



Protection and promotion of human rights

The Austrian Ombudsman Board (AOB) has a constitutional mandate to protect and promote compliance with human rights.

This mandate comprises visits and investigations of public and private institutions and facilities in which freedom is or can be restricted, such as nursing homes, psychiatric institutions, penal institutions, police detention centres or army barracks. Institutions and programmes for persons with disabilities are also subject to investigation. Another responsibility is the monitoring of the exercise of direct administrative power and compulsion.

This is a preventive mechanism to ensure that persons in such institutions and facilities are not in danger of inhumane treatment, violence, torture or other abuse or that their human rights are not violated by the exercise of direct administrative power and compulsion.

Visits are carried out by Commissions that are appointed by the AOB. There are six Commissions across Austria.

The Commissions are comprised of independent experts from different disciplines. Each Commission is headed by a personality who is recognised in the sector of human rights.

Chairpersons of the Commissions

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Legal notice:

Publisher, media owner: Austrian Ombudsman Board Vienna,
October 2012



VOLKSANWALTSCHAFT

Human Rights House
of the Republic of
Austria

protect and promote
human rights & civil rights





The Austrian Ombudsman Board

- ... **is** an independent monitoring and control body. Its responsibilities are stipulated in the Austrian Constitution.
- ... **controls** the public administration and investigates complaints made by citizens.
- ... **protects** and **promotes** compliance with human rights. The AOB is advised by the Human Rights Advisory Council in this respect.
- ... **represents** - together with its Commissions - the “National Preventive Mechanism” (NPM) in accordance with the Convention against Torture and investigates whether human rights are preserved in facilities where people are deprived of their liberty.
- ... **controls** institutions and programmes for persons with disabilities.
- ... **monitors** and **investigates** the exercise of direct administrative power and compulsion. This includes, for example, the monitoring of the competent agencies during (forced) returns, raids, demonstrations, major events and military use of force.

The Commissions of the Austrian Ombudsman Board

The Commissions must be able to investigate compliance with human rights without being impeded. Therefore, the legislator invested the Commissions with extensive rights:

- The Commissions have **unrestricted access** to all areas of the institution or facility to be investigated at their discretion.
- They can **access** and **inspect** all of the institution’s or facility’s documents and records.
- They must have the opportunity to conduct **confidential discussions** with detained persons and/or with persons with disabilities, as well as other respondents.
- They must be provided with **information** about the number and treatment of detained persons as well as their living conditions in detention situations. The same applies to persons with disabilities in institutions, facilities and programmes specifically established for them. These institutions have to ensure protection from exploitation, violence and abuse.
- **Visits** and **investigations** need not be announced in advance.

When performing these duties, the Commissions will treat all personal information as strictly confidential.

Measures undertaken by the Austrian Ombudsman Board

The responsibilities of the AOB and its Commissions are:

- To find cases of maladministration and to make recommendations on how to remedy them;
- To report annually to Parliament, the Diets and the UN Subcommittee on Prevention of Torture about their findings;
- To make recommendations to the legislator on how to improve the situation;
- To work together with science and educational institutions;
- To inform the public about their activities.

