:

For the last couple of years, men's counselling centres have been set up in Austria to work with men in different situations, particularly those with a record of violence. But so-called "anti-violence-training", carried out according to international standards and giving the perpetrators of violence the chance to modify and be accountable for their behaviour, are completely lacking in the country. At the moment, only one "anti-violence-training" exists, which is carried out jointly by the Viennese Intervention Center and the men's counselling center in Vienna. We therefore recommend a comprehensive, Austrian-wide extension of "anti-violence training" for men who want to change their behaviour. At the same time men's counselling services should be improved by offering counselling in the mother tongue of perpetrators, so that migrant men can work on their violent behaviour as well.

XIII. Women-specific measures for migrants (women)

S. 25: 2.4.7

In the NAP, women-specific measures for migrants are only discussed in the chapter "Measures for the integration of migrants", and not in the chapters related to income, such as "Increasing the participation of women in the labour market" and "People with a background of migration" in the labour market context. In these important chapters we have already mentioned that the perspective of migrant women is missing, and have proposed measures to be taken.

However, we would also like to highlight the need for adequate protection, organisations, shelters and counselling for women affected by forced marriage.

Further, we would very much welcome more information on the inter-ministerial working group on migrant women that was established in 2007, and on the inclusion of migrant-women NGOs and their expertise.

Violence prevention should be a fixed item on school curricula. Many violence prevention projects focus only on violence in school and among children and youths, but violence in the family, within marriage and between partners, and the effect it has on children, is often not discussed at all.

However, the cause of violent behaviour among children and youths is often found within the family, making it crucial to discuss domestic violence and its effects on children in violence prevention programmes.

Violence prevention should also include sensitization and awareness raising among carers, nursery staff and teachers. For many years we have called for the issue of domestic violence and violence prevention to be incorporated into the training of these professionals

XIV. National Strategies for health and long-term-care

In general we welcome the strategies for health and long-term care mentioned in the NAP, especially the "Gender Medicine"⁹ approach. However, the issue of violence against women is missing from this chapter, as are measures to prevent the long-term effects of violence. The health consequences of violence can often lead to poverty for the women affected. We would like to see the following measures implemented:

1. The issue of violence against women should be integrated into the training of all health professionals, and should form a compulsory part of all advanced vocational training.
2. Sensitisation to the issue of violence against women should be carried out in all hospitals and medical practices.
3. Standardised methods of medically documenting all forms of violence (physical, psychological, sexual and psychiatric) should be introduced across Austria.
4. Migrant women in particular need improved access to the healthcare system.
5. Charging a woman affected by violence for her stay in hospital is unacceptable. Better training and sensitisation to the issue of violence against women is required for medical staff in hospitals.

Further amendments to the NAP:

We would welcome statistics on poverty, gender and violence. The existing statistics are inadequate because they reflect household income, not the distribution of and individual access to this income. (Statistically, about 14 per cent of women are affected by poverty and about 25 per cent by violence in the family).

In cases where divorce follows domestic violence,

shared custody of children can lead to difficult situations. Perpetrators of violence who are fathers often use shared custody to control their ex-partners, with the result that the cycle of violence continues. Where domestic violence is recorded, sole custody of children should be awarded to their mother, because the right of a child to a life free of violence should be given priority over the right of a child to both parents.

Specialized services offering supervision for the visits of perpetrators of domestic violence to their children are very important, but not enough of these services are offered in Austria. For example, in Vienna the “visiting café” has closed down, while in Salzburg a service exists (called Kinderbrücke), but only every other Saturday. These specialised services should be given adequate funding and organisation.

Debt and the poverty trap

Women often sign guarantees for loans without understanding the consequences. Women exposed to

violence in particular are afraid to refuse to sign these guarantees. Those who do are liable for the debts even after a divorce, as the division of debts by a court does not have to be respected by the banks. We therefore call for an obligatory counselling session for women before they are divorced, advising them on the potential risks regarding debt after the divorce comes through.

Age as a risk factor for poverty

According to European studies, elderly women are more often affected by violence within the family than men, either at the hands of their partners or of relatives responsible for caring for them. Support services for women affected in this way are completely absent. Elderly women are also the group at the highest risk of poverty; women’s pensions are generally smaller than those of men, and more than 300,000 women don’t have their own pensions but rely on those of their husbands.

¹ WAVE defines „Europe“ according to the „Council of Europe“ definition, beyond the European Union.

² The so called Intervention Centres were established in Austria in order to assist victims of domestic violence in the frame of police expulsions. In each province of Austria one will find at least one Intervention Centre. Intervention Centres offer support, counselling, court accompaniment and multi-agency cooperation in the case of DV.

³ According to Art.8 of the Austrian Asylum Act a person has to be granted protection even if an application for asylum is to be dismissed or after a revocation of an already granted asylum status.

⁴ A draft bill aiming at a minimum level of social protection benefits for all people not able to work or for those needing help from the state

⁵ Regress means that money given has to be reimbursed, e.g. a person receives social welfare, as soon as the person has again an own income she/he has to repay the social welfare.

⁶ According to Art.8 of the Austrian Asylum Act a person has to be granted protection even if an application for asylum is to be dismissed or after a revocation of an already granted asylum status.

⁷ Primary employment market.

⁸ Position paper of AÖF (2008) regarding the second violence prevention act.

⁹ “Gender medicine is the field of medicine that studies the biological and physiological differences between the human sexes and how that affects differences in disease. Traditionally, medical research has mostly been conducted using the male body as the basis for clinical studies. The findings of these studies have often been applied across the sexes and healthcare providers have assumed a uniform approach in treating both male and female patients. More recently medical research has started to understand the importance of taking the sex in to count as the symptoms and responses to medical treatment may be very different between sexes.” (http://en.wikipedia.org/wiki/Gender-based_medicine 2.12.2008).

