

Civil society report on economic, social and cultural rights and related extraterritorial obligations of the Austrian state

The contributions in this report were written by the following organisations:



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1. Introduction

In an increasingly interconnected world, decisions made in one country can directly influence the enjoyment of human rights elsewhere. Austria's actions in areas such as trade, climate policy, development cooperation, agriculture, taxation and financial regulation shape living conditions far beyond its borders. For this reason, international law obliges states not only to uphold human rights domestically, but also to prevent, mitigate and remedy human rights violations they may contribute to abroad these being the **extraterritorial obligations**.¹

This report, prepared by a coalition of civil society organisations, assesses how Austria fulfils these obligations regarding **economic, social and cultural (ESC) rights**². It examines the human rights implications of Austria's development cooperation, its role in international financial institutions, corporate and raw materials regulation, agricultural and food policies, climate action, and its responsibilities toward groups particularly affected by structural inequalities, including women, children, persons with disabilities and smallholder farmers.

Austria's delay in submitting its state report under the ICESCR highlights the importance of continued engagement and dialogue. The analyses and recommendations presented here aim to support Austria in strengthening its policy coherence for sustainable development, including safeguarding mechanisms and accountability processes, so that its actions effectively contribute to the realisation of human rights on a global level.

2. Legal and Institutional Status of Economic, Social and Cultural Rights in Austria³

Austria signed the ICESCR Covenant and it entered into force on December 10, 1978. Austria is therefore bound by the Covenant under international law. However, in legal terms it is not directly applicable within Austria because it is subject to the fulfilment provision of Art. 50 para. 2 of the Federal Constitutional Law (B-VG). Additionally, Austria has not ratified the Optional Protocol, which gives individuals a right of appeal with regard to the rights standardised in the Covenant.

Recommendations

- Enable the domestic implementation and direct applicability of the rights enshrined in the UN Covenant on ESC rights through the adoption of national laws, in accordance with Article 50 of the Federal Constitutional Law.
- Ratify the Optional Protocol to the ICESCR to ensure that individuals can directly rely on standardised rights through an individual complaints mechanism.

3. State Responsibilities for ESC Rights through Extraterritorial Policies

3.1. Austria's development cooperation (ADC)

In recent years, the international community has faced an extraordinary convergence of crises. The COVID-19 pandemic has left lasting impacts on public health, exacerbated social inequalities, and triggered severe economic downturns, while wars and conflicts in regions such as Ukraine, the Democratic Republic of Congo, Sudan, and Gaza have caused immense human suffering and displacement. The accelerating climate crisis continues to threaten lives and livelihoods across the globe, intersecting with geopolitical shifts, rising protectionism, and the growing influence of major powers such as the United States, Russia, and China, factors which are reshaping global dynamics.

At the same time, reductions in global development aid – including the termination of over 90% of USAID contracts and grants⁴, as well as substantial ODA cuts by countries such as the United Kingdom and the Netherlands – have undermined critical humanitarian and development programmes.

Within this already challenging environment, recent political developments in Austria have also had an impact on development cooperation planning and implementation. The extended government formation following the September 2024 elections delayed the adoption of the new Three Year Programme on Development Policy⁵ until June 2025. Budgetary uncertainty during this period, including a temporary funding suspension by the Austrian Development Agency (ADA), posed particular challenges for civil society organisations, especially smaller entities. The Three Year Programme 2025–2027, with its emphasis on climate justice, gender equality, and inclusion, offers an important framework for future action; however, adequate and stable funding will be essential to ensure its effective implementation.

3.1.1. Quantity of development cooperation and humanitarian aid

Austria has consistently reaffirmed its commitment –both internationally and in successive government programmes –to allocate 0.7% of gross national income (GNI) to official development assistance (ODA). While incremental increases in absolute spending have been achieved in recent years, the target remains some distance away. ODA amounted to 0.29% of GNI in 2020, rose to 0.38% in 2023, and stood at 0.34% in 2024.⁶ The most recent decrease of €128.8 million (7.1%) compared to 2023 reflects the impact of complex domestic and international circumstances, but also highlights the importance of sustained and strategic progress towards the 0.7% goal.

Austria's ODA continues to include a significant proportion of in-donor refugee costs, imputed student costs, and multilateral contributions. While these remain important components of overall assistance, they leave comparatively limited resources for direct development projects. Allocations to least developed countries (LDCs) amounted to €39.80 million in 2023, remaining below the international target of 0.15 – 0.20% of GNI. The majority of bilateral funding is directed to middle income countries (MICs)⁷, which underscores the potential for recalibrating resources towards those most affected by poverty, climate change, and conflict.

In the area of humanitarian assistance, the adoption of Austria's first national Humanitarian Aid Strategy⁸ in 2023 marked an important milestone, despite lacking effective implementation through, for instance, an operational plan with measurable indicators and clearly defined financial allocations. Funding through the Foreign Disaster Relief Fund (AKF) reached a peak of €104 million in 2022 but decreased in 2023, despite rising global needs. Greater predictability in humanitarian financing, together with the consistent application of a principled, human rights-based approach, would further strengthen Austria's role as a reliable humanitarian partner.

Recommendations

- Implement the government's work programme and the Three Year Programme on Development Policy by complementing them with a clear, time-bound strategy to achieve the 0.7% GNI target for ODA. Ensure policy coherence, prioritise untied aid and the needs of least developed countries, and align all measures with the Sustainable Development Goals and Austria's international human rights obligations.
- Operationalise the Humanitarian Aid Strategy with measurable indicators, predictable funding, and a rights-based approach, and consider a legal framework to safeguard stable, long-term financing for development cooperation.

3.1.2. The Human Rights-Based Approach (HRBA) in Austria's Development Cooperation

The human rights-based approach (HRBA) is defined as a guiding principle in the ThreeYear Programme of Austrian development policy 2025-2027, which is primarily implemented by the Austrian Development Agency (ADA) and the Ministry of European and International Affairs (BMEIA). While HRBA is conceptually strong and widely integrated at the theoretical level and in many interventions, the 2021 evaluation nonetheless identified significant gaps: the absence of clear success indicators and monitoring mechanisms, insufficient human and financial resources, and a lack of strategic direction and long-term vision. The evaluation recommends strengthening knowledge and technical capacity, improving coherence between policy dialogue and interventions, creating a visible focal point for human rights, and promoting systematic integration of HRBA across all projects and funding modalities.

According to Austria's state report for the third *Universal Periodic Review* (UPR)⁹, a complaints mechanism for affected interest groups has been set up, which is to be welcomed. When implementing the mechanism, care should be taken to ensure that it is easily accessible to all people and can be applied to all development policy measures.

According to its strategy, the Austrian Development Bank (OeEB) is committed to ensuring that its financing projects comply with international environmental, social, and human rights standards, to continuously improving the respective processes, and to upholding the core principles of a human rights-based approach.¹⁰ In 2024, OeEB published a human rights policy and introduced its own complaint mechanism for cases of human rights violations.^{11 12}

Recommendations

- Ensure the application of the Human Rights-Based Approach (HRBA) by all actors in Austrian Development Policy (ADP), particularly the BMEIA and the Federal Ministry of Finance (BMF).
- Detail the HRBA more concretely across all thematic priorities of the ADP, including providing clear indicators, practical support for implementation, and systematic monitoring.
- Confirm the accessibility and usability of grievance mechanisms for all development policy measures.

3.1.3. The contribution of development cooperation and humanitarian action to furthering gender equality and women's rights

If states do not guarantee ESC rights, women and girls are more affected than men and boys¹³. This is particularly evident in contexts such as the Covid-19 pandemic, where access to living wages, education, healthcare, protection from violence, and sexual and reproductive rights in countries of the Global South was severely impacted. ADC can make an important contribution to advancing gender equality and ensuring the equal implementation of ESC rights for women* and men* in partner countries, in line with Article 3 of the UN Covenant on ESC Rights. At the 2016 *World Humanitarian Summit*, Austria made joint and individual commitments to promote gender equality in humanitarian aid and development cooperation.¹⁴ These commitments have since been reinforced by Austria's support for the EU Gender Action Plan III (2021–2025) and, more recently, the "Guidelines for implementing the EU Gender Action Plan (2024–2030)"¹⁵ within ADC. The updated guidelines, adopted by ADA, serve as a strategic framework for both BMEIA and ADA, aligning with EU and international commitments such as CEDAW. They emphasise gender-transformative approaches across sectors – including humanitarian aid, climate action, and private sector engagement – while providing clear directives, standards, and tools tailored to ADC's thematic and regional priorities.

Austria reached, for the first time in 2022 (and again in 2023), the target of allocating 85% of ADA funding to projects that promote gender equality as a principal or significant objective. While this is a notable achievement, OECD DAC data indicate that gender mainstreaming is less consistent across Austria's overall bilateral aid, and direct funding for women's organisations and initiatives tackling gender-based violence remain limited.¹⁶

Ensuring adequate and predictable support for women's rights organisations in the Global South remains essential to strengthening ESC rights and enabling long-term empowerment – particularly in light of budget reductions in 2025 that may disproportionately affect marginalised women and girls.

Recommendations

- Set funding goals for both gender mainstreaming and dedicated gender equality initiatives, ensuring they are not limited to specific regions.
- Strengthen institutional capacity-building by fostering systemic learning on gender equality standards across institutions and implement a comprehensive monitoring and evaluation system to assess gender-focussed impacts across all development cooperation sectors.
- Increase direct support to local and international women's organisations to strengthen their role in empowerment, combat gender-based violence and advance sexual and reproductive health and rights.
- Reallocate adequate funding to international development cooperation and humanitarian assistance in light of the severe budget cuts affecting marginalised women and girls.

3.1.4. The rights of children in development policy

Austria currently addresses children's rights in its development cooperation selectively, without a comprehensive implementation of the UN Convention on the Rights of the Child (UN CRC). While one in six children worldwide lives in extreme poverty (an estimated total of 333 million children),¹⁷ Austria as a wealthy nation has a global responsibility to promote children's rights. Although the Federal Act on Development Cooperation (§1 Sec. 4 No. 4) requires that children's needs are meaningfully considered, ADC lacks a systematic child rights-based approach. The 2022-2024 Three Year Programme mentioned children as a "main focus" and included a human rights approach, but did not explicitly adopt a children's rights perspective.¹⁸ The current Three Year Programme (2025-2027) refers to children in different contexts but strategically only in terms of the human rights approach.¹⁹ The 2025 government programme highlights children's needs in ADC only in the context of gender equality.²⁰

Recommendations

- Establish a transparent, intersectional framework for mainstreaming children's rights in the Three Year Programme and across the entire project cycle of development cooperation and humanitarian aid, in cooperation with civil society.
- Ensure adequate expertise and resources in BMEIA, ADA, and partner country offices to guarantee full respect and strengthening of children's rights across the OEDP.

3.1.5. The rights and inclusion of people with disabilities in international cooperation

People with disabilities make up 16% of the world's population and are significantly more often affected by poverty than people without disabilities.²¹ As a result of discrimination, their ESC rights are violated throughout the world.²² Due to intersectional discrimination²³, women and children with disabilities are more affected by this.²⁴

Austria's Three Year Programme for Development Policy 2025-2027 commits to an intersectional approach, as well as a twin-track approach to disability inclusion, which means integrating disability inclusion across all programmes while supporting targeted initiatives. However, to assess progress in its implementation by all actors, more specific targets, concrete measures and clear indicators and data are needed.

Austria's Strategy on Humanitarian Aid refers to the inclusion of persons with disabilities and addresses the intersectional discrimination against women and girls with disabilities. Calls for humanitarian projects consider the inclusion of persons with disabilities to be an added value. Still, measures such as inclusive budgeting are required for their inclusive implementation.

The proportion of public project funding receiving the OECD DAC Markers on Inclusion and Empowerment of Persons with Disabilities is still too low.²⁵

Recommendations

- Prioritise disability rights and inclusion in international cooperation and increase funding for the implementation of the twin-track approach to fully implement the UN Convention on the Rights of Persons with Disabilities.
- Elevate the inclusion of people with disabilities as a cross-cutting policy issue in international cooperation and humanitarian action and systematically apply a human rights-based and intersectional approach and monitor and report on its implementation.
- Strengthen the meaningful participation of organisations of People with Disabilities (OPDs) – including through dedicated budget allocations – in partner countries throughout the entire programme cycle of international cooperation and humanitarian action.

3.1.6. Austria's Role in International Financial Institutions (IFIs) and Human Rights Compliance

According to ETO15, Austria is obliged to ensure that the International Financial Institutions (IFIs), of which it is a member, act in accordance with international human rights obligations and do not contribute to human rights violations.²⁶ Austria should leverage its voting power in the boards and governing bodies of IFIs to promote strategies, policies, and projects that comply with international human rights standards. This includes ensuring that effective mechanisms for the protection of human rights are in place – such as robust human rights risk assessments, human rights due diligence across the project cycle, and access to remedy.²⁷ It is common practice for IFIs to channel their funds through financial intermediaries (FI), thereby delegating the responsibility for assessing and managing the social and environmental impacts of sub-projects. FI lending has raised concerns about failings in accountability and transparency²⁸ and is linked to cases of forced eviction, loss of livelihoods, violence, criminalisation and repression.²⁹ Both in cases of direct and indirect investment through FIs, IFIs and their shareholders – including Austria – are responsible for ensuring compliance with human rights standards and the implementation of effective safeguards.³⁰ In addition, since the ICJ advisory opinion has recognised and strengthened the human right to a clean, healthy and sustainable environment³¹, Austria should urge IFIs to review their climate policies and set measures to guarantee the alignment of their entire portfolio, including FI investments, with the 1.5°C goal of the Paris agreement³².

Recommendation

- Coordinate actively with other IFI member states to advance human rights and climate goals and use Austria's voice and voting power to ensure that IFI strategies and (sub-)projects, including

investments via financial intermediaries, comply with international human rights standards and are aligned with the 1.5°C goal of the Paris Agreement.

3.1.7. Human Rights Responsibilities of the Austrian Development Bank (OeEB)

The Austrian development bank (OeEB) has already been mentioned in the 2013 Parallel Report. The report addresses an investment in a bioethanol project in Sierra Leone which was linked to rising food insecurity due to land loss in the affected communities.³³ The withdrawal of development banks (including the OeEB) in 2015 was criticised for the inadequate exit strategy, which contributed to the persistence of the precarious situation of the local population.³⁴³⁵ We acknowledge that the OeEB addressed these problems in its human rights policy of 2024.³⁶

In a more recent case, the OeEB investments in the Cambodian microfinance sector need attention. At US\$ 3,804 per capita, Cambodia had the highest debt in the microfinance sector worldwide in 2019. In 2024, 3.8 million households held more than 3.1 million microloans, worth in total more than US\$ 18 billion, with an average loan size of over US\$ 5,800, which equates to over four times the country's annual median per capita income of US\$1,400 in 2023.^{37 38}

From 2019 onwards, reports showed that the oversaturation of the Cambodian microfinance sector has led to an over-indebtedness crisis among borrowers.³⁹ The fact that this is not reflected in Cambodia's non-performing loan ratio is due to the widespread collateralisation of loans with land titles. A study on behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ) estimated that by 2022 more than 160,000 borrowers had to sell their land to service the debt.⁴⁰ In several cases, those affected experienced pressure from local microfinance institutions and lost access to the land that is vital to their livelihoods. This violates the right to food and is directly linked to forced migration and child labour.⁴¹⁴²

The *Oesterreichische Entwicklungsbank* (OeEB), among other European development banks and private actors, is also involved in this development. Microloans are defined in OeEB's current strategy as a key instrument for the "*financial inclusion of those who do not yet have access to formal financial services*".⁴³ Against this background, OeEB invests in the *Microfinance Enhancement Facility* (MEF), which in turn invests in Cambodian microfinance institutions (MFIs).⁴⁴

Austrian civil society has drawn OeEB's attention to these human rights violations. According to its own information, OeEB shared this information with MEF and other banks involved, conducts field visits and its own research, monitors ongoing studies, reflects on the situation, particularly with regard to the role of its clients, and addresses the issues that have arisen internally in training sessions. It contractually obliges its clients, including the MEF, to comply with the *Client Protection Principles* and supports them on their way to compliance. The MEF emphasised that it will closely scrutinise and monitor its cooperation with the Cambodian MFIs. According to OeEB, an inclusive stakeholder process has been initiated in Cambodia to identify context-appropriate solutions, such as establishing a local grievance mechanism, providing debt-counselling support, and offering training courses on financial inclusion.

Recommendations

- The human rights policy of OeEB adopted in 2024 is a welcome step in the right direction. Its implementation should be closely monitored and evaluated. Reports on its implementation should be made publicly available.

- Refrain from making additional investments in the over-saturated Cambodian microfinance sector; additionally, market saturation risks should be carefully considered when evaluating microfinance opportunities in other countries.
- Conduct independent borrowing surveys as part of human rights impact assessments before and during MFI financing, and integrate results into ongoing monitoring.
- Protect the rights of borrowers in Cambodia when drafting contracts with funds such as the MEF and contribute to their fulfilment. In this sense, OeEB should also exert influence on other MEF financing institutions.
- Advocate for and contribute to the establishment of systematic debt relief funds and remedies for over-indebted borrowers, as well as independent and effective complaints offices that provide legal advice to those affected.

3.2. Policy Coherence for Sustainable Development and Human Rights

Austria's policies in areas such as mineral resources, agriculture, taxation, trade, and climate governance significantly shape socio-economic and environmental conditions in the Global South. In practice, these policies are not always fully aligned with Austria's development cooperation goals, thereby reducing the coherence with, and effectiveness of, ADC. While the Federal Development Cooperation Act recognises policy coherence as a core principle and the Three Year Programme highlights a whole-of-government approach, Austria still lacks institutional mechanisms to consistently identify, manage, and resolve conflicting policy objectives.

Recommendation

- Establish a high level interministerial mechanism with a clear mandate to identify and resolve policy incoherencies across sectors and ensure alignment with Austria's human rights obligations and the Sustainable Development Goals (SDGs).⁴⁵

3.3. Extraterritorial Impact of Austrian Policies on Children's Rights

Austria is not only called upon to realise children's rights through development cooperation measures, but also to ensure the protection of children's rights in all its international activities. In particular, Austria's agricultural, financial and trade policies currently lack a child rights approach and a children's rights impact assessment. This means that possible effects of political and economic measures on the rights of children in third countries are not systematically and independently examined. The UN Committee on the Rights of the Child obliges states to create all the necessary framework conditions to take children's rights into account in their planning and to ensure that children's rights are not violated by state measures.

Recommendation

- Ensure through systematic and independent children's rights impact assessment (including appropriate monitoring mechanisms) that the rights of children in third countries are not violated by measures in Austria's agricultural, financial and trade policies.

3.4. Corporate Tax Policy and Global Human Rights Implications

"Tax revenues are essential to finance development and can be an effective tool to promote poverty reduction," wrote the UN Special Rapporteur on extreme poverty and human rights, Magdalena Sepúlveda Carmona, back in 2014.⁴⁶ If a state can only generate low tax revenues, and is therefore not able to offer high-quality and accessible public services, this particularly affects poor and disadvantaged sections of the population.⁴⁷ States should therefore cooperate effectively in the area of taxation and prevent individuals and companies from evading their tax obligations.⁴⁸

The global tax system contributes to the fact that low-income countries in particular suffer from tax evasion by wealthy individuals and multinational enterprises. On the initiative of the Africa group in the United Nations, a two-year negotiation process for a UN Framework Convention on International Tax Cooperation (UNFCITC) began in 2025. Such a UN convention could solve many of the problems of the current international tax system.

Austria should support countries of the Global South in collecting their fair share of tax revenues, which are needed to guarantee ESC rights, mainly by helping to make the global tax system more balanced, as well as by improving ownership and tax transparency in Austria and financially supporting partner regions.

Recommendations

- Support the UNFCITC's negotiations actively and advocate for a progressive international tax system that is strongly linked to sustainable development.
- Cooperate with and support regional institutions and networks, particularly in Africa, to help tax administrations, parliamentarians, academia and civil society exchange knowledge and experiences on international tax cooperation.
- Improve access to the Austrian Beneficial Owner Register (*Wirtschaftliches Eigentümerregister*) (e.g. grant general access once legitimate interest is proven) and remove related fees.
- Conduct human rights impact assessments⁴⁹ for national tax policy measures affecting countries in the Global South, especially in the case of double taxation agreements, while considering the effects of such measures on the rights of women and girls.

3.5. Raw Materials Policy and Human Rights in Global Supply Chains⁵⁰

Austria is very dependent on imports of many raw materials in order to supply the domestic economy. A national Austrian raw materials strategy⁵¹ published by the Austrian federal government in 2021, barely addresses the potential impact of Austria's raw materials policy on human rights in countries of the Global South. The only specific legislation it refers to is the *EU Conflict Minerals Regulation (CMR)*. Measure II.07 vaguely states that "in the interests of corporate responsibility and undistorted competition, an extension of due diligence obligations for supply and value chains to the downstream sector should be examined."⁵² The latest monitoring report on the strategy refers to the assessment of the implementation status of the mentioned measure that 'deregulation' is being examined at European Commission level in connection with different omnibus packages.⁵³ In the planning column it says: "Care must be taken to ensure that regulatory inconsistency, conflicting objectives, highly complex provisions and excessive reporting requirements (disclosure of competition-related data and trade secrets) do not hinder rather than promote the security of raw material supplies." There is no declaration of intent whatsoever to strengthen human rights protection in raw material supply and value chains.

Austria should fulfill its extraterritorial obligations as set out in the "*Maastricht Principles*". As Principle 9 (jurisdiction) explicitly refers to state obligations in transnational contexts, it is Austria's responsibility to ensure that all ESC rights are guaranteed, both in Austria and abroad. In order to improve the protection of human rights in the extraction and processing of raw materials worldwide⁵⁴, appropriate laws are needed to regulate companies. In this way, states should ensure that only raw materials that have been mined and processed in accordance with ESC rights are placed on the market.

The EU *Conflict Minerals Regulation (CMR)* and the associated amendment to the Austrian Mineral Resources Act (*MinRoG*) do not adequately address the problems. They only cover four raw materials (gold, tantalum, tin and tungsten) and only regarding a certain import quantity. A human rights due diligence obligation is defined for this area of application: importers must check whether their mining and trade is financing armed groups or whether related human rights violations have been committed. This is important, but only covers some of the possible human rights violations associated with the extraction and processing of raw materials. If companies violate these regulations, an administrative penalty is provided for non-compliance. However, this is not a deterrent, due to its maximum amount of EUR 2,000 as an administrative penalty.⁵⁵ Currently, ESC rights are not explicitly taken into account in the due diligence obligations.⁵⁶ The *Austrian Foundation for Development Research (ÖFSE)* analysed the Austrian implementation, including the report of Austrian companies falling under the due diligence obligations of the regulation in three subsequent years. In its last report⁵⁷, based on the first review report of the CMR by the European Commission⁵⁸, a series of improvements are recommended.

Recommendations

- Strengthen the protection of human rights in the national raw materials strategy, valid until 2030. To this end, it will be necessary to anchor human rights, supply chain responsibility and environmental protection as key cornerstones in a revised raw materials strategy. In order to tackle the problems at their roots, there is the need for an absolute reduction in the consumption of raw materials, the phasing out of fossil fuels, and the promotion of a circular economy and the durability and reparability of products (as set out in the Austrian Circular Economy Strategy⁵⁹).
- Broaden the scope of the Austrian Mineral Resources Act (with regard to minerals and human rights violations covered) and specifically regulate the administrative fine for non-compliance (beyond the general provision of the Administrative Enforcement Act VVG Article 5 (3)) in order to ensure the adherence to this measure. The amount could be linked to the financial strength of the respective company, for example derived from total turnover or annual income. However, in the review process of the European regulation, Austria should advocate that, in accordance with its Article 17 (3), penalties can also be imposed for persistent failure to comply with the obligations set out in the regulation.
- Exclude companies violating the provisions of the amendment to the Austrian Mineral Resources Act from participating in tenders in the course of public procurement.
- Advocate for binding rules for companies in global supply chains with regard to human rights and transpose the EU's Corporate Sustainability Due Diligence Directive (CSDDD)⁶⁰ in the version as it was passed in June 2024 into national law, while countering efforts at European level to weaken the directive and postpone its implementation. At UN level, Austria should constructively and actively participate in the *Open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights* established by a mandate of the 26th session of the Human Rights Council in 2014.⁶¹

3.6. Austria's agricultural and food policy

Although Austria, as a member of the EU, transfers competences to the EU, it must take steps to ensure that the EU acts in accordance with Austria's international human rights obligations. The concept of extraterritorial state obligations also proves to be important with regard to the agricultural and food policy of the EU and its member states, as the European agricultural and food sector is highly integrated into world trade.

In 2024, the EU agricultural and food trade balance showed a surplus of 63.6 billion euros. Exports rose to a value of 234.4 billion euros and imports rose to 171.8 billion euros.⁶² Austria had a deficit in agricultural and food trade in 2024. The degree of self-sufficiency for plant products is well below 100 percent in some cases, resulting in high import needs; whereas it is well above 100 percent for animal products, resulting in an export surplus.⁶³ These imbalances are connected to the requirements of meat production and the correspondingly high imports of animal feed and biogenic raw materials for industrial use. In a study published in 2021, the authors show that Austria imports 740,000 tons of soya feed (mainly from Latin America) and 158,400 tons of palm oil (mainly from South East Asia) every year.⁶⁴ The cultivation of these products is often associated with human rights violations in the producing countries of the Global South. In the context of the enormous amount of land required for the monocultural cultivation of these products, smallholder farms are often displaced.⁶⁵ At the same time, the use of pesticides contributes to the harming of people and the environment⁶⁶ and has a detrimental effect on the right to a sustainable and healthy environment. Problematic working conditions in the plantations are also well documented.⁶⁷ What is more, the production of meat accounts for twice the amount of greenhouse gases emissions as that of plant-based foods.⁶⁸

Agricultural surpluses can also contribute to problematic developments in importing countries. For example, small farmers in countries of the Global South are often no longer able to sell their products at prices⁶⁹ that secure their livelihoods, due to competition from imported products. This also undermines efforts to strengthen local food systems.

Recommendations

- Conduct comprehensive human rights impact assessments in order to be able to evaluate the overall impact of agricultural imports and exports on countries in the Global South. Advocate for the EU to carry out such impact assessments effectively.
- Align agricultural and trade policy with the *UN Declaration on the Rights of Small Farmers⁷⁰ and other people working in rural areas* in order to eliminate their structural disadvantage as compared to industrial agriculture.
- Introduce and adopt measures to reduce the global ecological footprint of the Austrian food system in order to avoid violations of the right to a sustainable and healthy environment. This concerns, for example, Austrian imports of palm oil, wood products and soy.

3.7. Climate Policy and Extraterritorial Obligations from a Children's Rights perspective

Nearly half of the world's children – about one billion – live in countries highly exposed to environmental hazards.⁷¹ Eighty eight percent of climate-related health risks affect children under five years of age. Due to their developmental vulnerabilities, children are particularly at risk from air pollution, unsafe water, diseases, and heatwaves.⁷² In addition, children are especially affected by climate-related migration, as between 2016 and 2021 43.1 million children were forced to migrate due to weather catastrophes.⁷³ UN CRC General Comment 26 urges the integration of children's rights, especially the Right to Health (Art. 24), Education (Art. 28), Protection (among others Art. 19), Participation (Art. 12) and the Right to an Adequate Standard of Living (Art. 27) into environmental

and climate policies⁷⁴ – policies which Austria has yet to fully implement. There remains a significant gap in aligning child rights protection with environmental and climate policy on the national as well as on the international level. This is essential for upholding children’s health (Art. 24 CRC) and their right to a clean, healthy, and sustainable environment⁷⁵, reconfirmed by the “ICJ Advisory Opinion on the Obligations of States in respect of Climate Change”. Accordingly, there is the customary legal obligation to prevent significant harm to the environment and to do so cooperatively, as well as confirming the existence of the principle of intergenerational equity, which should be used “as a guide for the interpretation of applicable rules”.⁷⁶

Recommendations

- Systematically address in national strategies how environmental harm affects children, including by systematically integrating child-specific concerns into National Adaption Plans (NAP) and Nationally Determined Contributions (NDC), impact assessments, and environmental laws. The climate protection law and the Austrian Federal Constitutional Law on Children’s Rights (“BVG Kinderrechte”) should reflect ecological children’s rights and intergenerational justice and should include references to each other accordingly.
- Develop mechanisms to monitor and report how environmental harm impacts children’s health and rights, and track progress. Austria should enable meaningful, sustained and systematic participation of children and youth in climate and environmental decision-making on regional, national, EU and international levels. This includes child-friendly complaints and feedback procedures.
- Contribute to international climate finance with a coherent approach, taking into account the needs of children and youth and providing an adequate and binding financial amount to measures, focussing explicitly on the disproportionately affected group of children and youth. Investments in social protection systems are especially important here, as they form part of disaster prevention and strengthen societies, creating long-term stability and reducing the risk of expulsion.

3.8. Austria’s Extraterritorial Obligations Regarding Smallholder Farmers’ Rights (UNDROP)⁷⁷

According to the FAO, “nearly 783 million people continue to live in extreme poverty, and inequalities of all kinds remain pervasive. Most of the poor live in rural areas and depend on agriculture for their livelihoods and food security.”⁷⁸ This figure illustrates how difficult it is for smallholder farmers and people living in rural areas to fully realise their human rights, even though they produce up to 80% of the world's food supply.⁷⁹

On 17 December 2018, the *UN General Assembly* adopted the *United Nations Declaration on the Rights of Smallholder Farmers and Other People Working in Rural Areas* (UNDROP) and called on governments, agencies and organisations of the *United Nations* system, as well as intergovernmental and non-governmental organisations, to disseminate the Declaration and promote its universal respect and understanding.⁸⁰

The UNDROP is a declaration that “*builds on a number of binding international treaties from which it has taken the agreed text, including the International Covenant on Economic, Social and Cultural Rights [...]*”.⁸¹ The aim of the declaration is to address the problems and difficulties faced by smallholder farmers and people in rural areas, such as access to land, water, seeds and other vital resources, and to offer human rights-based solutions to these specific problems.

The Secretary-General's report to the *UN General Assembly* in July 2020⁸² states that family farms – including farmers, fishers, herders, indigenous peoples, traditional communities, mountain farmers, forest users, women and young people – have the unique potential to implement development strategies and contribute to food security and improved nutrition.

With this in mind, it is essential that all UN member states recognise the important role of farmers and people living in rural areas play in fulfilling the right to food. The UN member states should support them in accessing land rights and water resources, developing their own seeds, and creating regional markets. This requires a holistic approach to smallholder agriculture and rural development.

Recommendations

- Evaluate the UNDROP conformity of Austrian policy in the areas of agriculture, rural development and public development policy and introduce a system for monitoring the implementation of UNDROP at national level.
- Ensure that new trade rules or measures do not affect the rights of farmers and other people working in rural areas in any of the countries involved, by conducting or commissioning impact assessments for existing and negotiated trade agreements.
- Support the development of indicators for farmers' rights in order to check the compatibility of new trade agreements with UNDROP.
- Support the establishment of a *United Nations* Voluntary Fund for Smallholder Farmers and Rural People (similar to the *United Nations Voluntary Fund for Indigenous Peoples*⁸³) to enable representatives of farmers and rural people, communities and organisations to participate in UN mechanisms and processes.

¹ These obligations are specified in the *Maastricht Principles* on extraterritorial state obligations in the area of economic, social and cultural rights, which were adopted in 2011.

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¹² OeEB (2024): [Grievance Mechanism Policy](#)

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