

# General decree “Reflective Gender Education and Equality”

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# 1 Goals and Potential

This general decree provides schools with a framework for the implementation of the teaching principle “Reflective Gender Education and Equality”<sup>1</sup> on the different levels of teaching and learning in the school context. It contains **suggestions on how issues of gender equality can be taken into account** in public schools – against the background of a pluralistic society characterized by religious, cultural and social diversity – on the subject and teaching level as well as on the level of social relationships.

Gender relations and questions around equality reach schools in many ways or are rather reflected in them, for example in different representations of the sexes in the teaching profession or the distribution of male and female students in different types of schools. However, everyday interaction is highly influenced by social gender, that is “gender” as defined by the WHO and the UNHCR<sup>2</sup>. Thus, social concepts of “femininity” and “masculinity” influence the students’ personal development, reference system, and scope of action to a great extent; equally, a strong emphasis on gender-related attributes and expectations also results from different socio-cultural contexts, such as peers, parents, and family associations.

This teaching principle aims to contribute to the development of a **professional and reflective approach** to the gender dimension in schools which are shaped by their heterogeneous environments. This development will be on the basis of the **constitutionally-anchored equality and anti-discrimination mandate**, which rules that all genders have the same right to individual and self-determined personality development.

The legal frame of reference is provided by the state-defined education and schooling goals<sup>3</sup>, the universal human, women’s and children’s rights in the sense of the UN con-

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1 It is based on the general decree issued by Minister E. Gehrler on the teaching principle “Education for Equality between Women and Men” (1995). A revision and renaming became necessary (repeal with circular no. 9/2018) in order to take new challenges and legal bases into account. The current decree incorporated suggestions from experts from schools, universities and NGOs

2 Definition of “gender” as “the social sex” (as distinct from sex): “This arises from the attribution of gender-specific abilities and expectations to people, regardless of their gender identity. Social gender is thus grounded in social dynamics and is changeable and variable within and across cultures. It defines roles, obligations, constraints, opportunities and privileges.”:<http://www.who.int/gender-equity-rights/understanding/gender-definition/en/>  
UNHCR – UN High Commissioner for Refugees: <http://www.unhcr.org/protection/women/4e7757449/unhcr-age-gender-diversity-policy-working-people-communities-equality-protection.html#1>

3 Pursuant to § 2 of the School Organisation Act and pursuant to art. 15 para. 5a of the Federal Constitution

ventions ratified by Austria (CEDAW, CRC)<sup>4</sup> and the Istanbul Convention of the Council of Europe (cf. Annex). With this in mind, state institutions have the **obligation** to promote **gender equality** through appropriate and preventive measures in the field of education, in particular through the **dismantling of culturally defined gender stereotypes and patriarchal role assignments**.

The general decree should contribute to the active discussion of related socio-political issues and values. Public schools should provide a neutral framework in which all children and adolescents can discuss topics that concern them in an age-appropriate manner. This should consist of lively discussion and debate which is free from religious or cultural prejudices. In such discussions, it should be possible to discuss **all facets of patriarchal role standardisations and unequal treatment on the basis of gender** – whether in the so-called mainstream society (e.g. sexism in advertising) or in the so-called minority communities (e.g. “honourable behaviour requirements” for girls). The aim of such shared experiences is to combat exclusion and segregation mechanisms.

**With this in mind, the general decree should contribute to:**

- breaking down prejudices and broadening the scope of individual action through the examination of similarities and differences
- overcoming stereotypical gender assignments and fixations
- dismantling prejudices towards boys and young men interested in following a career in education or healthcare
- improving existing potentials of girls and women in STEM<sup>5</sup>
- making reflective decisions regarding individual career and life-planning
- enabling a higher degree of self-determination in the field of individual health as described in WHO and UN goals for sustainable development (SDG 5)<sup>6</sup>
- developing a differentiated thinking beyond bipolar, constrained gender roles to actively counteract homophobia<sup>7</sup>
- minimizing gender segregation in education, the working world and society and thereby improving life and career prospects as well as opportunities for young people

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4 „Convention on the Elimination of All Forms of Discrimination Against Women“; „convention on the rights of the child“

5 STEM: science, technology, engineering, math

6 Ottawa Charta WHO (1986): „Health promotion is the process of enabling people to increase control over, and to improve, their health.“, Sustainable Development goals: SDG 5 Achieve gender equality and empower all women and girls and eliminate all forms of violence

7 „Homophobia“: Aversion or hostility towards homosexual people; it can also be directed against people whose behavior is classified by outsiders as deviant from expected, “gender-typical” behavior. The European “Schoolmates Study” and the so-called ECRI audit report of the Council of Europe formulate a need for action for Austrian educational organizations with regard to prevention against homophobic bullying, especially against LGBTI youth (lesbian, gay, bisexual, transgender and intersex): <https://www.coe.int/t/dghl/monitoring/ecri/...by.../AUT-CbC-V-2015-034-DEU.pdf>

## 2 Skills and Competencies

In accordance with the definition of “interdisciplinary competencies”<sup>8</sup>, the teaching principle “Reflective Gender Education and Equality” encompasses educational goals which go beyond the content of individual school subjects. It contains cognitive-specialist components, motivational and social aspects, individual skills and capabilities, as well as societal challenges. This creates many links to the teaching principles “health education”, “sex education”, “intercultural learning”, “media studies” and especially to “political science” in the sense of democratic and human rights education.

The teaching principle “Reflective Gender Education and Equality” should **help ensure that all students, regardless of their social, cultural or religious background ...**

### **Build and reflect on knowledge**

- ... *about age-appropriate knowledge on past and present gender relations in different societies,*
- ... *be able to identify factors in gender inequalities and how these can be changed,*
- ... *acquire knowledge on the history of the women’s movement,*
- ... *be able to name examples of gender-based stereotypes and gender roles (in education, media, and society) and identify possible effects,*
- ... *recognise that gender roles are not determined but that they are socio-culturally and historically shaped and can therefore be changed.*

### **Develop wants/behaviour**

- ... *are prepared to reflect on the influence of stereotypes in schools, their family and peer groups,*
- ... *are open to taking a conscious look at their own environmental and gender-based experience of socialization,*
- ... *are empowered to reflect on their own communication and interactional behaviour, as well as their own valuation models, prejudices, norms and wider values,*
- ... *develop a readiness to support gender equality in their daily lives.*

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8 F. Eder und F. Hoffmann, Überfachliche Kompetenzen in der österreichischen Schule. Bestandsaufnahme, Implikationen, Entwicklungsperspektiven. In: Nationaler Bildungsbericht 2012, hrsg. von M. Bruneforth und L. Lassnig i. A. des BMUKK

### **Behaviour/Ability/Action**

- ... be empowered to constructively deal with gender differences and conflicts or misunderstandings that arise in their daily lives,
- ... be able to analyse social realities on the basis of data and argue their own opinion with regard to the topic of equality,
- ... develop civil courage to stand up against stereotypes, sexism and homophobia and other forms of discrimination in their daily lives (especially in digital spaces),
- ... be empowered to deal with each other fairly and without prejudice,
- ... be enabled to pursue individual educational and professional interests – even against stereotypical expectations from their social environment (peer-group, parents, etc.),
- ... be enabled to recognise patriarchal role assignments, to set their own boundaries and to find ways of self-determination.



# 3 Framework and Implementation

To successfully implement the teaching principle “Reflective Gender Education and Equality”, it is crucial that all teaching staff participate, and that there is a clear assumption of leadership and support from school management. An important condition is the **development of diversity-oriented gender competence**.<sup>9</sup> This enables one to recognise the significance of gender and gender equality issues in one’s own field of work and act professionally on the basis of this. In addition to dealing with the topic of “puberty” and its impact in the school environment (i. e., finding one’s identity, physical changes, self-determination, conflicts in the process of detachment from parents, sexuality), a willingness to engage with the varied living environments experienced by children and adolescents also contributes to professional action.

There are a variety of challenges associated with this:

## **Establishing a culture of open discussions**

The school management promotes the establishment of a vibrant discussion culture in the school with regard to the topics addressed in this paper. It creates a framework in which knowledge can be created and educational challenges are not prohibited, but can be discussed openly and with a focus on solutions. It supports the development of the necessary competencies and increasingly involves people with the appropriate competencies in the school development, as well as in the processes of collaborative school committee work. Insights and results are clearly communicated internally and externally (i. e. website, mission statement, house rules, school enrolment).

## **Addressing gender issues in subject lessons (e. g. history and political education)**

In general, all subjects offer starting points for these issues. For example, the curriculum for “History and Social Studies / Political Education” at lower secondary level (113<sup>th</sup> regulation of 18.5.2016) covers the following topics: laws, rules, values; norms in the students’ lives; children’s and women’s rights in the students’ own environment; the impact of religions on everyday life and forms of rule; social inequalities, different concepts of

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<sup>9</sup> Definition of gender competence in the Recommendations from the Austrian Convention on Strengthening gender competencies in higher education processes (June 2018) as well as the definition related to the school sector in the recommendation paper of the Federal Center for Gender Education and Research of the PH Salzburg: <http://geschlechterpaedagogik.at/glossary/genderkompetenz-in-der-paedagoginnenbildung-neu/>

gender and gender roles. Such topics can lead to heated controversies, which is why a knowledge-based and professional methodology and teaching in the sense of the principles of civic education are required. The so-called controversy requirement demands, among other things, the admission of counter-positions and their justification as well as not discrediting them. On this basis, it should be possible that learning processes that make it clear that criticism of religion, both in the past and today, is not to be confused with racism. In this way, misunderstandings and entrenched positions can be dismantled.

For example, writing a final paper as part of the school-leaving and diploma examinations in secondary schools, offers special opportunities for a more in-depth study of gender equality issues in various subject areas. Pupils who are interested in this should be supported in concretising and working on it (i.e. also by equipping the school library with relevant materials).

### **Clear attitudes when dealing with violence and sexism**

School management and teaching staff are sensitive to the many forms of violence, gender-based unequal treatment and gender-based bullying. Gender-based bullying refers to “harassment, prejudice, innuendo, and derogatory comments that are based on gender and reinforce different role norms.”<sup>10</sup> Increased sensitivity is required both when it comes to interactions between young people and when it involves the behaviour of teachers. Clear action are taken against any form of violence to enforce agreed upon rules and promote respect in this area. School management and teaching staff know how to make use of existing counselling systems (i.e. school psychologists, school social workers) and out-of-school contact points (i.e. counselling centers for girls and boys) when necessary.

### **Personal Development Experiences and Challenges**

The provision of age-appropriate experiences in the school environment (i.e. in the context of health education, sex education and violence prevention) requires a high level of socio-pedagogical competence from the relevant specialist staff, and the informing and involving of parents at an early stage. The involvement of external experts who are not authority figures can be a significant advantage for such learning spaces or even prove necessary.

From time to time, separating classes into gender-homogenous groups can lead to a more open speaking environment, for example on topics relating to physical, beauty and clothing norms, sexuality, gender, self-determination, religion, health, eating behaviours or experiences of violence and discrimination. In any case (whether in co-educational or

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10 Guideline: „Mobbing an Schulen. Ein Leitfaden für die Schulgemeinschaft im Umgang mit Mobbing“ (BMBWF 2018)

gender-segregated settings), it must be taken into account that in any group there may also be students who grow up in environments or family structures in which, according to a collectivist concept of family honour, such experiential spaces to support individual personal development are considered incompatible with the educational principles of the parents. Such spaces can make it difficult to implement some of the parents' moral concepts and behavioural norms, especially when these are geared towards gender segregation and monitoring female virginity, as well as marriage controlled by the family unit. Pupils who are denied access to such shared learning and experiential spaces due to parental restrictions must be supported in their right to participate on an equal footing, i. e. through appropriate parental work. If such experiential spaces subsequently lead to children and adolescents from a range of different backgrounds reporting experiences of violence (i. e. online hatred, sexual assault, "violence in the name of honour"<sup>11</sup>) or threatened violence (i. e. "Forced marriage", FGM)<sup>12</sup>, the teaching staff must have the necessary knowledge and support to act in the best interest of the child (according to the constitution and the Convention on the Rights of the Child) in coordinated, inter-agency cooperation (i. e. obligation to report to child and youth welfare, support in approaching the responsible contact points).

### **Dealing with the Issue of the Hijab**

The covering of girls or the wearing of a hijab (depending on the interpretation of the respective religious community) from the age of so-called sexual maturity and before religious maturity at 14 requires professional and sensitive action in the day-to-day life at school. On the one hand, students who wear a hijab (whether as a result of family pressure, coercion or voluntarily as an act of rebellion) must be protected from derogatory comments or discrimination. On the other hand, clear action is required when girls are put under pressure (i. e. by fellow students – keyword "Generation Haram") because they do not (want to) adhere to the rules of conduct and dress in the sense of the "honourable" behaviour of girls. Such situations require clear interventions to end all forms of (religious and gender-based) bullying. Clear action on the part of educators is also required if it is determined that pressure to comply with certain veiling regulations (i. e., wearing the hijab) is being exerted from home. In order to resolve associated conflict situations constructively and to find an appropriate consensual solution together with the parents, the involvement of the school management can also be helpful. Finally, it is incumbent on the school management to protect both positive and negative religious

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11 Definition „Gewalt im Namen der Ehre“: <https://www.frauenrechte.de/online/themen-und-aktionen/gewalt-im-namen-der-ehre>; N. Scholz, *Gewalt im Namen der Ehre*. Passagen Verlag, Wien 2014.<sup>12</sup>

12 Forced marriage has been prohibited since 2016 and is considered a human rights violation (separate criminal offense § 106a StGB). Criteria: a marriage is entered into through the exercise of power or the use of force and against the will of one or both potential spouses; FGM (Female Genital Mutilation) is considered "intentional grievous bodily harm"

freedom (Art. 9 of the ECHR)<sup>13</sup> and to use the possibilities given to fulfil the integrative task of the school. The aim should be to counteract developments that systematically aim to segregate according to gender and religion, and which endanger the so-called school peace and fundamental children's rights ("protection of the rights and freedoms of others")<sup>14</sup>.

### **Ensuring the Right to Equal Educational Content**

The history of public schooling and education points to a long struggle by the women's movement for equal access to education. Different content (i. e., textile work for girls only, technical work for boys) and separate educational spaces were long justified by the different goals of girls' and boys' education (i. e. preparing girls for their role as housewives and mothers, education in chastity and modesty), the different "natures" of the sexes, and the "moral dangers" seen in the clash of the sexes. Such justifications (anchored in school law) for separate educational paths for the sexes are now a thing of the past. However, they resurface indirectly when, for example, it comes to the equal participation of girls in swimming lessons or in coeducational school events. In this context, it is important that the school management has a sound knowledge of the state's educational mandate in the area of conflict between parental rights and religious freedom. In situations of conflict, which may arise from the parents' right to respect for their "religious and ideological convictions" (European Convention on Human Rights, Art. 2, 1<sup>st</sup> Additional Protocol) and the parents' duty to "support the teaching and educational work of the school" (§ 61 SchUG), action must be taken professionally, clearly and respectfully. School management must in any case make clear that all pupils have a right to the same educational content (right to social inclusion) and are obliged to participate on equal terms in the school subjects laid out in the curriculum<sup>15</sup>. Multiple recurring absences (for example from physical education and swimming lessons) should be questioned and investigated (for example through the General Medical Council). To

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13 Negative religious freedom: individual right to freedom of confession and to change religion

14 According to Art. 9, para, 2 of the ECHR, in light of its current jurisprudence (recent judgments) and other international legal instruments (e. g. UN Convention on the Rights of Women, Convention on the Rights of the Child and Istanbul Convention); children's and girls' rights: right to childhood, to healthy development, to freedom of expression

15 The Hand Commentary on the Additional Protocol to the ECHR (Art. 2, 1<sup>st</sup> Additional Protocol – "Right to Education") states that the parents' right has a "serving function" in relation to the child's right to education. The child's use of the education offered in each case must be protected. Accordingly, parents have no right to prevent their child from being confronted with opinions and questions that contradict their own convictions, because this would mean that "any teaching would run the risk of becoming impracticable. Furthermore, the state may include sex education in the curriculum against the will of the parents." However, any introduction and taking up of diverse opinions and issues must be based on the so-called prohibition of indoctrination. Source: Meyer-Ladewig, Nettesheim, von Raumer (eds.), ECHR. European Convention on Human Rights. Handkommentar, 4<sup>th</sup> edition (Verlag Nomos, Manz, Helbing Lichtenhahn), p. 775f, p. 777, Basel 2017.)

achieve the goal of ensuring equal access to the same educational content, it is also necessary to work closely with parents. Sensitising parents to actively support and participate in their child's education oftentimes requires first having a comprehensive discussion with the parents. To further support this process additional input (from school psychologists, social workers, school authorities) can be drawn upon.

### **Reflective Co-education and Gender Reflective Methods and Didactics**

Co-education, which has been in place in Austria since 1975 and refers to the joint education of the genders<sup>16</sup>, is not restricted to teaching students of all genders simultaneously in the same room. More than simply teaching the same content, it should involve reflective social interaction and equal opportunities for participation and learning. Making use of various teaching and learning methods can disable existing patterns of interactions and group dynamics (for example a few boys dominating the classroom, girls achieving good grades through learnt behaviour etc.). In this way, all students should find it easier to participate in the classroom and build up their confidence. This can lead to different personality types among the pupils feeling encouraged to pursue certain activities, for example running for class or school representative. STEM-subjects in particular require teachers to be conscious of not enforcing stereotypical expectations of students (for example, physics and mathematics are primarily for boys, girls will not need these subjects in later life). This can lead to girls who are interested in STEM being overlooked, which negatively affects their motivation and career outlook. In this sense all teachers should be encouraged to reflect on their own behaviour<sup>17</sup> in their classrooms and receive feedback on this (for example by sitting in on each others' classes). The following questions can be useful to help with this: *Am I equally attentive to all students? Do I have different expectations for different genders? Do I comment differently on the same behaviour when it concerns one gender compared to another? Which female and male enactments do I observe and how do I react to them? How do I handle provocative and/or dominant behaviour from pubescent teenagers? How do I handle mobbing of girls with and without a hijab?*

### **Gender-sensitive Professional Orientation and Educational Information**

The so-called IBOBB-concept<sup>18</sup> and the syllabus on the compulsory course "Professional orientation" for the 7<sup>th</sup> and 8<sup>th</sup> school grades specifically mandate gender-sensitive

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16 Among other things, this was linked to the goal of equal educational and life opportunities for women, as well as the promotion of a "natural," informal, and more relaxed interaction between the sexes

17 Diagnostic tools for instructional reflection: [https://www.imst.ac.at/app/webroot/files/GD-Handreichungen/GD\\_HandreichungII\\_web.pdf](https://www.imst.ac.at/app/webroot/files/GD-Handreichungen/GD_HandreichungII_web.pdf); [https://www.imst.ac.at/app/webroot/files/GD\\_Handreichung\\_web\\_final.pdf](https://www.imst.ac.at/app/webroot/files/GD_Handreichung_web_final.pdf)

18 [www.ibobb.at](http://www.ibobb.at)

professional orientation<sup>19</sup>. Teenagers have a right to pursue individual career paths and concepts of life, and should be encouraged to tread new paths. It is therefore necessary, pursuant to the Austrian School Education Act<sup>20</sup> to promote access to real-life experiences and work experience. To this end, it is important that the persons responsible for career guidance and career guidance coordination at the school should proactively provide information, particularly in cooperation with parents. All schools should be aware of the nationwide events “Girls Day” and “Boys Day”<sup>21</sup>. Embedding this in a school site-specific concept for career orientation and declaring it a school-related event (by the class or school forum) should take place in good time and pupil participation should be supported.

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19 Vocational orientation also provides an opportunity to examine traditional attitudes and prejudices with regard to career and educational paths and aims to broaden the space of possible career and educational choices, especially for female students.” (Curriculum of the Binding Exercise Vocational Orientation for AHS or NMS).

20 § 13 of the School Education Act (SchUG, BGBl. No. 472/1986); school-related events pursuant to § 13a of the SchUG and individual vocational training orientation according to § 13b SchUG.

21 <https://www.boysday.at>; <http://www.girlsday-austria.at>

# 4 Application of the Teaching Principle

This teaching principle applies to all school levels and types of school.

The approaches, methods and processes are to be adapted to the specific age group and the curricular and school-organizational framework conditions at the various schools. School-autonomous possibilities for an in-depth treatment of the topics related to the teaching principle (e.g. within the framework of elective subjects or elective modules) are to be used.

**Teachers, school administrators, school supervisors, school administrations or educational directorates and teacher training colleges** are called upon to guarantee effective implementation of the goals and principles formulated in this general decree – by disseminating and discussing the general decree at events, by taking it into account in school quality management and by building up the necessary competencies at all relevant levels.

**Teaching materials and further information on the implementation of this teaching principle are available on the website of the Federal Ministry of Education, Science and Research in the Education section under “Equality and Diversity”.**

# Appendix – Legal basis and legislation

Article 7 (para. 2) of the *Austrian Federal Constitution* calls for positive measures to achieve actual gender equality at all levels and in all policy areas.

Article 14 (5a) B-VG defines the tasks of schools as including respect for fundamental values, on the basis of which the goal of “ensuring the highest possible level of education for the entire population” is to be pursued, “irrespective of origin, social situation and financial background”. In the “cooperative partnership of students, parents and teachers, children and adolescents are to be enabled to achieve the best possible spiritual, mental and physical development ... “. Among other things, they should be enabled to orient themselves to social, religious and moral values, to assume responsibility for themselves, their fellow human beings, the environment and future generations, and to be open to the political, religious and ideological thinking of others.

The ratification of the *Istanbul Convention* of the Council of the European Union<sup>22</sup> obliges state institutions to take (preventive) measures against all forms of gender-based violence by promoting equality and reducing different role assignments. Accordingly, cultural traditions and customs, such as “in the name of honour,” may also not serve to legitimize gender-based violence (Art. 12).

The ratification of the *UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*<sup>23</sup> (1982) provides in Articles 5 and 10 for appropriate measures, especially in the field of education, to eliminate gender-specific prejudices, role attributions and stereotypes.

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22 Istanbul Convention = Convention between the member states of the Council of Europe “on preventing and combating violence against girls and women” (ratified by Austria in 2013), esp. articles 12, 14, 15.

23 In 1982, Austria ratified (Federal Law Gazette 443/1982) CEDAW, the Convention on the Elimination of All Forms of Discrimination against Women. Convention “on the Elimination of All Forms of Discrimination against Women”, to take measures to achieve de facto equality. CEDAW is one of the core conventions of international human rights protection. Schläppi/Ulrich/Wyttenbach, CEDAW. Kommentar zum Übereinkommen, Manz-Verlag, Vienna 2015.



The ratification of the **Convention on the Rights of the Child**<sup>24</sup> (1992) recognises children (up to 18) as holders of rights: no child may be discriminated against on the basis of gender (or other characteristics), all children have the right to the best possible development opportunities and to freedom of expression; representatives of state authorities must be guided by the “best interests of the child” in all actions.

The **UN Sustainable Development Goals** (SDGs)<sup>25</sup> commit Austria to contribute to their implementation by 2030: SDGs 4 and 5 call for the elimination of gender disparities in education, ensuring skills to promote gender equality, expanding gender-responsive educational institutions, empowering all girls and women, and eliminating violence against women and girls.

**UNESCO's Universal Declaration on Cultural Diversity**<sup>26</sup> links the affirmation of cultural diversity to respect for human rights and fundamental freedoms.

**European Convention on Human Rights** (ECHR 1950) incl. additional protocols and judgments of the European Court of Human Rights (ECHR jurisprudence)<sup>27</sup>.

Vienna, October 31, 2018

The Federal Minister:

Dr. Heinz Faßmann

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24 Part of the children's rights has constitutional status in Austria (right to non-violent upbringing).

25 Adopted by the UN General Assembly on 25/9/2015 – Ministerial Council Lecture in Austria on 12/1/2016.

26 [https://www.unesco.at/fileadmin/Redaktion/Publikationen/Publikations-Dokumente/2005er\\_UNESCO-Convention\\_German.pdf](https://www.unesco.at/fileadmin/Redaktion/Publikationen/Publikations-Dokumente/2005er_UNESCO-Convention_German.pdf)

27 Meyer-Ladewig, Nettesheim, von Raumer (Hrsg.), EMRK. Europäische Menschenrechtskonvention. Handkommentar, 4. Auflage (Verlag Nomos, Manz, Helbing Lichtenhahn), Basel 2017.



