

**1. Who is "human" in the concept of modern human rights?**

The notion of "human" needs to be understood in light of the Universal Declaration of Human Rights (*All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood*). Every person possesses dignity by the fact alone of being a person and human rights are inalienable and indivisible and protect this dignity. The concept of human rights is based on a universal system of values shared by all peoples.

**2. How is carried out of the protection of a right which is not regulated in the Constitution in your legal system? What kind of balancing is done when a right uncounted in the Constitution is conflicted with a constitutional right?**

The Austrian Federal Constitution contains basic rights, in addition to basic rights in other federal laws, so that human rights provisions can be derived from constitutional as well as other legal sources.

**3. Do International Human Rights Documents applied in your country represent minimum standards that are already provided or the must-reach aims? Are there any regulations in your legal system above international human rights standards? If there are, would you please explain?**

Austria is a party to all major international human rights agreements, and under the constitution, the norms of international law including human rights law are part of the law of the land, even though not all are directly applicable. The European Convention on Human Rights is also constitutional law in Austria and directly applicable. Austria is bound by European Union law, including the Charter on Fundamental Rights.

**4. In your legal system, is the jurisdiction an actor itself to move forward human rights standards? If it is, would you please explain?**

Basic rights are invoked in courts and are subject to the review of the Constitutional Court. For more information: [https://www.vfgh.gv.at/downloads/VfGH\\_Broschuere\\_eng\\_barrierefrei\\_Final.pdf](https://www.vfgh.gv.at/downloads/VfGH_Broschuere_eng_barrierefrei_Final.pdf) and [https://www.vfgh.gv.at/verfassungsgerichtshof/rechtsgrundlagen/fundamental\\_rights.en.html](https://www.vfgh.gv.at/verfassungsgerichtshof/rechtsgrundlagen/fundamental_rights.en.html)

**5. Are there values and issues in your country that are not covered by human rights documents but need to be protected under the concept of human rights? If your answer is yes, would you please explain?**

-----

**6. Are there such human right regulations in the legal system of your country that is protected by the constitution but contradicts social reality and justice?**

**7. Are there any social realities contradicting international human rights concept based on individualism?**

**8. In your legal system, are there legal mechanisms to protect human rights if fundamental rights are violated by private persons? Are these mechanisms effective?**

Courts can hear civil law cases on human rights violations, including by private persons.

**9. Are there groups in your country who have their own national, ethnical, religious and linguistic identities? Could you please give some information about them (especially if you feel yourself one of them)?**

The law recognizes Croats, Czechs, Hungarians, Roma, Slovaks, and Slovenes as national minority groups and requires any community, where at least 25 percent of the population belongs to one of these groups, to provide bilingual town signs, education, media, and access to federal funds earmarked for such minorities. For more information see <https://www.bundestkanzleramt.gv.at/en/topics/ethnic-groups.html>

**10. What is the definition of the notion “minority” according to your constitutional system? What is your opinion on this concept? Do you think that minority rights should be protected broadly by the constitutional level? Do you think that constitutional regulations that would broaden the rights of minorities will solve the conflicts between majorities and minorities?**

Under Section 1 Paragraph 2 of the Ethnic Groups Act, ethnic groups are understood as "such groups of Austrian citizens living in parts of the Federal territory and having a language other than German as mother tongue and having traditions of their own." Minority rights contribute to peaceful and inclusive societies.

**11. What do you think on the notion and the concept of minority rights in international law? Could the international regulations/treatments be a response to the reality and problems of the peoples in your country? In other words, do they cover the reality in your country from the view of the state and the view of peoples?**

The rights of the Croatian and Slovenian ethnic groups are set forth in the State Treaty of Vienna (1955) and demonstrate that international law guides national minority protection.

**12. What you think is the most current human rights problem in your country?**

Human rights violations associated with (forced) migration, racism and xenophobia, religious minorities.