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Republic of Austria

# Core document forming part of the reports of the State Parties

**Austria**

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# I. Introduction

1. This core document is based on the Harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents of 3 June 2009 (HRI/GEN/2/Rev.6). Following the plan suggested in the guidelines, the report has three parts: General information about Austria (II); General legal framework for Human Rights Protection (III); and Information on Non-discrimination and Equality (IV).

2. This core document was updated mainly on the basis of data available on the web-site of the Statistics Austria until 1 June 2025, unless indicated otherwise.

3. Finally, it should be noted that the reporting period of the last five years has seen numerous different developments (Covid pandemic, energy crisis, etc.) and geopolitical challenges, which ultimately led to budgetary restraints and an EU deficit proceeding this year.

# II. General information about Austria

## A. Geographical, historical, demographic, social, cultural, economic and judicial characteristics

### 1. Geographical description

4. The territory of Austria covers 83,879 square kilometres. It is located in the southern part of Central Europe, sharing international borders with Germany and the Czech Republic to the north, the Slovak Republic and Hungary to the east, Slovenia and Italy to the south and Switzerland and Liechtenstein to the west. There are some 573 km between the westernmost and easternmost points of Austria, while the longest north-south distance is 294 km.

### 2. Historical background

5. After centuries of Habsburg reign, Austria was proclaimed a republic in November 1918. In 1933, an authoritarian regime was established; in March 1938, the state territory was taken over by the National Socialists (the *"Anschluss"*). After 1945, Austria was occupied by the four Allied powers, France, Great Britain, the Soviet Union and the United States of America, until the Austrian State Treaty re-established Austria as a sovereign state in 1955. In the same year, the Parliament passed a constitutional act to guarantee permanent Austrian neutrality. Austria has been a member of the United Nations since 1955, a member of the Council of Europe since 1956, and joined the European Union in 1995 and the Eurozone in 1999.

6. After the end of the Cold War, and particularly after the enlargement of the European Union in 2004, Austria moved from its peripheral position at the dividing line between "East" and "West" to the centre of Europe. The federal capital Vienna is one of the headquarters of the United Nations, hosting the IAEA, UNIDO, UNODC, UNDOOS, UNCITRAL, CTBTO, IOM and several other UN organisations. Vienna has been the seat of the European Union Agency for Fundamental Rights since 2007; it also hosts, inter alia, the Secretariat and Permanent Council of the OSCE and the OPEC Secretariat.

# 3. Demographic characteristics

## (a) General information

7. Austria had 9,20 million inhabitants at the beginning of 2025. Because of the decline in the birth rate in recent years, the older population (aged 65 and above) will account for an increasing percentage once the baby boom generation reaches retirement age. The potential workforce remains relatively stable; however, the working population is also ageing. The main cause of population growth in recent years has been immigration, mainly caused by immigrants from Ukraine. The comparative figures for the preceding years are as follows:

Table 1: Population in total and by sex at the beginning of the year

| Sex | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 |
|---|---|---|---|---|---|---|
| Total | 8,901,064 | 8,932,664 | 8,978,929 | 9,104,772 | 9,158,750 | 9,197,213 |
| Males | 4,378,772 | 4,396,952 | 4,425,485 | 4,484,815 | 4,514,832 | 4,532,880 |
| Females | 4,522,292 | 4,535,712 | 4,553,444 | 4,619,957 | 4,643,918 | 4,664,333 |

Source: Statistics Austria, Register-based Census (2011-2021), Population statistics (2023-2024), compiled on 26 May 2025.

Table 2: Population by major age groups in % at the beginning of the year

| Age | 2001 | 2011 | 2021 | 2024 | 2025 |
|---|---|---|---|---|---|
| 0 to 19 years | 22.9 | 20.4 | 19.3 | 19.3 | 19.2 |
| 20 to 64 years | 61.7 | 61.8 | 61.3 | 60.9 | 60.6 |
| 65 and over | 15.5 | 17.8 | 19.4 | 19.8 | 20.2 |

Source: Statistics Austria, Register-based Census (2011-2021), Population statistics (2023-2025), compiled on 26 May 2025.

8. Among all federal states (hereinafter: *Länder*) Vienna experienced the strongest population growth. Population development since 2021 by the *Länder*, natural increase and migration balance is shown in the following table.

Table 3: Population development by Länder and components of change

| Time, component | | Burgen-land | Carinthia | Lower Austria | Upper Austria | Salzburg | Styria | Tyrol | Vorarl-berg | Vienna | Austria |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **1.1.2021 - 31.12.2021** | Beginning of year 2021 | 296,010 | 562,089 | 1,690,879 | 1,495,608 | 560,710 | 1,247,077 | 760,105 | 399,237 | 1,920,949 | 8,932,664 |
| | Natural increase | -1,360 | -1,865 | -4,449 | 46 | 424 | -2.175 | 1,308 | 914 | 1,273 | -5,884 |
| | Migration balance | 2,921 | 4,310 | 12,381 | 9,515 | 1,498 | 8,039 | 2,698 | 1,545 | 9,581 | 52,488 |
| | Statistical adjustment [1] | 12 | -21 | -15 | -29 | -26 | -19 | -9 | -22 | -210 | -339 |
| | Total change | 1,573 | 2,424 | 7,917 | 9,532 | 1,896 | 5,845 | 3,997 | 2,437 | 10,644 | 46,265 |
| **1.1.2024 – 31.12.2024** | Beginning of year 2024 | 301,951 | 569,744 | 1,723,723 | 1,530,349 | 571,479 | 1,269,801 | 775,970 | 409,973 | 2,005,760 | 9,158,750 |
| | Natural increase | -1,729 | -2,235 | -5,453 | -732 | -324 | -3,313 | 108 | 277 | 2,153 | -11,248 |
| | Migration balance | 1,581 | 2,606 | 9,251 | 5,843 | 1,696 | 5,233 | 1,653 | 1,527 | 20,715 | 50,105 |
| | Statistical adjustment [1] | -13 | -20 | -7 | 59 | -5 | -5 | -71 | 7 | -339 | -394 |
| | Total change | -161 | 351 | 3,791 | 5,170 | 1,367 | 1,915 | 1,690 | 1,811 | 22,529 | 38,463 |
| **31.12.2024** | | **301,790** | **570,095** | **1,727,514** | **1,535,519** | **572,846** | **1,271,716** | **777,660** | **411,784** | **2,028,289** | **9,197,213** |

Source: Statistics Austria: Population, Table “Population change by demographic components since 1981” (in German only), compiled on 26 May 2025.

1 Migration statistics according to the Central Register of Residents (ZMR); Statistical adjustment: mathematical difference between natural increase according to natural population change and natural increase according to statistical population register as well as adjustments for inconsistency made to stock and change data from the Central Population Register.

9. There were 76,873 live births and 87,407 deaths recorded in 2024. From 2020 to 2024, the number of deaths exceeded the number of births. The numbers of births and deaths in previous years are shown in the table below:

Table 4: Births and deaths

| Indicator | 2020 | 2021 | 2022 | 2023 | 2024 |
|---|---|---|---|---|---|
| Live births | 83,603 | 86,078 | 82,627 | 77,605 | 76,873 |
| Total fertility rate in % | 1.44 | 1.48 | 1.41 | 1.32 | 1.31 |
| Deaths | 91,599 | 91,962 | 93,332 | 89,760 | 87,407 |
| Balance of births and deaths (Natural Increase) | -7,996 | -5,884 | -10,705 | -12,155 | -10,534 |

Source: Statistics Austria, Vital Statistics.

## (b) Population with foreign nationality

10. As a consequence of immigration, the number of persons with foreign citizenship rose sharply in the early 1990s and again in recent years. A total of 1,855,624 foreign citizens living in Austria was recorded at the beginning of 2025, i.e. 20,2% of the overall population, compared to 16.7% of the total population in 2020.

Table 5: Population by selected citizenship

| Year | Total | Austrian | Foreign citizens | | | | | |
|---|---|---|---|---|---|---|---|---|
| | | | Total | in % | EU | Non-EU | of which | |
| | | | | | | | Ukraine | Turkey |
| 2020 | 8,901,064 | 7,414,841 | 1,486,223 | 16.7 | 757,420 | 707,780 | 11,585 | 117,607 |
| 2021 | 8,932,664 | 7,401,592 | 1,531,072 | 17.1 | 793,687 | 715,856 | 11,898 | 117,580 |
| 2022 | 8,978,929 | 7,392,220 | 1,586,709 | 17.7 | 826,339 | 739,014 | 12,673 | 117,625 |
| 2023 | 9,104,772 | 7,374,952 | 1,729,820 | 19.0 | 867,389 | 841,075 | 79,615 | 119,706 |
| 2024 | 9,158,750 | 7,357,884 | 1,800,866 | 19.7 | 901,726 | 877,853 | 80,665 | 124,086 |
| 2025 | 9,197,213 | 7,357,884 | 1,855,419 | 20.2 | 923,854 | 910,250 | 87,927 | 124,788 |

Source: Statistics Austria, Population statistics, compiled 26 May 2025.

11. On 1 January 2025, 924,044 EU citizens were living in Austria, the biggest group being German nationals (239,452), followed by Romanian (155,715), Hungarian (112,376), Croatian (109,359), Polish (67,543), Slovak (50,415) and Italian (41,018) citizens.

12. Among foreign citizens, about 540,097 people are from European third countries, with Turkish (124,788) and Serbian (122,459) nationals being the two largest nationalities, ahead of Bosnia and Herzegovina (100,764). Among European third-country nationals living in Austria, the largest increase in numbers has been among Ukrainian nationals.

13. The group of non-European citizens largely consists of 271,741 people from Asia, 45,721 people from Africa and 28,877 people from America.

14. In the 1980s, an average of 7,800 persons acquired Austrian citizenship every year. Because of the growing number of foreign citizens residing in Austria, this number rose in the mid-1990s. About 16,000 foreign nationals acquired Austrian citizenship in 1997, around 25,000 in 1999 and over 45,000 in 2003. Since 2004, the number of naturalisations has been steadily declining, reaching a low of 6,190 in 2010. The number of naturalisations increased to 8,265 in 2015.

15. Between 2010 and 2019, the naturalisation rate, i.e. the ratio of naturalisations to the number of non-Austrian citizens living in Austria, remained stable at 0.7%, fell slightly to 0.6% in 2020 and 2021, and increased to the pre-pandemic level of 0.7% in 2022 until today.

16. The amendment to the Citizenship Act, which came into force on 1 September 2020, introduced the possibility of naturalising descendants of politically persecuted persons (§ 58c of the Citizenship Act). In 2024, 8,795 people were naturalised as victims of political persecution under National Socialism and their descendants, of which 8,783 or 99.86% live abroad.

17. In 2024 in total, Austrian citizenship was awarded to 21,891 persons including non-residents. The numbers of naturalisations divided in age groups and residents and non-residents between 2020 and 2024 are as follows:

Table 6: Naturalisation and rate of naturalisation of persons with residence in Austria

| | | 2020 | 2021 | 2022 | 2023 | 2024 |
|---|---|---|---|---|---|---|
| **Naturalisations** | **Total** | **8,996** | **16,171** | **20,606** | **19,939** | **21,891** |
| | 0 to 18 years | 2,991 | 4,870 | 6,405 | 6,529 | 7,341 |
| | 19 to 60 years | 5,795 | 9,751 | 12,374 | 12,049 | 13,207 |
| | Over 60 years | 210 | 1,550 | 1,827 | 1,361 | 1,343 |
| Naturalisations Residents | Total | 8,796 | 9,723 | 10,899 | 11,898 | 13,036 |
| | 0 to 18 years | 2,919 | 3,149 | 3,578 | 4,100 | 4,519 |
| | 19 to 60 years | 5,714 | 6,400 | 7,147 | 7,632 | 8,340 |
| | Over 60 years | 163 | 174 | 174 | 166 | 177 |
| Naturalisations (non-residents)[2] | | 200 | 6,448 | 9,707 | 8,041 | 8,855 |
| Rate of naturalisation[1] in % | | 0.6 | 0.6 | 0.7 | 0.7 | 0.7 |

Source: Statistics Austria, Population, Migration and naturalisation.

1 Naturalisations by 100 foreigners living in Austria

2 The possibility of naturalising descendants of politically persecuted persons, which has existed since 1 September 2020, caused a very strong increase in naturalisations of non-residents.

## (c) National minorities

18. There are six national minorities living in Austria: Slovene, Croatian, Hungarian, Czech, Slovak and Roma. No statistical data is available on the ethnic composition of the population living in Austria. However, information collected in the 2001 census on the use of colloquial languages spoken in Austria provides a general impression of the national groups' numerical strength. More recent figures are not available as traditional censuses have been replaced by register-based censuses in accordance with the Register-Based Census Act (Federal Law Gazette I No. 33/2006). Since this act came into force, registers are used for data reconciliation that do not contain characteristics of colloquial language or mother tongue (see also ECHR [GC] of 18 June 2020, *Molla Sali v. Greece*, no. 20452/14, on religious and ethnic minorities and the right to free self-identification.).

Table 7: Colloquial languages

| Colloquial language | Total number of citizens | | Born in | | | |
|---|---|---|---|---|---|---|
| | absolute | in %[1] | Austria | in %[1] | abroad | in %[1] |
| Burgenland-Croat | 19,374 | 5.9 | 18,943 | 11.3 | 431 | 0.3 |
| Romani | 4,348 | 1.3 | 1,732 | 1.0 | 2,616 | 1.6 |
| Slovak | 3,343 | 1.0 | 1,172 | 0.7 | 2,171 | 1.3 |
| Slovene | 17,953 | 5.4 | 13,225 | 7.9 | 4,728 | 2.9 |
| Czech | 11,035 | 3.3 | 4,137 | 2.5 | 6,698 | 4.2 |
| Hungarian | 25,884 | 7.8 | 9,565 | 5.7 | 16,319 | 10.0 |

Source: Statistics Austria, 2001 census.

1 Figures in per cent refer to the total number of mentions of a non German informal language.

19. Under Article 8 of the Federal Constitutional Law, the Republic of Austria acknowledges its historically evolved linguistic and cultural diversity as reflected in its national minorities. The language, culture, continued existence and preservation of these minorities are to be respected, safeguarded and promoted. To ensure proper representation, an advisory council for each recognised national minority is established within the Federal Chancellery. These councils advise the Federal Government and ministers on issues affecting the national minorities and work to protect and promote their cultural, social, and economic interests.

## (d) Household structure

20. In 2024, the Austrian population lived in 4,159 million private households; around 1,607 million people lived in single households. The average household size consisted of 2,17 persons, i.e. married or unmarried couples with or without children as well as one-parent families. The vast majority of one-parent households are mothers living with their children.

Table 8: Private households by household type

| Type of household / Type of family | 2024 (in 1,000) |
|---|---|
| **All private households** | 4,158,5 |
| **Family households** | 2,455,1 |
| **All couples** | 2,124,1 |
| All couples without children in the household | 1,046,8 |
| All couples with children in the household | 1,077,3 |
| **All one-parent households** | 279,1 |
| Mothers in one-parent households | 230,3 |
| Fathers in one parent households | 48,8 |
| **Single households** | 1,606,6 |
| Single households male | 730,2 |
| Single households female | 876,4 |

Source: Statistics Austria, Households according to the “household-dwelling”-concept.

## (e) Religious affiliations

21. For 2023, the religious affiliation of the Austrian population can be illustrated as follows:

Table 9: Religious affiliations

| Religious society | No. of members[1] |
|---|---|
| Catholic Church (including churches united with Rome) | 4,828,066 |
| Protestant Church of the Augsburg and Helvetic Confessions | 270,585 |
| Orthodox Churches | approx. 436,700 |
| The Jewish Religious Community | approx. 8,000 |
| Islam (IGGÖ, ALEVI, all branches and communities) | approx. 745,600 |
| Armenian Apostolic Church | approx. 7,000 |
| Syrian Orthodox Church | approx. 5,000 |
| Coptic Orthodox Church | approx. 10,000 |
| Old Catholic Church | approx. 9,500 |
| Methodist Church | approx. 1,400 |

| Religious society | No. of members[1] |
|---|---|
| Church of Jesus Christ of Latter-Day Saints | approx. 4,700 |
| New Apostolic Church | approx. 5,000 |
| Austrian Buddhist Union | approx. 4,500 |
| Jehovah's Witnesses in Austria | 22,000 |
| Free Churches | approx. 18,650 |
| **Share of population claiming affiliation to a religious community in %** | **77.6%** |
| No religious affiliation | 1,998,000 |

Source: Federal Chancellery, Booklet Religion in Austria.

1 The figures are based on the exact published membership figures for the Catholic and Protestant churches (as of 31 December 2021) as well as on the survey by Statistics Austria during 2021/22 and self-reported information.

# 4. Social and cultural indicators

## (a) Life expectancy and infant mortality, Body Mass Index

22. Life expectancy has increased by a rate of two to three years per decade until the onset of the COVID-19 pandemic. In 2022, life expectancy at birth in Austria was 79,05 years for males (-0,5 years compared to 2019) and 83,78 years for females ( 0,4 years compared to 2019), with Austrian women living 4,73 years longer on average.

23. Life expectancy at age 60 in 2023 was 22,38 for males and 25,98 for females compared to 19,73 for males and 23,84 for females in 2000. The ratio of deaths of children under the age of one year to the number of live births was 2,83 in 2023. This represents an increase compared to the previous year (2022: 2.44 % or 202 infant deaths), although it was the lowest rate of deaths in children since records started.

Table 10: Life expectancy and infant mortality

| Life Expectancy / Infant Mortality | 2000 | 2010[3] | 2019[3] | 2022 | 2023 |
|---|---|---|---|---|---|
| Life expectancy at birth for males | 75,11 | 77,66 | 79,54 | 79,05 | 79,44 |
| Life expectancy at birth for females | 81,12 | 83,13 | 84,20 | 83,78 | 84,23 |
| Life expectancy for men at age 60 | 19,73 | 21,44 | 22,52 | 21,95 | 22,38 |
| Life expectancy for women at age 60 | 23,84 | 25,30 | 26,04 | 25,57 | 25,98 |

| Life Expectancy / Infant Mortality | 2000 | 2010[3] | 2019[3] | 2022 | 2023 |
|---|---|---|---|---|---|
| Infant deaths[1] | 378 | 307 | 262 | 202 | 220 |
| Infant mortality rate[2] in % | 4.8 | 3.9 | 3.1 | 2.4 | 2.8 |

Source: Statistics Austria, Demographic Indicators.

1 Under 1 year of age;

2 Ratio of deaths under 1 year of age to number of live births;

3 Figures includes deaths abroad

24. The distribution of Body Mass Index by sex in 2014 and 2019 is given below:

Table 11: BMI by sex in % (age-standardised)

| Sex | Underweight BMI > 18.5 | | Normal weight BMI 18.5-<25 | | Overweight BMI 25->30 | | Obese BMI 30 or more | |
|---|---|---|---|---|---|---|---|---|
| | 2014 | 2019 | 2014 | 2019 | 2014 | 2019 | 2014 | 2019 |
| Total | 2.8 | 2.5 | 50.1 | 46.3 | 32.6 | 34.5 | 14.4 | 16.6 |
| Men | 1.3 | 1.4 | 43.6 | 39.0 | 39.5 | 41.4 | 15.7 | 18.1 |
| Women | 4.4 | 3.6 | 56.7 | 53.3 | 25.8 | 27.9 | 13.1 | 15.2 |

Source: Statistics Austria; the results come from the Austrian Health Interview Survey (ATHIS), which is held every six years from 2019 (previously 2006/07 and 2014).

## (b) Most frequent causes of death

25. Since the beginning of the COVID-19 pandemic, the number of deaths rose every year until 2023. According to calculations by Statistics Austria 88,486 deaths have been reported for 2024.

26. In 2024, cardiovascular diseases (34.7%) and cancer (23.5%) were the most frequent cause of death in Austria. The total number of deaths between 2020 and 2022 by the most frequent causes of death are listed below:

Table 12: Total number of death by cause of death (ICD-Code)

| Deaths by cause of death | 2020 | 2021 | 2022 | 2023 | 2024 |
|---|---|---|---|---|---|
| Diseases of the circulatory system (I00-I99) | 32,678 | 31,403 | 32,000 | 31,129 | 30,386 |
| Cancer / Malignant neoplasms (C00-C97) | 20,969 | 20,701 | 21,170 | 21,067 | 21,521 |

| Deaths by cause of death | 2020 | 2021 | 2022 | 2023 | 2024 |
|---|---|---|---|---|---|
| Diseases of the respiratory system (J00-J99) | 4,850 | 4,014 | 4,830 | 5,397 | 5,512 |
| Diseases of the digestive system (K00-K92) | 3,205 | 3,169 | 3,218 | 3,269 | 3,253 |
| COVID-19 (U07-U10 excl. U12) | 6,491 | 7,863 | 6,317 | 2,719 | 1,212 |
| **Total** | **91,599** | **91,962** | **93,332** | **89,760** | **88,486** |

Source: Statistics Austria, Statistics on causes of death.

## (c) Number of reported cases of selected infectious diseases

27. Selected notifiable infectious diseases reported in Austria from 2019 to 2024 are listed in the following table:

Table 13: Cases of selected notifiable infectious diseases

| Selected pathogens (notifiable disease in brackets) | 2020 | 2021 | 2022 | 2023 | 2024 |
|---|---|---|---|---|---|
| Bordetella pertussis (pertussis) | 632 | 129 | 164 | 2,791 | 15,470 |
| Campylobacter (campylobacteriosis) | 5,407 | 6,019 | 6,295 | 6,271 | 6,855 |
| Clostridium difficile (CDI) | 537 | 571 | 572 | 509 | 769 |
| Diphtheria-toxin producing Corynebacterium diphtheriae, ulcerans, pseudotuberculosis (diphtheria) | 2 | 2 | 62 | 4 | 3 |
| Tick-borne encephalitis virus (TBE) | 250 | 135 | 206 | 109 | 163 |
| Haemophilus influenzae b (invasive haemophilus influenzae infection) | 28 | 31 | 77 | 115 | 94 |
| Hantavirus (hantavirus disease) | 30 | 233 | 24 | 97 | 19 |
| Hepatitis B virus (hepatitis B) | 948 | 988 | 875 | 976 | 1,050 |
| Hepatitis C virus (hepatitis C) | 839 | 860 | 910 | 914 | 1,048 |
| Legionella (legionnaire's disease) | 249 | 278 | 305 | 325 | 354 |
| Listeria monocytogenes (listeriosis) | 41 | 38 | 47 | 37 | 44 |
| Measles virus (measles) | 25 | 1 | 1 | 186 | 542 |
| Mpox virus (monkeypox) | | | 327 | 11 | 28 |
| Mycobacterium tuberculosis complex (tuberculosis) | 388 | 396 | 378 | 421 | 390 |

| Selected pathogens (notifiable disease in brackets) | 2020 | 2021 | 2022 | 2023 | 2024 |
|---|---|---|---|---|---|
| Neisseria meningitidis (invasive meningococcal infection) | 8 | 2 | 7 | 16 | 15 |
| Rubella virus (rubella) | 0 | 0 | 0 | 0 | 0 |
| Salmonella paratyphi (Paratyphus) | 1 | 1 | 3 | 7 | 1 |
| Salmonella typhi (typhus) | 1 | 4 | 6 | 7 | 12 |
| Salmonella, other (salmonella infections) | 817 | 993 | 1,193 | 1,279 | 1,416 |
| SARS-CoV-2 (Covid-19) | 360,580 | 914,772 | 4,435,913 | 373,5731 | --[1] |
| Shigatoxin/verotoxin-producing Escherichia coli (STEC/VTEC infection) | 288 | 383 | 469 | 584 | 853 |
| Shigella (bacterial dysentery) | 25 | 39 | 91 | 211 | 276 |
| Streptococcus pneumoniae (invasive pneumococcal infection) | 355 | 400 | 558 | 759 | 811 |
| Yersinia enterocolitica (yersiniosis) | 128 | 138 | 131 | 100 | 90 |

Source: Statistics Austria, Database Notifiable Diseases based on the annual statistics on notifiable infectious diseases of the Federal Ministry of Social Affairs, Health, Care and Consumer Protection. – Notifiable diseases are reported by physicians and laboratories in the electronic reporting system EMS. The validity check and evaluation of the EMS data is carried out by AGES (Department of Infectious Disease Epidemiology and Surveillance, Agency for Health and Food Safety).

1 Covid-19: The 2023 figures include registered cases from 1 January to 30 June 2023 (since 1 July 2023 Covid-19 is no longer a notifiable disease).

## (d) Education system

28. The Austrian education system is subdivided into preschool, primary and secondary level. While there is only one type of school at primary level, secondary level includes compulsory secondary schools and the lower grades of the academic secondary schools. Upper secondary level is divided into the upper grades of academic schools (also known as the upper grammar school level) and vocational schools. The latter form part of vocational training. Vocational training takes place both in full-time schooling and in a dual track, facilitating a connection between vocational practice in a company and part-time schooling. The proximity to vocational practice and to the employment system here frequently ensures a seamless transition from training to employment. Compulsory schooling starts at the age of six and lasts nine years. For most children, compulsory schooling is completed at the end of the ninth grade. However, if pupils have to repeat a particular year they are entitled to leave school earlier.

29. Both public schools and certain private schools receive public funding. There had been a decline in the total number of pupils due to the constant decrease in the birth rate from the early 1990s until 2014/15. From 2015 onwards, the number of pupils increased, with 1,073,923 pupils in the 2014/15 and 1,139,244 in the 2021/22 school year. This trend also continued in the 2023/24 school year. According to calculations by Statistics Austria, there were approximately 13,800 more pupils than in the year before (+1.2%). The increase in the number of pupils is particularly evident in the area of compulsory schooling and was influenced by the high level of immigration in recent decades, the refugee movements to Austria since 2015 and migration from Ukraine since 2022. The average primary school class has less than 19 students, an average that increases to 20 in lower secondary schools and to 25 in lower grades of academic secondary schools. The student-teacher ratio is 12 at primary and 8,5 at secondary level.

30. Attendance rates per type of school are indicated in the table below:

Table 14: Pupils by type of school

| **Type of school** | **School year** | | | |
|---|---|---|---|---|
| | **2002/03** | **2012/13** | **2022/23** | **2023/24** |
| Primary schools | 381,140 | 328,136 | 359,964 | 369,107 |
| Compulsory secondary schools[1] | 268,058 | 212,594 | 213,081 | 215,944 |
| Special schools[2] | 13,466 | 13,809 | 14,610 | 15,050 |
| Pre-vocational year | 20,626 | 17,006 | 14,613 | 14,616 |
| Academic secondary schools | 189,753 | 203,000 | 217,743 | 216,990 |
| Academic secondary schools of which lower grades[3] | 112,632 | 107,867 | 119,7763 | 119,788 |
| Vocational schools for apprentices | 127,806 | 130,975 | 116,746 | 117,402 |
| Intermediate technical and vocational schools | 51,108 | 47,442 | 41,798 | 42,375 |
| Higher technical and vocational colleges | 128,196 | 136,392 | 140,526 | 139,452 |
| **Total pupils** | **1,232,576** | **1,142,726** | **1,158,576** | **1,172,406** |

Source: Statistics Austria, School Statistics.

1 Including general secondary schools and new secondary schools (2009/10-2019/20).

2 The so-called “Sonderschulen”. The number includes pupils who are taught in other schools according to the special school curriculum.

3 Not including the new secondary schools model at academic secondary schools.

31. In the 2022/23 school year, different developments can be observed at the upper secondary level. The enrolment in Academic secondary school increased by 92,738 pupils. In a ten-year comparison, this corresponds to an increase of 1.3%. Attendance figures at higher technical and vocational colleges have declined since the 2011/12 school year.

32. In 2022, 35.6% of the resident population aged 25 to 64 years held a degree from a university or technical college or another advanced academic or college degree. 17.1% of the population had completed only the compulsory school requirements compared to 58% in 1971 (and 26.2% in 2001).

33. The educational level of the Austrian population has risen considerably over the last half century, as shown in a ten-year comparison in the following table from 2001 to 2021:

Table 15: Educational achievement of adult population (25 to 64 years) in %

| Type of school | 2001 | | | 2011 | | | 2021 | | |
|---|---|---|---|---|---|---|---|---|---|
| | Total | Male | Female | Total | Male | Female | Total | Male | Female |
| University[1] | 9.9 | 10.0 | 9.8 | 14.6 | 13.9 | 15.4 | 19.7 | 17.5 | 21.9 |
| Secondary School | 24.6 | 19.7 | 29.5 | 30.2 | 27.2 | 33.1 | 30.4 | 27.5 | 33.4 |
| Vocational school for apprentices | 39.4 | 51.1 | 27.7 | 36.0 | 44.1 | 27.9 | 32.6 | 39.5 | 25.6 |
| Compulsory school | 26.2 | 19.3 | 33.1 | 19.2 | 14.8 | 23.6 | 17.3 | 15.4 | 19.1 |

Source: Statistics Austria, 1971 to 2001 Census, since 2008 register of educational attainment.

1 or university college and equivalent study programme.

34. Gender-specific differences in the level of education have been declining, but have not disappeared. In 2022, 18.7% of women had only completed compulsory school in comparison to 15.6% of men. In the tertiary degree programmes, women did outnumber men in the 25 to 64 year age group.

35. The proportion of persons with low literacy skills by sex and age group are indicated in the following table:

Table 16: Proportion of people with low literacy skills

| Characteristic | | All people (16-65 years) in 1,000 | People with low literacy skills (levels <1/1) in % | People with low literacy skills (levels <1/1) in 1000 |
|---|---|---|---|---|
| Sex | Male | 2,995,1 | 29.3 | 877,0 |
| | Female | 2,975,4 | 28.6 | 851,6 |
| Age | 16-24 | 869,9 | 13.4 | 116,6 |
| | 25-34 | 1,175,9 | 19.3 | 227,3 |
| | 35-44 | 1,219,1 | 28.1 | 342,4 |
| | 45-54 | 1,236,0 | 29.6 | 365,8 |
| | 55-65 | 1,469,6 | 46.0 | 676,5 |
| **Total** | | **5,970,5** | **29.0** | **1,728,6** |

Source: Statistics Austria, Programme for the International Assessment of Adult Competencies (PIAAC) 2022/23, compiled on 10 December 2024.

36. The differences in literacy skills of adults have increased significantly over the past eleven years. The decline in literacy skills is particularly noticeable in occupational groups with medium and low qualification requirements. Looking at the age groups, 16 to 24-year-olds in Austria perform significantly better in literacy than the corresponding age group in the OECD average. Compared to younger people, however, older people (35 to 65-year-olds) achieve significantly lower literacy skills, which are also below the OECD average for the respective age group.

## (e) Employment, income, household spending, social inclusion

37. In 2024, 4,488,800 people were employed and 244,300 people were unemployed. The employment rate in 2024 was reported at 74.1% in the 15 to 64 year age range. The employment and unemployment rates by age and sex are indicated in the following table:

Table 17: Employment and unemployment rates by age and sex, 2024

| Age in years | Employment rate as % of the population | | | Unemployment rate as % of the labour force | | |
|---|---|---|---|---|---|---|
| | Total | Men | Women | Total | Men | Women |
| 15-64 (total) | 74.1 | 77.5 | 70.7 | 5.2 | 5.6 | 4.7 |
| 15-24 | 51.3 | 54.3 | 48.3 | 10.3 | 10.4 | 10.1 |
| 25-54 | 85.4 | 87.4 | 83.4 | 4.8 | 5.1 | 4.5 |
| 55-64 | 58.8 | 66.2 | 51.6 | 3.7 | 4.5 | 2.7 |

Source: Statistics Austria, Labour Force Survey (Microcensus) 2024 according to international concept (ILO). The activity status according to the definitions of the ILO divides the population living in private households (excluding persons undertaking military or civilian service) into employed, unemployed and economically inactive persons.

38. The majority of employed persons are wage or salary earners (87.8% in 2024), 11.2% are self-employed and 1.0% are unpaid family workers, working in family businesses. In the 1st quarter of 2025, there were 2,983,100 economically inactive persons[1]. 169,800 people were part of the labour reserve in 2024 (77,300 seeking but not available; 92,500 available but not seeking)[2]. The breakdown of employment by major sectors of activity from the previous years is as follows:

Table 18: Employment by economic activity

| Employed persons in selected economic sectors (in 1,000) | 2022 | 2023 | 2024 |
|---|---|---|---|
| Manufacturing | 708,7 | 708,3 | 681,4 |
| Construction | 327,6 | 312,2 | 303,3 |
| Wholesale and retail trade; repair of motor vehicles and motorcycles | 548,7 | 570,0 | 561,5 |
| Transportation and storage | 195,7 | 200,1 | 199,7 |
| Accommodation and food service activities | 209,8 | 198,6 | 202,1 |
| Information and communication | 134,8 | 139,6 | 131,9 |
| Financial and insurance activities | 130,4 | 132,1 | 134,6 |

[1] Persons are considered to be economically inactive, if they are neither employed nor unemployed as defined by the ILO concept.

[2] The labour reserve are economically inactive persons (neither employed nor unemployed) aged 15-74 years who are looking for work but are not available in the short term (labour reserve, seeking but not available) and persons who could start working in the short term but have not looked for work even though they would like to (labour reserve, available but not seeking).

| Employed persons in selected economic sectors (in 1,000) | 2022 | 2023 | 2024 |
|---|---|---|---|
| Professional, scientific and technical activities | 202,9 | 211,2 | 222,1 |
| Administrative and support service activities | 143,5 | 146,2 | 152,7 |
| Public administration and defence; compulsory social security | 295,8 | 306,9 | 310,6 |
| Education | 279,8 | 290,7 | 307,0 |
| Human health and social work activities | 450,0 | 443,1 | 449,3 |
| **Total employees** | **3,899,5** | **3,941,2** | **3,940,9** |

Source: Statistics Austria; microcensus – annual average, Microcensus labour force survey (annual average over all weeks); Employed persons (ILO concept) in private households.

39. The Austrian labour market continues to be divided among gender lines. In 2024, 31.5% of Austrian workers were not in full-time employment. According to Statistics Austria, around one in seven men (13.74%) and one in two working women (51.1%) stated that they worked part-time. Women cited caring responsibilities as the most common reason for their part-time employment (40.1%). Horizontal gender segregation on the labour market persists. In 2024, 39.4% of employed men worked in industry and commerce, but only 12.9% of women. In contrast, 86.4% of women and 59.8% of men were employed in the service sector.

40. In 2024, 1,208,009 people were members of the Austrian trade unions under the umbrella of the Austrian Trade Union Federation. The number of members remained largely unchanged compared to the previous years.

41. In 2024, private households had a net available household income of € 48,303 per year, which corresponds to an equalised net household income of € 33,210 per year. The consumer price index rose between 2023 and 2024 by 2.9%, whereas the median equalised disposable net income rose stronger (+5.6%). The reason for the higher increase is that wage negotiations in Austria take place during the year and subsequently a part of the inflation from 2022 (+7.8%) has been compensated with delay. The median gross annual income of Austrian wage and salary earners (median of employees) in 2023 was € 35,314 (€ 42,131: men; € 27,976: women). The lowest incomes were found among blue collar workers, who earned a median income of € 26,426. The gender pay gap is only closing slowly over time. According to the gender pay gap statistics published by Eurostat in 2023, Austrian women earned 18.3% less than men when the hourly gross wages of all employees were compared.

42. On average, each private household spent € 3,250 per month in 2019/20. At 24.4%, "housing, energy" accounts for the largest share of household expenditure, followed by "transport" at 13.9%, "leisure, sports and hobbies" at 13.4% and "food, non-alcoholic beverages" at 12.1%. Standardising household expenditure by household size and composition results in an average monthly equivalence expenditure of € 2,160 per adult.[3]

43. In 2024, 16.9% of the population were considered to be at risk of poverty or social exclusion. 14.3% of the population were considered to be at risk of poverty, 3.7% of the population were severely materially and socially deprived and 6% of those below 65 years of age were living in households with very low work intensity. One-parent households (36%), most of them one-parent mothers, multi-person households with more than three children (30%), and women living alone with and without pension (32% and 25%) face increased risk of poverty.[4] Even before the peak of the energy crisis in the second half of 2022, approximately 129,500 households in Austria (3.2%) were unable to keep their homes adequately warm.

44. The European Pillar of Social Rights Action Plan (*Aktionsplan zur europäischen Säule sozialer Rechte*)[5] aims *inter alia* to reduce the number of people at risk of poverty or social exclusion by at least 15 million until 2030 (and reducing the target group by 204,000 people in Austria). According to the current calculation of the Europe 2030 Strategy, in Austria the risk of poverty or social exclusion rose from 16.8% in 2018 to 16.9% in 2024. The indicators on social inclusion in Austria between 2020 and 2024 are listed in the table below:

[3] Statistics Austria, According to the Household budget survey (HBS) providing information about consumption expenditure and the living standard of private households in Austria. The current HBS was conducted between the end of May 2019 and mid-June 2020 among private households.
[4] Statistics Austria, Internationally, several poverty measures have been established (by EU-specifications for the Europe 2030-Strategy).
[5] https://employment-social-affairs.ec.europa.eu/policies-and-activities/european-pillar-social-rights-building-fairer-and-more-inclusive-european-union/european-pillar-social-rights-action-plan_en?prefLang=de.

Table 19: European indicators on social inclusion in Austria

| Indicators on social inclusion | 2020 | | 2021[1] | | 2022 | | 2023 | | 2024 | |
|---|---|---|---|---|---|---|---|---|---|---|
| | in 1.000 | in % | in 1.000 | in % | in 1.000 | in % | in 1.000 | in % | in 1.000 | in % |
| At risk of poverty or social exclusion – Europe 2030 (min. 1 out of 3 domains) | 1,460 | 16.7 | 1,519 | 17.3 | 1,555 | 17.5 | 1,592 | 17.7 | 1,529 | 16.9 |
| At risk of poverty | 1,222 | 13.9 | 1,292 | 14.7 | 1,314 | 14.8 | 1,338 | 14.9 | 1,288 | 14.3 |
| Households with very low work intensity | 391 | 6.1 | 469 | 7.4 | 363 | 5.7 | 370 | 5.7 | 390 | 6.0 |
| Severe material and social deprivation | 259 | 3.0 | 160 | 1.8 | 201 | 2.3 | 336 | 3.7 | 336 | 3.7 |
| Multiple risks of poverty or social exclusion (min. 2 out of 3 domains) | 340 | 3.9 | 355 | 4.0 | 281 | 3.2 | 385 | 4.3 | 396 | 4.4 |

Source: Statistics Austria, EU-SILC 2020–20243, Internationally, several poverty measures have been established (by EU-specifications for the Europe 2030-Strategy): (1) Persons are considered to be at risk of poverty if they have a relatively low household income. (2) Severely materially and socially deprived refers to those who cannot afford at least seven out of 13 EU-defined items (deprivation, absolute poverty measure). For further definitions on the indicators see “Tabellenband EU-SILC 2023”.

1 In 2021, the new definition of the risk of poverty and exclusion of the Europe 2030 Strategy replaced the old definition of the Europe 2020 Strategy.

45. On 14 June 2021, the Council of the European Union adopted a recommendation establishing the European Child Guarantee. The aim of the recommendation is to “prevent and combat social exclusion by guaranteeing access to a range of essential services for children in need, thereby also contributing to the protection of children's rights by combating child poverty and promoting equal opportunities.” To this end, a National Action Plan was submitted to the European Commission in December 2023 and the first biennial report on its implementation was brought forward in December 2024. Combating child poverty is a central concern of the Federal Government. Combating child poverty and improving the living conditions of children in need involves a number of different political fields of action and actors at various levels. Austria has a long tradition of stakeholder participation in political opinion-forming processes and strives to live this in the implementation of the European Child Guarantee.

## (f) Social protection

46. The social expenditure to gross domestic product (GDP) ratio in 2023, measured in accordance with the European System of Integrated Social Protection Statistics (ESSPROS) standards, reached 30.9%. For previous years' expenditures see the following table:

Table 20: Social expenditure to GDP ratio

| Year | Social expenditure to GDP[1] in % | Social expenditure[2] | | GDP[3] | |
|---|---|---|---|---|---|
| | | Million € | Annual change in % | Million € | Annual change in % |
| 2020 | 34.1 | 129,626 | 11.5 | 380,318 | -3.9 |
| 2021 | 32.8 | 133,378 | 2.9 | 406,233 | 6.8 |
| 2022 | 30.5 | 136,438 | 2.3 | 448,007 | 10.3 |
| 2023 | 30.9 | 146,223 | 7.2 | 473,227 | 5.6 |

Source: Statistics Austria, ESSPROS database.

1 Level of social expenditure as a percentage of GDP

2 Calculated according to ESSPROS, social expenditure consists of expenditure on social benefits as well as administration costs and other expenditure not attributable elsewhere, but excluding transfers to other schemes (rerouted social contributions and other transfers)

3 Statistics Austria, Social ratio and social spending 1990 to 2023, GDP at nominal values according to ESA 2010; National Accounts as of September 2024

47. In 2023, a large proportion of expenditure on social benefits in Austria was spent on old age benefits (45.4%) and sickness/health care benefits (28.1%). The following proportions of expenditure are recorded for family/children (8.8%), disability (5.3%), survivors (4.9%), unemployment (4.6%), and housing and social exclusion (2.8%). 65.6% of social expenditure consisted of cash benefits and 34.4% of benefits in kind (*Sachleistungen*).

Table 21: Overview of social expenditure by functions

| Year | Total | of which | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | | Sickness/ health care | Disability | Old age | Survivors | Family/ children | Unem-ploy-ment | Housing and social exclusion |
| 2020 | 126,654 | 31,710 | 7,053 | 53,637 | 6,449 | 11,536 | 13,868 | 2,400 |
| 2021 | 130,314 | 35,006 | 7,060 | 56,089 | 6,509 | 11,144 | 11,957 | 2,549 |
| 2022 | 132,643 | 37,410 | 7,061 | 59,101 | 6,630 | 12,114 | 7,432 | 2,894 |
| 2023 | 142,004 | 39,891 | 7,570 | 64,473 | 7,006 | 12,535 | 6,371 | 4,040 |
| in % 2023 | 100.0 | 28.1 | 5.3 | 45.4 | 4.9 | 8.8 | 4.6 | 2.8 |

Source: Statistics Austria, Social benefit expenditure by function 1990 to 2023, December 2024, ESSPROS database.

48. With respect to the financing of social expenditure according to ESSPROS, in 2023 more than one third of social expenditure is financed via general revenues from the Federal Government, *Länder* and municipalities (38.9%) and via employers' social contributions (34.07%), while over one quarter is funded by social contributions from the group of protected persons (25.54%).

49. Pensions – including the statutory pension schemes, public servants' pensions and company pension schemes – account for 49.2% (€ 71,8 billion) of total social expenditure in 2023. They are by about one third each financed by employers' contributions (35.5%), general government revenues (34.0%) and social security contributions of protected persons (30.4%). Health services of the municipalities and the statutory health insurance are paid for primarily by social security contributions of protected persons (37.6%) and general government revenues (35.5%) and to almost one quarter by employers' contributions (22.0%). Spending on health services accounts for a fifth (20,2%, € 29,4 billion) of total social expenditure. Financing of family and children's allowances and child care facilities (€ 13,7 billion or 9.4% of total social expenditure) is split equally among general government revenues (50.1%) and employers' contributions (47.6%). Employers' contributions (48,4%) and social security contributions of protected persons (48,4%) each cover roughly half of the spending

on unemployment benefits (€ 8,9 billion). Social assistance (€ 1,1 billion) and long-term care (€ 3,0 billion) are financed exclusively through general government revenues.[6]

## 5. Economic indicators

### (a) Economic data

50. In 2024, the economy contracted slightly, real GDP decreased by 1.0%. However, at current prices the GDP increased and amounted to € 484,2 billion. After the historic decline due to the COVID-19 pandemic of 6.3% in 2020, Austria's economy recovered in the following years, indicated by real growth rates of 4.8% in 2021, and 5.3% in 2022. The development of GDP in previous years is indicated in the table below:

Table 22: Gross domestic product (GDP), current prices

| | 2020 | 2021 | 2022 | 2023 | 2024 |
|---|---|---|---|---|---|
| GDP, current prices, in billion € | 380,32 | 406,23 | 448,01 | 473,23 | 484,22 |
| Real Growth compared to previous year in % | -6.3 | 4.8 | 5.3 | -1.0 | -1.0 |

Source: Statistics Austria, National Accounts data, Use of GDP, current prices, June 2025.

51. Government spending includes the expenditures of the Federal Government, the *Länder*, the municipalities and the social security funds as well as numerous extrabudgetary units. Government debt as share of GDP rose due to the COVID-19 crisis since 2019 and amounts to 81.8% in 2024. Government debt since 2019 and expenditure by function since 2020 are indicated in the tables below:

[6] Transfers (i.e. Redirected social contributions (payments that a social protection system receives from another system for the purpose of acquiring or securing social protection entitlements) and other transfers (payments that a social protection system receives from another system without any consideration in return, such as the receipt of funds to reduce the deficit) are not taken into account.

Table 23: Federal Government debt, annual figures

| Year | in billion € | in % of GDP |
|---|---|---|
| 2020 | 316,4 | 83.2 |
| 2021 | 334,7 | 82.4 |
| 2022 | 351,1 | 78.4 |
| 2023 | 371,5 | 78.5 |
| 2024 | 394,1 | 81.8 |

Source: Statistics Austria, Data according to the European System of Accounts (ESA 2010), March 2025.

Table 24: Expenditure of general government by function in % (COFOG: Classification of the functions of government)

| Function of government | 2020 | 2021 | 2022 | 2023 | 2024 |
|---|---|---|---|---|---|
| 01. General public services | 10.7 | 10.3 | 10.1 | 10.8 | 10.9 |
| 02. Defence | 1.1 | 1.1 | 1.1 | 1.1 | 1.2 |
| 03. Public order and safety | 2.5 | 2.5 | 2.5 | 2.6 | 2.8 |
| 04. Economic affairs | 17.7 | 16.8 | 15.3 | 14.1 | 12.9 |
| 05. Environmental protection | 0.7 | 0.7 | 0.9 | 1.1 | 1.2 |
| 06. Housing and community amenities | 0.5 | 0.6 | 0.6 | 0.7 | 0.7 |
| 07. Health | 16.1 | 18.0 | 17.7 | 17.3 | 16.9 |
| 08. Recreation, culture and religion | 2.1 | 2.2 | 2.2 | 2.3 | 2.3 |
| 09. Education | 8.8 | 8.7 | 9.0 | 9.3 | 9.6 |
| 10. Social protection | 39.8 | 39.1 | 40.6 | 40.6 | 41.5 |
| Total | 100.0 | 100.0 | 100.0 | 100.0 | 100.0 |
| **Total expenditure of general government, in billion €** | **217,971** | **227,597** | **238,015** | **249,471** | **271,309** |

Source: Statistics Austria, Public Finances, March 2025.

52. In 2024, Austria had a public deficit of -4.77% of GDP (€ -22,5 billion) compared to -2.6% (€ 12,4 billion) in 2023. Government revenue increased by 4.9% to € 248,8 billion in 2024. The Austrian tax revenues comprising of taxes and social contributions (including imputed social contributions) amounted to € 216,4 billion or 44.9% of GDP.

53. Total government expenditure increased by 8.8% to € 271,3 billion in 2024. Compensation of employees (+10.0%) and monetary social benefits (+10.9%) saw increases

above average as a result of inflation-related high labour and pension agreements. Moreover, health care and long-term care expenditures saw a dynamic development, which can partly be represented by the rise of expenditure for social benefits in kind (+9.4%). As in the previous year, the results show substantial increase in interest expenditure (+27.1%), stemming from the uptake of interest rates. Overall, due to the discontinuation of COVID-19 and energy measures, total subsidies decreased (-11.3%), but stayed well above pre-crisis figures.

## (b) International assistance

54. The tables below indicate the development of Official Development Assistance spent in recent years in total and in relation to gross national income (GNI), and the financial sources of Austrian ODA.

Table 25: Development of Austrian ODA 2020 to 2023

| | Net payments in million € and as % of GNI | | | |
|---|---|---|---|---|
| | **2020** | **2021** | **2022** | **2023** |
| Total ODA | 1,117 | 1,240 | 1,756 | 1,811 |
| of which bilateral ODA | 450 | 578 | 1,027 | 952 |
| of which multilateral ODA | 667 | 662 | 730 | 859 |
| Total ODA as % of GNI | 0.30 | 0.31 | 0.39 | 0.38 |

Source: Federal Ministry for European and International Affairs, Austrian Development Agency; Note: Rounding differences may occur when totals are calculated.

Table 26: Sources of funding for Austrian ODA 2023

| **Source** | **Share in %** |
|---|---|
| Federal Ministry of Finance – international financial institutions (bilateral) | 1.50% |
| Federal Ministry of Finance – international financial institutions (multilateral) | 21.85% |
| Federal Ministry of Finance – Oesterreichische Kontrollbank | 1.34% |
| Federal Ministry of Finance – Oesterreichische Entwicklungsbank (Development Bank of Austria) | 6.16% |
| Federal Ministry of Finance – other | 0.48% |
| Federal Ministry of Finance – EU/European development funds | 21.39% |
| Austrian Development Agency – operating budget | 7.05% |

| Source | Share in % |
|---|---|
| Austrian Development Agency – administrative costs | 0.67% |
| Federal Ministry for European and International Affairs | 6.87% |
| Federal Ministry of Agriculture, Forestry, Regions and Water Management | 1.27% |
| Federal Ministry of Education, Science and Research | 11.33% |
| Federal Ministry of Social Affairs, Health, Care and Consumer Protection | 0.47% |
| Federal Ministry of the Interior | 9.41% |
| Federal Ministry of Climate Action, Environment, Energy, Mobility, Innovation and Technology | 3.51% |
| Länder and municipalities | 6.34% |
| Other | 0.34% |

Source: Federal Ministry for European and International Affairs, Austrian Development Agency; Note: Rounding differences may occur when totals are calculated.

# 6. Judiciary and crime statistics

## (a) Statistical data on the judiciary and public security

55. From 2022 to 2024, the number of permanent positions in the entire judiciary (including positions for judges, public prosecutors, candidate-judges, court staff and prison officers) rose from 12,249 to 12,516 according to the staffing plan. In 2025 this number remained unchanged. Following the successful implementation of a pilot project, research assistants are now part of the permanent staff in order to provide judges with specialised legal support, particularly in complex commercial cases. A further new professional category of case managers has also been established, who are deployed in criminal and civil cases and support the work of the judiciary. In 2024, a total of 20 posts were created for this purpose.

56. The development over the past years is shown in the table below:

Table 27: Ordinary judges and public prosecutors per 100,000 inhabitants

| Year | Population | Judges | | Public prosecutors | |
|---|---|---|---|---|---|
| | | Total | per 100,000 inhabitants | Total | per 100,000 inhabitants |
| 2010 | 8,375,164 | 1,660,00 | 19,82 | 350,00 | 4,18 |
| 2015 | 8,700,471 | 1,750,20 | 20,12 | 408,40 | 4,69 |
| 2020 | 8,932,664 | 1,750,70 | 19,60 | 442,85 | 4,96 |
| 2021 | 8,978,929 | 1,745,60 | 19,44 | 448,60 | 5,00 |
| 2022 | 9,104,772 | 1,746,60 | 19,18 | 449,70 | 4,94 |
| 2023 | 9,158,750 | 1,758,80 | 19,20 | 460,55 | 5,03 |
| 2024 | 9,197,213 | 1,800,80 | 19,58 | 472,51 | 5,14 |

Source: population size: Statistics Austria – population at the beginning of the year [of the following year]; number of judges and public prosecutors: MIS – Supreme Court (OGH)/General Procurator's office (GP) & judicial authorities in the Länder; staff in active employment; FTE.

57. The compensation of victims following a criminal conviction is shown in the table below:

Table 28: Victims compensated after adjudication

| Year | Private parties who joined criminal proceedings at a federal or regional court | (Partial) award |
|---|---|---|
| 2010 | 22,009 | 8,258 |
| 2015 | 21,343 | 6,407 |
| 2020 | 20,223 | 5,448 |
| 2021 | 19,359 | 5,161 |
| 2022 | 19,459 | 5,593 |
| 2023 | 20,862 | 6,005 |
| 2024 | 21,389 | 6,353 |

Source: Federal Ministry of Justice, Court Automation Justice – Data Warehouse.

58. Past statistical surveys did not cover the ratio of legal aid requests to cases in which legal aid was granted. However, such data will be collected as of 2013. For the time being, the number of accused and detained persons who received free legal aid over the past five years can be shown as follows:

Table 29: Free legal aid received

| | 2020 | 2021 | 2022 | 2023 | 2024 |
|---|---|---|---|---|---|
| Criminal proceedings | 4,844 | 4,928 | 4,993 | 5,594 | 5,161 |
| Civil proceedings | 12,163 | 12,001 | 11,088 | 11,208 | 11,646 |
| Total | 17,007 | 16,929 | 16,081 | 16,802 | 16,807 |

Source: Federal Ministry of Justice; Court Automation Justice – Data Warehouse.

59. A total of 32,476 police officers were employed in July 2024 (as of 1 July 2024).

60. The proportion of expenditure from the public budgets on public security and order, including expenditure on courts and prisons, over the past few years can be shown as follows:

Table 30: Federal Government expenditure on public order and safety (in million €)

| | 2020 | 2021 | 2022 | 2023 | 2024 |
|---|---|---|---|---|---|
| Public order and security | 5,465 | 5,669 | 5,979 | 6,448 | 7,482 |
| Police services | 2,751 | 2,904 | 3,034 | 3,244 | 3,722 |
| Fire-protection services | 691 | 713 | 776 | 873 | 1,028 |
| Law courts | 1,081 | 1,120 | 1,146 | 1,255 | 1,466 |
| Prisons | 581 | 556 | 608 | 665 | 764 |
| R&D public order and safety | 108 | 124 | 129 | 140 | 148 |
| Public order and safety | 253 | 252 | 285 | 270 | 354 |

Source: Federal Ministry of Justice, Statistics Austria, March 2025.

## (b) Crime statistics

61. In 2024, 25,445 persons were convicted by Austrian criminal courts. In comparison to 2023, the number of convicted persons increased by 1.6%. The majority of the convicted persons were male (84.5%). 85.6% of the convicted persons were over 20 years old, 8.4% were young adults (18 to 20 years old) and 6.1% were juveniles (14 to 17 years old). 53.9% of all convicted persons were Austrian citizens.

62. The number of judicial convictions (25,445) also increased in comparison to 2020 by 7.3%. Starting from the lowest level due to the COVID-19 pandemic in 2020, the court convictions rose slightly.

63. In 2024, convictions for 43,494 offences were reported, most of them for offences against property (32%), against life and limb (18.5%), offences in contravention of the Narcotic Substances Act (13.5%). For some criminal offences, there were stronger increases or decreases compared to 2023: (attempted) murder increased by 21.1%, (aggravated) robbery by 23.8%. Larger decreases were recorded for convictions under the Aliens Police Act (-34.2%; including mainly smuggling) and for breaches of official duty and corruption (-31.1%).

64. The criminal convictions handed down in 2010, 2020, 2021 and 2022 broken down by sanction are illustrated in the table below.

Table 31: Convictions by sanctions

| Sanction | 2010 | 2020 | 2021 | 2022 | 2023 | 2024 |
|---|---|---|---|---|---|---|
| **Fine** | 12,929 | 7,165 | 7,258 | 7,884 | 7,701 | 7,539 |
| Fine on probation | 2,861 | 7 | 15 | 9 | 16 | 6 |
| Fine partially on probation | 720 | 1,693 | 1,693 | 1,941 | 1,859 | 1,981 |
| Fine unconditional | 9,348 | 5,465 | 5,550 | 5,934 | 5,826 | 5,552 |
| **Unconditional fine and imprisonment on probation** | 878 | 1,351 | 1,274 | 1,414 | 1,422 | 1,406 |
| **Imprisonment** | 23,686 | 16,317 | 16,299 | 16,383 | 17,356 | 18,032 |
| Imprisonment on probation | 13,693 | 9,037 | 9,171 | 8,856 | 9,404 | 9,695 |
| Imprisonment partially on probation | 3,205 | 2,205 | 2,270 | 2,469 | 2,626 | 2,704 |
| Imprisonment unconditional | 6,788 | 5,075 | 4,858 | 5,058 | 5,326 | 5,633 |
| **Probation according to § 13 Juvenile Court Act** | 291 | 203 | 224 | 228 | 260 | 235 |
| **Conviction without sanction according to § 12 Juvenile Court Act** | 30 | 21 | 26 | 23 | 26 | 25 |
| **Other sanctions** | 580 | 529 | 545 | 510 | 503 | 480 |
| **Total** | **38,394** | **25,586** | **25,626** | **26,442** | **27,268** | **27,717** |

Source: Statistics Austria, Judicial Crime Statistics 2024, June 2025.

## 7. Other characteristics

### (a) Media access among population

65. Media usage in Austria is consistently shaped by digital trends: approximately 95% of Austrias population aged 16 to 74 use the internet regularly. Social media has an enormous reach. Young people are particularly digitally inclined: according to the Youth Internet Monitor 2025, 87% use WhatsApp, 80% YouTube, 74% Snapchat, 73% Instagram, and 72% TikTok among 11- to 17 year-olds.

66. Despite the rise of digital media, traditional media remain relevant. The 2024 Communications Report by Austrian Communications Authority (*KommAustria*) shows that in 2023, linear television reached an average of 64.4% of the population aged 12 and older daily – though the average daily viewing time decreased from 186 minutes during the COVID year to 176 minutes. Radio is used by 76% of the population (aged 10 and above); among those aged 14 to 49, daily listening time increases to 200 minutes (a rise of 13 minutes). Print media, such as daily newspapers, still reach around 52% of the population aged 14 and older, although the trend is declining.

### (b) Information society

67. Digital inclusion is high on the Federal Government's agenda. Measures mainly focus on persons from a non-academic background, people with a low income, the elderly, persons with disabilities and migrants. Initiatives aim at creating an information society for everyone, eliminating existing discrimination on grounds of sex, age, origin, schooling and income.

68. A major goal of the Austrian E-Government Strategy 2023 is to ensure that everyone can access a public service of high quality. The E-Government Act forms the legal framework for electronic communication with public authorities. Besides a large number of useful websites for all public entities, major federal online portals (www.oesterreich.gv.at or www.usp.gv.at) serve as entry points providing comprehensive online information, assistance and electronic procedures with Austrian authorities. Accessibility is high on the agenda of the public entities providing official websites. Developments in the field of electronic signatures and electronic identity made it possible to easily provide the smartphone

app “ID Austria” tool, which enables people – including the visually impaired – to securely identify themselves and to electronically sign documents. In Austria, digital services are provided such as the central e government portal site “oesterreich.gv.at”, the portals of the *Länder*, cities and municipalities “FinanzOnline”, “GISA” as a cross-administration service, the “*Unternehmensserviceportal*” for entrepreneurs or the “*Rechtsinfomationssystem des Bundes – RIS*”, a platform and data base providing information on Austrian law.

## B. Constitutional, political and legal structure of the state

69. The political framework for state action and organisation is laid down in the Federal Constitution, the main – but not the only – document being the Federal Constitutional Law of 1920. The Federal Constitution defines the Republic of Austria as a representative democracy and federalist state with a clear division of powers. Moreover, the federal constitutional law comprises the fundamental rights of the citizens vis-à-vis the state. The basic principles governing the Federal Constitution are the republican principle, the democratic principle, the federal state principle, the separation of powers, the rule of law and the liberal principle. Any action taken by the state – legislation, jurisdiction and executive administration, including government – must be based on and in accordance with the Federal Constitution. Any substantial changes to these principles are considered a total revision of the Federal Constitution and have to be submitted to a referendum by Austrian citizens. Only one such referendum has taken place to date, upon the accession of Austria to the European Union in 1995.

### 1. Federal executive power

70. Federal executive power is vested in the Federal President and the Federal Government.

#### (a) The Federal President

71. The Federal President is elected by secret ballot in a general election. The term of office is six years, with one possibility to stand for re-election for a consecutive term of office. Presidential powers are mainly representative in nature; they include representing Austria abroad, concluding treaties and signing federal laws. The Federal President may

exercise these powers only on the basis of proposals by the Federal Government. In terms of political importance, the President has the power to appoint and dismiss the Federal Government and to dissolve the National Council. The Federal President is vested with extraordinary powers in times of national crisis only, i.e. to issue emergency ordinances. In addition, the President serves as commander in chief of the Federal Army (*Bundesheer*).

### (b) The Federal Government

72. The Federal Government consists of the Federal Chancellor, the Vice-Chancellor and the Federal Ministers, who are entrusted with the direction of the Federal Ministries. The number of Federal Ministers and their specific areas of responsibility are subject to a federal law (*Bundesministeriengesetz*). The Federal Chancellor and, on proposal by the Chancellor, the Federal Ministers are appointed by the Federal President. The Federal Government or individual members thereof shall be removed from office on account of a vote of no confidence by the National Council.

## 2. Democracy and electoral system

73. Austria is a parliamentary democracy. Supreme power is vested in the people and primarily exercised by means of elections.

### (a) Political parties

74. The existence and diversity of political parties are essential elements of Austria's democratic system. The free establishment of political parties is constitutionally guaranteed; no act of recognition or state approval is required. Apart from a constitutional law provision prohibiting political parties with a National Socialist ideology, political parties may not be subject to legal restrictions. To obtain legal personality, a political party's statute must be deposited with the Federal Ministry of the Interior. To date, more than 1,300 statutes have been deposited with the Ministry. The statutes shall specify the executive bodies or officers of the party and their power of representation as well as the rights and obligations of its members, the structure of the party and the procedure for the voluntary dissolution. The Federal Ministry of the Interior must keep a publicly available register of political

parties, which is published on the internet and must contain the name of the party, the date when the statutes were first deposited and the persons authorised to represent the party.

75. Austria has adopted a mixed system of public and private political financing with substantial support from the Federal State and the *Länder*. The Political Parties Act of 2012 includes comprehensive accountability and disclosure obligations for political parties, particularly with regard to donations, sponsorship and advertisements. Donations to a political party are only permitted up to a total of € 7,500 per donor. The parties may only accept a maximum total of € 750,000.00 per year and shall not spend more than € 7 million on an election campaign.

76. The Austrian Court of Audit supervises the completeness, numerical accuracy and consistency of the financial statements and election campaign reports of the political parties. In 2022 an amendment to the Political Parties Act of 2012 broadened its inspection and control rights. Since January 2023, political parties must report individual donations of more than € 165 to the Court of Audit no later than four weeks after the end of a calendar quarter; individual donations of more than € 500 must be published by the Court of Audit without delay. During election campaigns, donations of more than € 2,500 must be reported immediately and subsequently published. For this purpose, the Court of Audit maintains a list of donations per party on its website, which is continuously updated.

### (b) The composition of parliament

77. The Austrian Parliament consists of two chambers, the National Council and the Federal Council. They exercise the legislative powers of the Federation jointly, with the Federal Council representing the *Länder*. As a general rule, the Federal Council has veto power, which is suspensive in nature only.

78. The 183 members of the National Council are elected on the basis of free, equal, direct, secret and personal suffrage of Austrian citizens who are aged 16 or over. The Federal Council is composed of the *Länder* representatives, whose number depends on the size of population of the *Land* in question, the maximum being 12 and the minimum being three representatives. They are elected by the *Länder* Parliaments for the duration of the legislative term of the specific parliament.

79. Parliamentary elections are based on the principles of proportional representation, a closed list system and preferential votes. The legislative period at federal level is five years. The threshold for representation in the National Council is 4% of the votes cast (or winning a parliamentary seat in one of the regional constituencies).

80. On the basis of the elections held in September 2024 the 183 seats in the National Council were distributed among six parties as follows:

Table 32: Distribution of the National Council

| Party | No. of seats |
|---|---|
| Freedom Party of Austria | 57 |
| Austrian People's Party | 51 |
| Social Democratic Party of Austria | 41 |
| NEOS | 18 |
| Greens | 16 |

Source: Parliament.

81. In July 2025, 66 of the 183 members of the National Council are women (36.07%). This is a decrease compared to the previous legislative period from 2020 to 2025 (39.34%), after a steady increase over the past years (34.43% for the legislative period from 2017 to 2019; 33.33% for the legislative period from 2013 to 2017).

82. Besides its legislative powers, the National Council also exercises control over the Federal Government and over the federal budget. Other tasks include the election of the President of the Court of Audit and the members of the Ombudsman's Board. Both the National Council and the Federal Council may make proposals for the appointment of some of the members of the Constitutional Court.

### (c) Suffrage and turnout

83. Austrian citizens are entitled to vote provided they are 16 years of age or older and not legally disqualified from voting. Disenfranchisement may only be pronounced by a criminal court in the event of a court conviction for certain criminal offences. EU citizens are eligible to vote and run for office in municipal elections.

84. There is no need to apply for registration as all citizens with permanent residence are registered in an electoral register compiled by the municipalities. For European elections, a separate European Electoral Register is compiled. Electors may vote in person at polling stations especially established for that purpose. Alternatively, mobile election commissions are set up for voters with mobility problems (e.g. in hospitals or nursery homes) and electors may also apply for a postal vote. As of 2024, all polling stations are supposed to be fully accessible for persons with disabilities. Only in case of more than one polling station in a building, an exception can be made as only one of these polling stations must be barrier-free. Voting is not compulsory, but at general elections the majority of the electorate exercises their right to vote.

85. Despite a slight downward trend, the turnout in National Council elections remains high. In the elections 2024 and 2019, turnout was at 77.7% and 75.6% respectively. The following table lists all recent elections at national level:

Table 33: Voter turnout for elections at national level

| Election | Date | People eligible to vote | Voter turnout in % |
|---|---|---|---|
| National Council election | 15.10.2017 | 6,400,993 | 80.0 |
| | 29.09.2019 | 6,396,812 | 75.6 |
| | 29.09.2024 | 6,346,059 | 77.7 |
| Presidential election | 04.12.2016 | 6,399,607 | 74.2 |
| | 17.10.2022 | 6,363,336 | 65.2 |
| European election | 26.05.2019 | 6,416,177 | 59.8 |
| | 09.06.2024 | 6,372,205 | 56.3 |

Source: Federal Ministry of the Interior.

86. The number of persons eligible to vote broken down by place of birth (*Länder* or abroad) for the National Council elections is shown in the table below:

Table 34: Eligible voters (Austrian citizens aged 16 and above) by country of birth and residence (Länder) for the National Council elections 2017-2024

| Year | Eligible voters | Changes since 2017 | Country of Birth | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | Austria | Burgen-land | Carinthia | Lower Austria | Upper Austria | Salzburg | Styria | Tyrol | Vorarl-berg | Vienna |
| **2017** | **Total** | | **6,400,993** | **232,740** | **440,193** | **1,288,802** | **1,103,664** | **395,723** | **969,655** | **543,116** | **272,916** | **1,154,184** |
| | living abroad | | 60,762 | 946 | 4,947 | 6,510 | 9,076 | 5,207 | 8,857 | 6,191 | 4,437 | 14,600 |
| **2019** | **Total** | **-0.07%** | **6,396,812** | **233,182** | **437,785** | **1,292,902** | **1,104,436** | **395,640** | **965,659** | **543,044** | **274,500** | **1,149,664** |
| | living abroad | 1.96% | 61,953 | 975 | 4,724 | 6,750 | 9,305 | 5,472 | 8,915 | 6,395 | 4,582 | 14,837 |
| **2024** | **Total** | **-0.79%** | **6,346,059** | **233,738** | **432,330** | **1,296,084** | **1,097,771** | **391,220** | **951,115** | **539,833** | **276,039** | **1,127,929** |
| | living abroad | 1.22% | 62,706 | 1,015 | 4,590 | 6,911 | 9,299 | 5,476 | 8,771 | 6,416 | 4,651 | 15,577 |

Source: Federal Ministry of the Interior.

## 3. Federalism

87. The Republic of Austria is a federal state composed of nine Länder: Burgenland, Carinthia, Lower Austria, Upper Austria, Salzburg, Styria, Tyrol, Vorarlberg and Vienna. The nine Länder have their own constitutions, parliaments and governments. In matters falling within their autonomous sphere of competence, the *Länder* may conclude international treaties with states bordering Austria or with constituent states of those states. Among all nine *Länder* parliaments, 36% of members were women in 2024, compared to 32% in 2013.

88. The federalist structure of Austria is one of the basic principles enshrined in the Federal Constitution. It is based on a vertical division of powers between the Federation and the Länder that complements the horizontal division of powers into legislative, executive and judicial branches. The Federal Constitution contains comprehensive lists of competences; if legislative and/or executive powers are not assigned to the Federation, they remain within the Länder's autonomous sphere of competence.

89. The Federal State and the Länder have their own systems of financial management; they may levy taxes and rates in their own right. However, only the Federal Government can levy income tax or value-added tax. The Länder receive funds from the Federal Government's tax revenue under a system of revenue sharing. The revenue-sharing plan covers several years and is re-negotiated at regular intervals.

## 4. Municipalities and other self-governing bodies

90. Municipal self-government is guaranteed in the Federal Constitution; it comprises matters that are mainly of local concern. Municipalities have executive but not legislative powers. Municipalities acting as self-governing bodies are subject to administrative and constitutional review and state supervision by the Federation or the Länder, which is, however, limited to points of law. In many areas, municipalities also exercise powers assigned to them by the Federation and the Länder at the lowest level. Among the 2.092 municipalities in Austria, 11.6% (242) had a mayoress in July 2025; of the 2.100 municipalities in 2015, 6.7% (141) had a mayoress.

91. Other self-governing entities include chambers of commerce, trade and industry and chambers of workers and employees, professional associations and social insurance bodies.

## 5. Rule of law and jurisdiction

92. State action is based on the rule of law principle. It provides for a separation of powers and requires that all state action is in compliance with the existing constitutional and legal framework. In the event of non-compliance, access to an effective judicial remedy is constitutionally guaranteed.

### (a) Ordinary courts

93. There are four levels of ordinary courts deciding on civil law matters and criminal law matters, i.e. district courts, regional courts, higher regional courts and the Supreme Court. The Federal Constitution guarantees the independence of the judges. Judges are subject to a legal retirement age (65 years) but may otherwise not be removed from office or transferred against their will.

94. In criminal trials involving the most serious crimes, only the jury decides whether the defendant is guilty or not guilty. In most other serious criminal offences, two lay assessors sit with one professional judge and decide on guilt and sentence.

95. In commercial law and anti-trust cases as well as in labour law and social law cases, lay judges sit on panels with professional judges.

96. This possibility of using videoconferencing technology in oral hearings, which was temporary introduced during the COVID-19 pandemic in addition to the long-standing possibility of taking evidence by means of video technology, was incorporated into permanent law with an Amendment to the Civil Procedure Code in 2023. Under certain conditions oral hearings can now be held without the personal presence of the parties, their representatives and other persons to be present at the hearing using suitable technical means of communication for audio and video transmission.

97. As of October 2025, civil, criminal, enforcement and specific administrative proceedings at 160 courts and public prosecutor's offices are conducted digitally using "Justice 3.0" ("*Justiz 3.0*"). About 90% of the new cases are managed digitally. The roll-out is currently underway for appeal proceedings at the higher regional courts and for non-contentious and insolvency proceedings. The overall conversion of all types of proceedings to digital proceedings is planned for mid-2026.

### (b) Administrative courts

98. The Austrian administrative court system has been fundamentally reorganised with effect from 1 January 2014. This major reform was guided by the aim to fully comply with obligations under international law, in particular those arising from Articles 5, 6 and 13 of the (European) Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and the European Court of Human Rights' case-law as well as from Article 47 of the Charter of Fundamental Rights of the European Union (CFREU). The reform also – successfully – aimed at reducing the Supreme Administrative Court's and the Constitutional Court's workload.

99. A simple and "streamlined" model with a single administrative instance and a two-stage system of administrative court review was introduced, thus abolishing the review of decisions of administrative authorities by superior administrative authorities. Eleven administrative courts (*Verwaltungsgerichte*) of first instance were established: a regional administrative court (*Landesverwaltungsgericht*) in every Land and two administrative courts of first instance at federal level (*Bundesverwaltungsgericht* and *Bundesfinanzgericht*) (see below), while the Supreme Administrative Court (*Verwaltungsgerichtshof*) still serves as a court of last resort regarding alleged unlawfulness. Judgments and decisions of the administrative courts of first instance can also be appealed to the Constitutional Court, which serves as a court of last resort regarding alleged breaches of the Constitution.

100. The administrative courts decide on the alleged unlawfulness of decisions taken by administrative authorities. They also decide on applications complaining about the administration's failure to decide (for details, see IV.A.2.). The administrative courts of first instance hold public hearings in almost all proceedings. There is no obligation of legal representation before these courts.

101. Judges at the administrative courts of first instance and the Supreme Administrative Court enjoy the same constitutional guarantees as judges at the ordinary courts. They are independent and subject to a legal retirement age (65 years) but may otherwise not be removed from office or transferred against their will. They undergo regular professional training. Administrative courts of first instance enjoy full jurisdiction in matters of law and facts. Consequently, the administrative courts of first instance are in full compliance with the procedural obligations arising from Article 6 ECHR and Article 47 CFREU.

102. The possibility of holding public hearings by videoconference in proceedings before the Supreme Administrative Court was introduced during the COVID-19 pandemic and incorporated into permanent law in 2021 and for proceedings before administrative courts of first instance in 2023. Since the COVID-19 pandemic, the reasons for using videoconference technology have shifted from reducing personal contact to limit the risk of developing COVID-19 infections to increase procedural efficiency, whereas at the same time respecting the right to a fair trial within the meaning of Article 6 ECHR and Article 47 CFREU. Additionally, submissions by electronic communication are now regarded as being submitted in due time if they are submitted on the last day of a deadline but after the end of the office hours of the competent authority or the court having jurisdiction.

### (c) Constitutional review

103. Constitutional review of legislation and executive administration is allocated to the Constitutional Court. Its core tasks are the review of acts, regulations and international treaties and the review of the constitutionality of judgments and decisions issued by administrative courts. The Constitutional Court has the sole power to review the constitutionality of acts and international treaties and the legality of regulations and treaties and to repeal them, or to declare treaties inapplicable. Proceedings can be initiated by another court or by the Constitutional Court itself, having to apply a legal act which might be unconstitutional, by the Federal Government or a *Länder* Government, by one third of the members of the National Council or the Federal Council (regarding federal legislation) or by one third of the members of a *Länder* Parliament (regarding *Länder* legislation). The Constitutional Court also rules on electoral disputes and on conflicts of jurisdiction between courts and administrative authorities, determines the distribution of powers between the Federation and the *Länder* and conducts impeachment trials against certain office-holders of the state for culpable for violation of the law in the conduct of their office.

104. The Constitutional Court is responsible for verifying compliance with the provisions of the Constitution. In its capacity as a “court of fundamental rights” and based on its powers to review laws and regulations for their constitutionality, it is called upon to enforce and secure the democratic order of the state under the rule of law (for details, see III.B.3.).

105. The Constitutional Court consists of a President, a Vice-President, twelve members and six substitute members. All constitutional judges are appointed by the Federal President on the proposal of the Federal Government and the two chambers of the Parliament,

i.e. the National Council and the Federal Council. Judges may remain in office until the end of the year in which they turn 70. They enjoy the same constitutional guarantees as judges at the ordinary courts and administrative courts.

106. The members represent various professions (judges, university professors, civil servants at federal and provincial level, lawyers) and come from various *Länder* and socio-political backgrounds. Judges, lawyers, and university professors continue to exercise their professions and, thus, contribute their specific experience to the work of the Court. Civil servants in the public administration have to be granted leave, as they would otherwise be bound to follow instructions from higher levels in the administrative hierarchy, which would be incompatible with the exercise of their judicial function.

## 6. Membership of the European Union

107. Austria joined the European Union in 1995. As a result, the Austrian constitution has been significantly amended and European Union law influences large parts of Austria's laws and regulations. As a general rule, EU law is binding in its entirety and takes precedence over any part of Austrian law. This includes Austrian constitutional law, with the exception of basic principles of the Austrian Federal Constitution. Austrian legislation that is in conflict with directly effective EU law must be disregarded by Austrian courts and administrative bodies. Union directives must be implemented into Austrian law. Austrian law must in any case be interpreted in accordance with EU law. Austrian courts of last instance are under an obligation to refer questions about the interpretation of EU law to the Court of Justice of the European Union. In the case of doubts about the validity of EU law, all Austrian courts are under such an obligation.

## 7. Recognition of non-governmental organisations – NGOs

108. There are many human rights non-governmental organisations operating in Austria. Non-governmental organisations do not require state approval; they are, however, subject to the Austrian legal order in general. For tax purposes, non-governmental organisations mainly take the form of non-profit associations under the Associations Act (*Vereinsgesetz*). In 2024, there were more than 130,000 associations within the meaning of the Associations Act registered in Austria, including sports clubs, choral societies, cultural associations etc. There are no numbers on how many of these associations are non-governmental

organisations within the meaning of the Council of Europe Recommendation CM/Rec(2007)14 of the Committee of Ministers to member states on the legal status of non-governmental organisations in Europe and the European Convention on the Recognition of the Legal Personality of International Non-Governmental Organisations.

## 8. Social partnership

109. The so-called social partnership also plays a key role. The system of social partnership refers to the voluntary cooperation between the associations of employers (Austrian Federal Economic Chamber and the Presidential Conference of the Chambers of Agriculture) and employees (Federal Chamber of Labour and Austrian Trade Union Federation). In addition, the Federation of Austrian Industries is involved. The main areas of social partnership policy-making include participation in shaping legislation, administration, jurisdiction and social policy. However, the central field of action of the social partnership is wage policy through the conclusion of collective agreements. According to the system and the self-image of Austrian labour law, collective agreement policy is the autonomous responsibility of the interest groups representing employers and employees without the involvement of the state. The social partnership makes a significant contribution to economic growth and social peace in Austria through its ability to reach consensus, balance interests and take a coordinated approach.

# III. General Legal Framework for Human Rights Protection

## A. Acceptance and ratification of main international and regional human rights agreements

110. Austria actively supports the principles of universality, indivisibility and interdependence of human rights as reaffirmed at the 1993 Vienna World Conference on Human Rights. This corresponds with a clear commitment to full respect for human rights at international, national and regional level.

### 1. Fundamental international human rights agreements

#### (a) State of ratification

111. Austria has ratified the following main international human rights conventions and protocols (including submitted reservations and declarations):

**(a) International Convention on the Elimination of All Forms of Racial Discrimination of 1965**
(Signed: 1969, Ratified: 1972)

Reservations:

- 1. Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination provides that the measures specifically described in sub-paragraphs (a), (b) and (c) shall be undertaken with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in Article 5 of the Convention. The Republic of Austria therefore considers that through such measures the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association may not be jeopardized. These rights are laid down in Articles 19 and 20 of the Universal Declaration of Human Rights; they were reaffirmed by the General Assembly of the United Nations when it adopted Articles 19 and 21 of the International Covenant on Civil and Political Rights and are referred to in Article 5 (d) (viii) and (ix) of the present Convention.
- 2. The Republic of Austria recognises the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of

individuals within the jurisdiction of Austria claiming to be victims of a violation by Austria of any of the rights set forth in the Convention, with the reservation that the Committee shall not consider any communication from an individual or a group of individuals unless the Committee has ascertained that the facts of the case are not being examined or have not been examined under another procedure of international investigation or settlement. Austria reserves the right to indicate a national body as set forth in Article 14 paragraph 2.

**(b) International Covenant on Civil and Political Rights (ICCPR)**
(Signed: 1973, Ratified: 1978)

Reservations:

- 1. Article 12, paragraph 4, of the Covenant will be applied provided that it will not affect the Act of 3 April 1919, State Law Gazette No. 209, concerning the Expulsion and the Transfer of Property of the House of Habsburg-Lorraine as amended by the Act of 30 October 1919, State Law Gazette No. 501, the Federal Constitutional Act of 30 July 1925, Federal Law Gazette No. 292, and the Federal Constitutional Act of 26 January 1928, Federal Law Gazette No. 30, read in conjunction with the Federal Constitutional Act of 4 July 1963, Federal Law Gazette No. 172.
- 2. Article 9 and Article 14 of the Covenant will be applied provided that legal regulations governing the proceedings and measures of deprivation of liberty as provided for in the Administrative Procedure Acts and in the Financial Penal Act remain permissible within the framework of the judicial review by the Federal Administrative Court or the Federal Constitutional Court as provided by the Austrian Federal Constitution.
- 3. Article 10, paragraph 3 of the Covenant will be applied provided that legal regulations allowing for juvenile prisoners to be detained together with adults under 25 years of age who give no reason for concern as to their possible detrimental influence on the juvenile prisoner remain permissible.
- 4. Article 14 of the Covenant will be applied provided that the principles governing the publicity of trials as set forth in article 90 of the Federal Constitutional Act as amended in 1929 are in no way prejudiced and that
- (a) paragraph 3, sub-paragraph (d) is not in conflict with legal regulations which stipulate that an accused person who disturbs the orderly conduct of the trial or whose presence would impede the questioning of another accused person, of a witness or of an expert can be excluded from participation in the trial;
- (b) paragraph 5 is not in conflict with legal regulations which stipulate that after an acquittal or a lighter sentence passed by a court of first instance, a higher tribunal may pronounce conviction or a heavier sentence for the same offence, while they exclude the convicted person's right to have such conviction or heavier sentence reviewed by a still higher tribunal;
- (c) paragraph 7 is not in conflict with legal regulations which allow proceedings that led up to a person's final conviction or acquittal to be reopened.

- 5. Articles 19, 21 and 22 in connection with Article 2 (1) of the Covenant will be applied provided that they are not in conflict with legal restrictions as provided for in article 16 of the Convention for the Protection of Human Rights and Fundamental Freedoms.
- 6. Article 26 is understood to mean that it does not exclude different treatment of Austrian nationals and aliens, as is also permissible under article 1, paragraph 2, of the International Convention on the Elimination of All Forms of Racial Discrimination.

Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP1) (Signed: 1973, Ratified: 1987)

Reservation:

- On the understanding that, further to the provisions of Article 5 (2) of the Protocol, the Committee provided for in Article 28 of the Covenant shall not consider any communication from an individual unless it has been ascertained that the same matter has not been examined by the European Commission on Human Rights established by the Convention for the Protection of Human Rights and Fundamental Freedoms.

Second Optional Protocol to the International Covenant on Civil and Political Rights of 1989, concerning abolition of the death penalty (Signed: 1991, Ratified: 1993)

**(c) International Covenant on Economic, Social and Cultural Rights of 1966**
(Signed: 1973, Ratified: 1978)

**(d) Convention on the Elimination of All Forms of Discrimination against Women of 1979**
(including amendment of Article 20, paragraph 1) (Signed: 1980, Ratified: 1982)

Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women of 1999, concerning individual complaints and inquiry procedures (Signed: 1999, Ratified: 2000)

**(e) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984** (Signed: 1985, Ratified: 1987)

Declarations:

- Austria regards Article 15 as the legal basis for the inadmissibility provided for therein of the use of statements which are established to have been made as a result of torture.
- Declarations under Articles 21 and 22:
  Austria recognises the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention.
  Austria recognises the competence of the Committee against Torture to receive and consider

communications from or on behalf of individuals subject to Austrian jurisdiction who claim to be victims of a violation of the provisions of the Convention

Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 2002 (Signed: 2003, Ratified: 2012)

**(f) Convention on the Rights of the Child of 1989** (including amendment of Article 43, paragraph 2) (Signed: 1990, Ratified: 1992)

Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict of 2000 (Signed: 2000, Ratified: 2002)

Declaration:

- Under Austrian law the minimum age for the voluntary recruitment of Austrian citizens into the Austrian army (*Bundesheer*) is 17 years.
- According to paragraph 15, in conjunction with paragraph 65 (c) of the Austrian National Defence Act 1990 (*Wehrgesetz 1990*), the explicit consent of parents or other legal guardians is required for the voluntary recruitment of a person between 17 and 18 years.
- The provisions of the Austrian National Defence Act 1990, together with the subjective legal remedies guaranteed by the Austrian Federal Constitution, ensure that legal protection in the context of such a decision is afforded to volunteers under the age of 18. A further guarantee derives from the strict application of the principles of rule of law, good governance and effective legal protection.

Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography of 2000 (Signed: 2000, Ratified: 2004)

**(g) Convention on the Rights of Persons with Disabilities of 2006** (Signed: 2007, Ratified: 2008)

Optional Protocol to the Convention on the Rights of Persons with Disabilities of 2006 (Signed: 2007, Ratified: 2008)

**(h) International Convention for the Protection of All Persons from Enforced Disappearance of 2006** (Signed: 2007, Ratified: 2012)

Declaration:

- Pursuant to Article 31 of the Convention, the Republic of Austria recognises the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of individuals subject to its jurisdiction claiming to be victims of a violation of provisions of this Convention by Austria.

- Pursuant to Article 32 of the Convention, the Republic of Austria recognises the competence of the Committee on Enforced Disappearances to receive and consider communications in which a State Party claims that another State Party is not fulfilling its obligations under the Convention.

112. Austria has signed but not yet ratified:

a) Optional Protocol to the Convention on the Rights of the Child on a communications procedure of 2011.

113. Austria has neither signed nor ratified:

a) International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of 1990. Ratification of this Convention is not foreseen, since for Austria it would be in contradiction with other international obligations. The Convention would further restrict the authorities' capacity to take regulatory measures on access to the labour market. Many of the rights contained in this Convention are, however, already protected through national and European legislation;
b) Optional Protocol to the International Covenant on Economic, Social and Cultural Rights of 1966.

114. Austria regularly reviews the necessity to uphold reservations to international human rights agreements. The reservations still upheld serve to clarify the relationship of the human rights agreements concerned with other international human rights obligations, particularly the obligations under the ECHR, which in Austria enjoys constitutional status.

## 2. Other United Nations human rights conventions

115. Austria is also a state party to the following United Nations human rights conventions and associated conventions:

a) Convention on the Prevention and Punishment of the Crime of Genocide, 1948;
b) Protocol amending the Slavery Convention signed at Geneva on 25 September 1926, 1953;
c) Convention relating to the Status of Refugees, 1951, and its 1967 Protocol;

d) Convention relating to the Status of Stateless Persons, 1954;
e) Convention on the Reduction of Statelessness, 1961;
f) Rome Statute of the International Criminal Court, 1998, as amended in 2010;
g) United Nations Convention against Transnational Organized Crime, 2000, and its Protocols against the smuggling of migrants by land, sea and air, and to prevent, suppress and punish trafficking in persons, especially women and children;
h) International Agreement for the Suppression of the White Slave Traffic, 1904, amended by the Protocol signed at Lake Success, New York, 4 May 1949;
i) International Convention for the Suppression of the Traffic in Women and Children, 1921;
j) International Convention for the Suppression of the Traffic in Women of Full Age, 1933;
k) Protocol signed at Lake Success, New York, on 12 November 1947, to amend the Convention for the Suppression of the Traffic in Women and Children, concluded at Geneva on 30 September 1921, and the Convention for the Suppression of the Traffic in Women of Full Age, concluded at Geneva on 11 October 1933;
l) Protocol amending the International Agreement for the Suppression of the White Slave Traffic, signed at Paris on 18 May 1904, and the International Convention for the Suppression of the White Slave Traffic, signed at Paris on 4 May 1910, 1949;
m) Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956.

## 3. Conventions of the International Labour Organisation

116. Austria is also a state party to the following treaties of the International Labour Organisation:

a) Forced Labour Convention, 1930 (No. 29);
b) Protocol of 2014 to the Forced Labour Convention, 1930;
c) Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87);
d) Right to Organise and Collective Bargaining Convention, 1949 (No. 98);
e) Equal Remuneration Convention, 1951 (No. 100);
f) Abolition of Forced Labour Convention, 1957 (No. 105);
g) Discrimination (Employment and Occupation) Convention, 1958 (No. 111);
h) Minimum Age Convention, 1973 (No. 138);

i) Worst Forms of Child Labour Convention, 1999 (No. 182);
j) Labour Inspection Convention, 1947 (No. 81);
k) Employment Policy Convention, 1964 (No. 122);
l) Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144);
m) Unemployment Convention, 1919 (No. 2);
n) Night Work of Young Persons (Industry) Convention, 1919 (No. 6);
o) Right of Association (Agriculture) Convention, 1921 (No. 11);
p) Workmen's Compensation (Agriculture) Convention, 1921 (No. 12);
q) White Lead (Painting) Convention, 1921 (No. 13);
r) Workmen's Compensation (Accidents) Convention, 1925 (No. 17);
s) Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18);
t) Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19);
u) Inspection of Emigrants Convention, 1926 (No. 21);
v) Sickness Insurance (Industry) Convention, 1927 (No. 24);
w) Sickness Insurance (Agriculture) Convention, 1927 (No. 25);
x) Minimum Wage-Fixing Machinery Convention, 1928 (No. 26);
y) Marking of Weight (Packages Transported by Vessels) Convention, 1929 (No. 27);
z) Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42);
aa) Final Articles Revision Convention, 1946 (No. 80);
bb) Employment Service Convention, 1948 (No. 88);
cc) Labour Clauses (Public Contracts) Convention, 1949 (No. 94);
dd) Protection of Wages Convention, 1949 (No. 95);
ee) Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99);
ff) Holidays with Pay (Agriculture) Convention, 1952 (No. 101);
gg) Social Security (Minimum Standards) Convention, 1952 (No. 102);
hh) Final Articles Revision Convention, 1961 (No. 116);
ii) Medical Examination of Young Persons (Underground Work) Convention, 1965 (No. 124);
jj) Invalidity, Old-Age and Survivors' Benefits Convention, 1967 (No. 128);
kk) Workers' Representatives Convention, 1971 (No. 135);
ll) Rural Workers' Organisations Convention, 1975 (No. 141);
mm) Human Resources Development Convention, 1975 (No. 142);
nn) Labour Statistics Convention, 1985 (No. 160);
oo) Working Conditions (Hotels and Restaurants) Convention, 1991 (No. 172);
pp) Protection of Workers' Claims (Employer's Insolvency) Convention, 1992 (No. 173);
qq) Safety and Health in Mines Convention, 1995 (No. 176);

rr) Maternity Protection Convention, 2000 (No. 183);
ss) Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187);
tt) Violence and Harassment Convention, 2019 (No. 190).

## 4. Conventions of the United Nations Educational, Scientific and Cultural Organisation

117. Austria is a state party to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions of 2005.

118. The Convention against Discrimination in Education of 1960 is fully implemented by provisions of the Austrian legal order; a ratification of this Convention dating from 1960 is no longer foreseen.

## 5. Conventions of the Hague Conference on Private International Law

119. Austria is a state party to the following conventions of the Hague Conference on Private International Law:

a) Convention on the law applicable to maintenance obligations towards children, 1956;
b) Convention concerning the recognition and enforcement of decisions relating to maintenance obligations towards children, 1958;
c) Convention concerning the powers of authorities and the law applicable in respect of the protection of infants, 1961;
d) Convention on the Civil Aspects of International Child Abduction, 1980;
e) Convention on Protection of Children and Co-operation in respect of Intercountry Adoption, 1993;
f) Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children, 1996;
g) Convention on the International Protection of Adults, 2000;
h) Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, 2007 – Austria is bound by the Convention due to the approval by the EU;

i) Protocol on the Law Applicable to Maintenance Obligations, 2007 – Austria is bound by the Protocol due to the approval by the EU.

## 6. Geneva Conventions and other treaties on international humanitarian law

120. Austria is a state party to the following conventions on international humanitarian law (this list is not exhaustive):

a) Hague Convention (II) on the Laws and Customs of War on Land, 1899;
b) Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 1949;
c) Geneva Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 1949;
d) Geneva Convention (III) relative to the Treatment of Prisoners of War, 1949;
e) Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War, 1949;
f) Convention on the Prohibition of Biological Weapons, 1972;
g) Convention on the Prohibition of Military or any other Hostile Use of Environmental Modification Techniques, 1976;
h) Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977;
i) Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 1977;
j) Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III), 2005;
k) Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects, 1980 (as amended in 2001);
l) Protocol I on Non-Detectable Fragments, 1980;
m) Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, 1980 (as amended in 1996);
n) Protocol III on Prohibitions or Restrictions on the Use of Incendiary Weapons, 1980;
o) Protocol IV on Blinding Laser Weapons, 1995;
p) Protocol V on Explosive Remnants of War, 2003;

q) Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1992;
r) Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, 1997;
s) Oslo Convention on Cluster Munitions, 2008;
t) Arms Trade Treaty, 2013;
u) Treaty on the Prohibition of Nuclear Weapons, 2017.

## 7. Regional human rights conventions

121. At the regional level, Austria is a state party to the human rights conventions listed below (this list is not exhaustive):

a) Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950;
b) Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms of 2 March 1952;
c) Protocol No. 2 to the Convention for the Protection of Human Rights and Fundamental Freedoms, conferring upon the European Court of Human Rights competence to give advisory opinions of 6 May 1963;
d) Protocol No. 3 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending Articles 29, 30 and 34 of the Convention of 6 May 1963;
e) Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, securing certain rights and freedoms other than those already included in the Convention and in the first Protocol thereto of 16 September 1963;
f) Protocol No. 5 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending Articles 22 and 40 of the Convention of 20 January 1966;
g) European Agreement relating to Persons participating in Proceedings of the European Commission and Court of Human Rights of 6 May 1969;
h) Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms concerning the Abolition of the Death Penalty of 28 April 1983;
i) Protocol No. 7 to the Convention for the Protection of Human Rights and Fundamental Freedoms of 22 November 1984;
j) Protocol No. 8 to the Convention for the Protection of Human Rights and Fundamental Freedoms of 19 March 1985;

k) European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment of 26 November 1987;
l) Protocol No. 9 to the Convention for the Protection of Human Rights and Fundamental Freedoms of 6 November 1990;
m) Protocol amending the European Social Charter of 21 October 1991;
n) Protocol No. 10 to the Convention for the Protection of Human Rights and Fundamental Freedoms of 25 March 1992;
o) European Charter for Regional or Minority Languages of 5 November 1992;
p) Protocol No. 1 to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment of 4 November 1993;
q) Protocol No. 2 to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment of 4 November 1993;
r) Protocol No. 11 to the Convention for the Protection of Human Rights and Fundamental Freedoms, restructuring the control machinery established thereby of 11 May 1994;
s) Framework Convention for the Protection of National Minorities of 1 February 1995;
t) European Agreement relating to persons participating in proceedings of the European Court of Human Rights of 5 March 1996;
u) Sixth Protocol to the General Agreement on Privileges and Immunities of the Council of Europe of 5 March 1996;
v) European Social Charter (revised) of 3 May 1996;
w) Protocol No. 13 to the Convention for the Protection of Human Rights and Fundamental Freedoms, concerning the abolition of the death penalty in all circumstances of 3 May 2002;
x) Protocol No. 14 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending the control system of the Convention of 13 May 2004;
y) Council of Europe Convention on Action against Trafficking in Human Beings of 16 May 2005;
z) Convention on preventing and combating violence against women and domestic violence of 11 May 2011;
aa) Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, 2007;
bb) Council of Europe Convention on the avoidance of statelessness in relation to State succession, 2006;
cc) European Convention on the Prevention of Terrorism, 2005;
dd) Convention on Cybercrime, 2001;

ee) Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime, 1990;
ff) Criminal Law Convention on Corruption, 1999;
gg) Civil Law Convention on Corruption, 1999;
hh) Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, 1981;
ii) Protocol No. 15 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending the control system of the Convention, 2013;
jj) Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, 2018.

122. As a member of the European Union, Austria is also bound by the CFREU when implementing EU law according to Article 51.

## B. Legal framework for the protection and promotion of human rights at the national level

### 1. All essential human rights are constitutionally guaranteed rights

123. All essential human rights are part of Federal Constitutional Law, the legal term being "constitutionally guaranteed rights". Due to their status as constitutional law, these rights are directly applicable and binding for the legislature, executive and judiciary. It is a generally accepted principle that all legal provisions must be interpreted in the light of such human rights.

124. The existence of effective human rights is considered part of the basic principles of the Federal Constitution (rule of law and the liberal principle). A significant curtailing of fundamental rights would require an amendment of the Constitution, which would amount to a total revision of the Federal Constitution and would thus have to be submitted to a referendum by the entire nation.

125. For historical reasons, the Federal Constitution is not enshrined in a single document. Similarly, there is not a single catalogue of human rights, but a variety of statutory sources. This in no way diminishes the scope or effectiveness of rights enshrined, but rather is a question of constitutional technique.

### (a) Civil and political rights

126. The two main legal sources of human rights are the Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols (ECHR) and the 1867 Basic Law on the General Rights of Nationals (*Staatsgrundgesetz über die allgemeinen Rechte der Staatsbürger*). They both provide for most of the essential human rights guarantees, such as the right to life, to liberty and security, to a fair trial, to respect for private and family life, to property, freedom of speech, freedom of thought, conscience and religion, freedom of assembly and the prohibition of discrimination.

127. In addition, since 2012 the Constitutional Court has also used the CFREU as a benchmark when applying EU law. Most of the rights guaranteed in the Charter can thereby not only be invoked as constitutional rights in individual complaints to the Constitutional Court, but also form a benchmark in its proceedings on examining the general compatibility of legislation with constitutional law.

128. Since September 2025 the new Freedom of Information Act (*Informationsfreiheitsgesetz*) replaces the previous constitutional official secrecy and the administration's duty to provide information, and introduces a new constitutionally guaranteed right (in addition to Article 10 of the ECHR) to access government information and information held by certain state-affiliated private entities, as well as a proactive publication obligation for all state authorities. This promotes transparency in administration and democratic control and strengthens freedom of expression and freedom of the press.

129. Other legal sources include:

- Provisions laid down in the Federal Constitutional Law, e.g. the principles of equality and of non-discrimination, the right to vote and the right to be elected, various fair trial guarantees and the abolition of the death penalty, and since September 2025 the right of access to information;
- Provisions of the State Treaty of Saint Germain-en-Laye of 1919 and the State Treaty for the Re-establishment of an Independent and Democratic Austria of 1955, in particular regarding the protection of national autochthonous minorities;
- Specific constitutional laws, e.g. the Federal Constitutional Act on the Abolition of all Forms of Racial Discrimination, the Federal Constitutional Act on the Protection of Personal Liberty and the Federal Constitutional Act on the Rights of the Child;

- Constitutional provisions contained in ordinary (sub-constitutional) laws, such as § 1 of the Personal Data Protection Act or § 1 of the Political Parties Act;

130. For the sake of completeness, the National Socialism Prohibition Act 1947, which banned the National Socialist Party and regulated denazification in Austria, has to be mentioned, which has constitutional status and therefore restricts freedom of expression.

### (b) Freedom of thought, conscience and religion

131. The Basic Law of 1867, together with the ECHR, provides for freedom of faith and conscience (religion and belief) and, in conjunction with the 1868 Interdenominational Act (*Gesetz über die interkonfessionellen Verhältnisse der Staatsbürger*), guarantees that everyone may freely choose their affiliation to a church/religious community, to discontinue religious membership or to have no religious affiliation at all. Public exercise of their religion is guaranteed to all religious communities.

132. The Austrian legal system can be described as religiously neutral. The State does not identify with any particular church or religious society, but they are equal partners, who recognise each other's independence and autonomy (co-operation system). Their external legal relationships are regulated in special acts and the Basic Law guarantees them the right to arrange and administer their internal affairs autonomously, such as their internal organisation or the content of their religious doctrine. In addition to the legally-recognised churches and religious societies, a two-tier system also provides since 1998 for "state-registered religious denominations", which have their own legal personality, but are not corporations under public law.

133. In Austria there are currently 16 legally recognised churches and religious societies and 12 state-registered religious denomination communities.

Table 35: Churches, religious societies

| | |
|---|---|
| Catholic Church | -[1] |
| Protestant Church of the Augsburg and Helvetic Confessions | 1861[2] |
| Old Catholic Church | 1877 |
| The Jewish Religious Community | 1890[3] |
| Methodist Church | 1951 |
| Church of Jesus Christ of Latter-Day Saints (Mormons) | 1955 |
| Orthodox Churches | 1967[4] |
| Armenian Apostolic Church | 1973 |
| New Apostolic Church | 1975 |
| Islamic Religious Society in Austria | 1979[5] |
| Austrian Buddhist Union | 1983 |
| Syrian Orthodox Church | 1988 |
| Coptic Orthodox Church | 2003 |
| Jehovah's Witnesses in Austria | 2009 |
| Alevi Community in Austria | 2013 |
| Free Churches | 2013 |

State-registered religious denomination communities

| | |
|---|---|
| Seventh-Day Adventist Church | 1998 |
| United Pentecostal Church of Austria | 1998 |
| Baha'i-Religious Community | 1998 |
| The Christian Community – Movement for Religious Renewal | 1998 |
| Hindu Religious Community | 1998 |
| Pentecostal Church of God | 2001 |
| Islamic-Shiite Religious Community | 2013 |
| Old Alevi Community in Austria | 2013 |
| Unification Church in Austria | 2015 |
| Austrian Sikh Faith Community | 2020 |
| Free-Alevi Faith Community | 2022 |
| Assyrian Church of the East | 2024 |

Source: Federal Chancellery – Booklet Religions in Austria

1 The Catholic Church is considered historically recognised.

2 The Protestant Patent of 8 April 1861 of Emperor Franz Joseph I legally recognised the Evangelical Church A. u. H.B. as a corporation.

3 With the Act on Israelites of 1890 they gained as well legal recognition.

4 Individual parishes were already legally recognised in 1848, but it was not until the Orthodox Act of 1967 that the Greek Orthodox Church was recognised as a public-law entity.

5 Based on the Act Islam Act of 1912.

134. In addition, Austria – in appreciation of its religious heritage – has a long tradition of intercultural and interreligious dialogue. These include the Private University College for Teacher Education of Christian Churches Austria (*Kirchlich Pädagogische Hochschule Wien/Niederösterreich*), where Christians, Jews, Muslims (Sunnis, Shiites and Alevis) and Buddhists are united under one roof. In 2012, the informal Platform for churches and religious societies was set up, which enables to exchange ideas and discuss important issues pertaining to the relationship between the State and religious societies with each other and without state influence. Besides, the "Pro Oriente" Foundation is committed to fostering

communion between the Christian Eastern and Western churches and has a longstanding experience on the way to a closer rapprochement between churches that have been separated for centuries.

### (c) Social rights

135. Social rights are not explicitly guaranteed by the Federal Constitution. However, the Constitutional Court has interpreted in particular the equality principle as containing specific rights granting entitlements to public benefits comparable to social rights. In addition, when applying EU law, Austrian courts and administrative authorities are bound by the social and economic rights laid down in the CFREU. A formal incorporation of social rights into the Federal Constitution has been debated for a long time without a general consensus being reached, as is also the case for the drafting of a single human rights catalogue: drafts on constitutionally guaranteed social rights were prepared by the Austrian Constitutional Convention (*Verfassungskonvent*), which discussed proposals for constitutional reform from June 2003 to January 2005, and by the Expert Group for State and Administrative Reform at the Federal Chancellery from 2007 to 2008. The government programme for 2025 to 2029 includes another constitutional convention with regard to fundamental rights and their protection.

136. Austria has ratified the International Covenant on Economic, Social and Cultural Rights (CESCR) and the European Social Charter and endeavours to fully realise the economic, social and cultural rights provided in the provisions ratified by Austria.

### (d) Women’s rights, gender equality and a life free from gender-based violence

137. Women’s rights and gender equality are enshrined in the Austrian Constitution. The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) was ratified in 1982, the first four articles have constitutional status in Austria, but the remaining articles were ratified under reservation. Therefore, Austrian courts and authorities refer to either domestic laws that implement CEDAW guarantees or they resort to constitutional provisions or EU law that contain guarantees which correspond to CEDAW Convention guarantees. Furthermore, specific laws explicitly forbid discrimination in the labour market as well as in the access to and provision of goods and services.

138. In order to establish and enhance gender mainstreaming, significant steps have been taken since 2000 by resolutions of the Council of Ministers. In seven Council of Ministers resolutions, the Federal Government has committed itself to implementing the gender mainstreaming strategy, the goal of which is a gender-equitable society and true equality between women and men. Gender budgeting has been enshrined as an objective in the Federal Constitution. Far-reaching instruments were anchored in the Federal Budget Act 2013 (see also IV.B.1).

139. With the introduction of the "Protection Against Violence Act" (Federal Law Gazette No. 759/1996) in 1997, Austria became the first country to establish a comprehensive support and protection system for victims. This Act authorised the police to issue barring orders against individuals who threaten violence, prohibiting them from entering the residence of the endangered persons and authorizing their removal if they refuse to leave voluntarily. The Act has been amended repeatedly to further strengthen victim protection. Moreover, Austria was among the first countries to sign and ratify the "Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence" (Istanbul Convention) and is strongly committed to its full implementation. In addition, the Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence entered into force in 2024.

### (e) Children's rights

140. Austria has ratified the Convention on the Rights of the Child and two of the three Optional Protocols and has signed but not yet ratified the Protocol on a communications procedure of 2011. To strengthen children's interests, in 2011 the core rights laid down in the Convention were incorporated into the Federal Constitutional Act on the Rights of the Child, thus becoming a benchmark for the constitutional review of laws, regulations and treaties by the Constitutional Court. The best-interest of children was defined as a central benchmark for all state and private action.

141. Constitutional guarantees include the right of every child to the protection and care necessary for their well-being and to the best possible development and fulfilment, the principle of primary consideration of the best interest of the child in all measures concerning children, the right to adequate participation and consideration of their opinion in all matters relating to the child, the right to a non-violent upbringing and the prohibition of corporal punishment, the infliction of mental suffering, sexual abuse and other ill-

treatment, the right to protection from economic and sexual exploitation, the prohibition of child labour, the right to regular personal relationships and direct contact with both parents, the entitlement to special protection and assistance of the state in the event that the child is removed from their family and the principle of equal treatment of children with and without disabilities.

### (f) Rights of persons with disabilities

142. The Federal Constitution stipulates that Austria must ensure equal treatment of persons with disabilities in all fields of everyday life. No one may be discriminated against on grounds of disability. The Federal Constitution also stipulates that sign language is an officially recognised language.

143. Austria ratified the UN Convention on the Rights of Persons with Disabilities in 2008. Since then, extensive legal measures, including a National Action Plan (NAP I), have been taken to fully implement the Convention. On 6 July 2022, the Federal Government adopted the "National Action Plan on Disability 2022-2030" (NAP II). The NAP II contains almost 300 joint political objectives and around 150 indicators to measure the degree to which the objectives have been achieved. Finally, the NAP II contains 375 measures that should be implemented by 2030[7] and is continuously evaluated as part of a scientific monitoring and evaluation process, starting in 2025.

### (g) Incorporation of international human rights treaties into national law

144. International treaties become part of national law after being approved by the National Council, ratified by the Federal President and promulgated in the Federal Law Gazette. In general, no further national implementation is needed for these treaties to be self-executing. However, the National Council may decide that a treaty is not self-executing and needs to be implemented by national law before its provisions are enforceable by domestic administrative authorities and courts. Such decisions have been taken with regard to a number of international human rights treaties, in particular when their content has been considered as already having been implemented on national level. The ECHR and its Protocols and most of the Council of Europe Conventions are self-executing. The ECHR was even

[7] The first implementation report for the period 6 July 2022 to 31 December 2023 is accessible on the website of the Federal Ministry of Social Affairs, Health, Care and Consumer Protection.

retrospectively granted constitutional status in 1964 and has thus become part of Federal Constitutional Law.

## 2. Derogations in states of emergency

145. The Federal Constitutional Law does not contain an explicit provision for the declaration of a state of emergency. However, the Federal President is vested with extraordinary powers in times of national crisis, i.e. to issue emergency ordinances. This authority may come into play only under very exceptional circumstances, namely when the National Council is not assembled, cannot meet in time, or is impeded from action by events beyond its control. Such law-amending ordinances must be limited to preventing obvious and irreparable damage to the public. Even in such a case, issuance by the Federal President requires a prior recommendation by the Federal Government and the consent of the standing subcommittee of the Main Committee of the National Council. Every such ordinance must be revised by the National Council without delay, as soon as it is able to reconvene, and must either be replaced by a federal law or be declared invalid by the Federal Government on a motion of the National Council within four weeks after submission (Article 18 (3) and (4) of the Federal Constitutional Act). During the COVID-19 pandemic, the National Council did not cease working at any point and this emergency procedure was not applied. In fact, the presidential extraordinary powers in times of crisis have not been used during the Second Republic starting in 1945.

146. Federal Constitutional Law does not provide for the derogation of human rights in a state of emergency. There is no provision permitting the suspension of human rights of domestic origin, including those enshrined in the Basic Law on the General Rights of Nationals. It is also the prevailing view that – as a consequence of the safeguard clause of Article 53 ECHR – Article 15 of the Convention is not applicable in Austria. Not even during the COVID-19 pandemic has been a discussion in Austria to suspend human rights in a crisis as most human rights can be limited by law on grounds of public interest in accordance with the requirement of proportionality.

147. Against the background of the COVID-19 pandemic, the Federal Crisis Security Act (*Bundes-Krisensicherheitsgesetz*) entered into force on 1 January 2024 (Federal Law Gazette I No. 89/2023). The act provides *inter alia* that the declaration of a state of crisis shall require the consent of the Main Committee of the National Council. Only in case of imminent danger, the consent of the Main Committee shall be obtained within four days.

Furthermore, the act lays down certain reporting duties to the National Council. The Federal Government shall report to the National Council on recent developments in the field of possible grounds for declaring a state of crisis. A government advisor by virtue of the Federal Crisis Security Act shall be available to inform the respective committees of the National Council about his area of responsibility. After ending a state of crisis, the Federal Government shall submit a final report to the Parliament within six months.

## 3. Legal remedies to ensure the protection of human rights

### (a) Individual complaints with the courts

148. The constitutional understanding of human rights is primarily one of civil liberties protecting against unlawful interference by the authorities. Now however, it is increasingly also perceived as positive obligation of the state. Constitutional review of executive administration is allocated to the Constitutional Court. Every ordinary court, when deciding on matters of civil law or criminal law, and every administrative court, when appealed to against a decision of an administrative authority, is bound by the Federal Constitution including human (constitutionally guaranteed) rights. Individuals may complain against the judgments and decisions of the administrative courts of first instance alleging a violation of their human (constitutionally guaranteed) rights. If the Constitutional Court holds a violation of these rights, it rescinds the judgment or decision and remands the case to the administrative court of first instance in order to render a substitute ruling in compliance with the Court's findings.

### (b) Individual petition/party petition for constitutional review of laws

149. Individuals have the right to address the Constitutional Court directly if they claim that their rights have been directly violated due to the unconstitutionality of acts, regulations or international treaties, and if the respective provision has taken effect for the individual concerned without a decision having been taken by a court or an administrative decision having been issued (*Individualantrag auf Normenkontrolle*). Parties to a lawsuit decided by an ordinary court of first instance may under certain conditions directly address the Constitutional Court to review the constitutionality of the provisions applied in their proceedings (*Parteiantrag auf Normenkontrolle*).

### (c) Complaints against excessive use of administrative authority and coercion

150. The administrative courts of first instance have jurisdiction, inter alia, to examine complaints alleging a violation of rights, including human (constitutionally guaranteed) rights, resulting from the exercise of direct administrative force and coercion, including in particular police action. In addition, an Investigation and Complaints Office for Allegations of Ill-treatment (*Ermittlungs- und Beschwerdestelle Misshandlungsvorwürfe – EBM*) was created in 2024, which is exclusively responsible for investigating allegations of ill-treatment against police officers and for criminal investigations in all cases of direct coercive force resulting in death and life-threatening use of weapons.

### (d) Human rights complaints with the Supreme Court

151. Every detained person may lodge a complaint with the Supreme Court requesting that it examines whether a criminal court's decision violates the human right to personal freedom. Besides, the Supreme Court decides on applications for renewal of criminal proceedings (§ 363a of the Code of Criminal Procedure) in the event of violations of fundamental and human rights of the ECHR by a decision or order of a lower criminal court.

### (e) European Court of Human Rights

152. As a Contracting Party to the ECHR, Austria accepts the jurisdiction of the European Court of Human Rights. The Convention provides for interstate applications and individual applications. Individual applications can be brought against final judgments and decisions of courts and other authorities of a Contracting Party. Such applications may only be filed after domestic remedies have been exhausted and within a period of four months after the delivery of the final domestic decision. Supervision of the execution of final judgments lies with the Committee of Ministers of the Council of Europe. In contrast to the Constitutional Court and the Supreme Administrative Court, the European Court may not repeal domestic judgments and decisions or statutory provisions but may only find that the Contracting Party is responsible for a violation of the Convention and/or its Protocols. The European Court's jurisdiction is not restricted to any particular kind of state acts, hence individual complaints can also be filed against ordinary court rulings.

### (f) Compensation

153. State organs are not directly liable for damage caused while acting in their official capacity. However, the Liability of Public Bodies Act (*Amtshaftungsgesetz*) provides for state liability for fault of state organs enforcing the law.

## 4. Other state bodies competent to protect human rights

### (a) Ombudsman Board

154. The Austrian Ombudsman Board (*Volksanwaltschaft*) is an independent body with constitutional status that reports to both chambers of the Federal Parliament. Its mandate is to examine maladministration within the executive administration, in particular alleged violations of human rights, either upon request of individual complainants or on its own authority. Anybody can complain to the Board regardless of age, nationality or residence, at any time and free of charge.

155. The Ombudsman Board consists of three members, each of them acting in turn as chairperson. The members are nominated by the three largest political parties represented in National Council and are elected by Parliament according to a majority vote. This appointment procedure guarantees the necessary democratic legitimacy essential for a parliamentary democracy. The three members of the Ombudsman Board exercise their function in full independence; during their six-year (renewable) term of office, they cannot be deprived of their office, nor removed or dismissed.

156. The Ombudsman Board's mandate was considerably expanded in 2012. Since then, it has also acted as the National Preventive Mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). As part of the Ombudsman Board, seven independent regional commissions regularly monitor approximately 4,000 private and public places where people are potentially deprived of their liberty, including police stations and prisons, reception centres for asylum seekers, military barracks, psychiatric facilities, old people's and nursing homes, crisis centres and residential youth communities. In addition, the Ombudsman Board is authorised to monitor the conduct of law-enforcement bodies when they execute coercive measures (e.g. police operations during demonstrations). On 1 July 2021, the Ombudsman

Board was expanded to include a Federal Commission for the enforcement of penalties and measures. This federal commission is responsible for monitoring penal and forensic institutions nationwide.

157. The Ombudsman Board is supported in its work by the Human Rights Advisory Council (*Menschenrechtsbeirat*), which advises for the monitoring proceedings, on the communication of findings and on the development of recommendations. The Council consists of equal numbers of representatives of Federal Ministries/regional government offices and representatives of non-governmental organisations.

158. Moreover, the Ombudsman Board serves as an independent monitoring body of the Convention on the Rights of Persons with Disabilities (CRPD) and monitors institutions and programmes for persons with disabilities in order to prevent any form of exploitation, violence or abuse. The independent regional commissions conduct control visits to special establishments for disabilities. Since the expansion of its mandate as the national preventive mechanism under OPCAT and monitoring body under CRPD, the Ombudsman Board has been part of a constant, institutionalised dialogue with civil society and human rights experts from various fields.

159. In March 2022, the Global Alliance of National Human Rights Institutions granted the Austrian Ombudsman Board "A" status as a National Human Rights Institution for five years, thus certifying it as fully compliant with the Paris Principles.

160. Seven of the nine *Länder* have extended the Ombudsman Board's powers to regional administration. The remaining two *Länder* have appointed specific regional ombudspersons to examine maladministration at regional level with legal status and mandates comparable to the Federal Ombudsman Board. Federal, provincial and municipal authorities are obliged to support the Ombudsman Board in the performance of its tasks and disclose all relevant information. Moreover, all nine *Länder* have declared the (Federal) Ombudsman Board responsible for preventive human rights monitoring in implementation of the OPCAT and Article 16 (3) of the CRPD.

### (b) Federal Disability Ombudsperson

161. The independent Federal Disability Ombudsperson advises and supports persons with disabilities in cases of discrimination. The Ombudsperson is also a member of the

Federal Disability Advisory Board, which has an advisory function in all fundamental issues related to disability policy. Some of the *Länder* have also provided for Disability Ombudspersons or an equivalent advisory committee.

### (c) Independent CRPD Monitoring Committees

162. The CRPD Monitoring Committee is an independent mechanism for the promotion, protection and monitoring of the implementation of the Convention on the Rights of Persons with Disabilities at the federal level. The *Länder* have established their own monitoring committees within their sphere of competences.

### (d) Data Protection Authority

163. The Austrian Data Protection Authority (*Datenschutzbehörde*) replaced the former Austrian Data Protection Commission, which was established in 1980, on 1 January 2014. The Data Protection Authority ensures compliance with data protection in Austria and deals with all types of complaints against the police, public service organisations, telecommunications and insurance companies, banks and other financial service providers as well as private entities and individuals. Furthermore, the Data Protection Authority is competent to supervise data processing activities of competent authorities regarding public and national security, intelligence and the protection of military facilities by the armed forces. The Data Protection Authority is not competent to supervise data processing's of courts acting in their judicial capacity and of parliamentary bodies. The Data Protection Authority has a monocratic structure and is fully independent according to European and national law requirements.

164. The Head of the Data Protection Authority is appointed for a term of five years by the Federal President on the basis of a proposal by the Federal Government, a (multiple) re-appointment is permitted. Likewise, the Head may be dismissed only by the Federal President on the basis of a proposal by the Federal Government. In order to be appointed, the Head must fulfil several mandatory requirements set forth in the Austrian legislation. Furthermore, certain persons may not be appointed Head of the Data Protection Authority due to statutory incompatibilities. In case of absence, the Authority is represented by a Deputy Head for whom the same rules apply.

### (e) Parliamentary Data Protection Committee

165. Following a judgment by the Court of Justice of the European Union (Case C-33/22, *Österreichische Datenschutzbehörde*), the Parliamentary Data Protection Committee (*Parlamentarisches Datenschutzkomitee*) was established as the national Data Protection Supervisory Authority for the legislative area with effect from 1 January 2025. The Parliamentary Data Protection Committee is responsible for supervising the data processing of the National Council and the Federal Council, including their members in the exercise of their mandate, as well as the functionaries, the Court of Audit and the Ombudsman Board. It is also competent to supervise the data processing of the President of the National Council, the President of the Court of Audit and the Chairman of the Ombudsman Board as supreme administrative bodies in the area of administrative affairs for which they are responsible. The competence of the Parliamentary Data Protection Committee for the supervision of the processing activities of the provincial parliaments (*Landtage*), including their members in the exercise of their mandate, the courts of audit in the Länder (*Landesrechnungshöfe*) and the Ombudsmen in the *Länder* (*Landesvolksanwälte*) may be provided for by provincial constitutional law. This may also include responsibility for the supervision of processing in the area of administrative matters of the parliaments, the courts of audit and the Ombudsmen in the *Länder*. To date, this option has been used by seven *Länder* in their constitutional laws.

166. The Parliamentary Data Protection Committee is a collegial fully independent authority according to European and national law requirements (Articles 51 to 54 of the Regulation (EU) 2016/679; § 35c of the Personal Data Protection Act). The members of the Parliamentary Data Protection Committee are elected by the National Council, with the consent of the Federal Council, for a term of five years on the recommendation of the Main Committee of the National Council; re-election is permitted. The number of members shall be at least three and at most six. The proposal of the Main Committee shall be preceded by a call for general applications by the President of the National Council. The proposal of the Main Committee, the election by the National Council and the approval of the Federal Council each require the presence of at least half of the members and a majority of two thirds of the votes cast. A member of the Parliamentary Data Protection Committee may only be dismissed by the National Council on the proposal of the Main Committee if they have committed serious misconduct or no longer fulfil the requirements for the performance of their duties. The proposal of the Main Committee and the resolution of the National Council each require the presence of at least half of the members and a majority of two thirds of the votes cast.

## (f) Commissioners for Legal Protection

167. Fully independent Commissioners for Legal Protection have been installed within the Ministry of Justice, the Ministry of the Interior, the Ministry of Defence and the Ministry of Finance to examine the lawfulness of certain investigative measures taken by the public prosecutor's office, the police or intelligence agencies. Such measures include audio and video surveillance, the automatic comparison/matching of databases and covert investigations.

168. Depending on the level of interference with human rights, the powers of the Commissioners range from *ex ante* approval to *ex post* review by means of appeal or complaint to the Data Protection Authority. The Commissioners submit annual activity reports to their respective ministers, who then report to the National Council.

169. The Commissioner within the Ministry of Justice is appointed by the Federal Minister of Justice on a joint recommendation of the President of the Constitutional Court, the Austrian Bar Association and the chairperson of the Austrian Ombudsman Board. The Commissioners within the Ministry of the Interior and the Ministry of Defence are appointed by the Federal President on the proposal of the Federal Government, which has to take into consideration the views of the President of the Constitutional Court, the President of the Supreme Administrative Court and the President of the National Council. Only legal experts in fundamental rights with a professional experience of at least five years are eligible as a Commissioner within the Ministry of the Interior. One of five necessary deputies must have worked as a judge or a prosecutor for at least ten years, but they must not work in their professions any more (or as an attorney).

170. Terms of office vary from three to ten years; renewal is possible. Commissioners are fully independent and may not be removed or discharged against their will.

## (g) Equal Treatment Commission

171. The Equal Treatment Commission (*Gleichbehandlungskommission*) is an independent mechanism scrutinising affairs relating to discrimination under the Equal Treatment Act (*Gleichbehandlungsgesetz*) for the private sector. It acts in the run-up or parallel to judicial proceedings. Proceedings of the Equal Treatment Commission enforce the Equal Treatment Act and combat discrimination. Anyone who considers themselves to have been

discriminated against can file a cost-free request to the Equal Treatment Commission and will receive an expert opinion determining whether discrimination occurred in terms of the Equal Treatment Act. Those who are responsible for the discrimination are prompted to end the discrimination. If the Commission concludes that a complainant has been discriminated against, it issues an expert opinion and recommendations addressed to the employer/service provider. Proceedings aim at facilitating arrangements to avoid or settle legal disputes. Any claims for compensation must be asserted before a civil court unless the employer voluntarily complies with the Commission's recommendations. Within the scope of their authority, the *Länder* have also established comparable equal treatment bodies.

### (h) Federal Equal Treatment Commission and Equal Treatment Bodies of the Länder

172. The Federal Equal Treatment Commission (*Bundes-Gleichbehandlungskommission*) is a federal administrative body that deals with individual complaints concerning discrimination on grounds of gender, ethnic origin, religion or belief, age or sexual orientation in public employment. Its tasks also include monitoring the implementation of measures targeting the advancement of women in public employment. Again, the *Länder* have introduced comparable bodies for public employment in the *Länder* and municipalities.

### (i) Ombud for Equal Treatment

173. The Ombud for Equal Treatment (*Gleichbehandlungsanwaltschaft*) is an independent body assisting victims of discrimination on grounds of gender, ethnicity, age, sexual orientation, religion and belief in employment and occupation and gender and ethnicity in other areas of the private sector of the economy. Its role is defined in accordance with EU equal treatment legislation, which requires member states to set up equality bodies to combat discrimination.

174. Since 2014 the Ombud for Equal Treatment is an independent agency and exempt from directives. The Ombud for Equal Treatment consists of a central office and four regional offices.

175. The Ombud for Equal Treatment plays an important role in combating discrimination and promoting equality that is distinct from government and civil society organisations. It

offers individual legal advice to alleged victims of discrimination, negotiates with employers, companies, institutions and work councils to reach friendly settlements, and provides legal representation to victims of discrimination in proceedings before the Equal Treatment Commission. Other tasks include awareness raising and providing information to the public about the Equal Treatment Act and about cases of discrimination. As a central stakeholder within the multifaceted national equal treatment architecture, the Ombud for Equal Treatment acts as a helpdesk and clearing organisation.

176. The Ombud for Equal Treatment reports to the National Council biannually about its work, making observations and recommendations.

177. To foster non-discriminatory practices and ensure awareness of and compliance with equal treatment legislation, the Ombud for Equal Treatment engages with public bodies, employers and NGOs.

### (j) Ombudsperson for Children and Youth

178. The Federal Ombudsperson's office is set up within the Federal Chancellery to promote the concept of a child-friendly society and the non-violent upbringing of children.

179. Independent ombudspersons in the *Länder* are entrusted with individual counselling, awareness raising and promoting children's rights. Tasks include counselling for parents, mediation in child custody proceedings and commenting on draft legislation that has an impact on children. In some *Länder* the ombudsperson is also authorised to act as a contact person for children in residential care.

### (k) Patient advocates

180. Patient advocates are established as independent and autonomous *Länder* institutions. They help patients to exercise their rights in the health care and hospital sectors.

### (l) National Contact Point for the OECD Guidelines for Multinational Enterprises

181. The Austrian National Contact Point (NCP) was established in 2010 according to the OECD Guidelines for Multinational Enterprises. The Guidelines provide non-binding

principles and standards for responsible business conduct in a global context consistent with applicable laws and internationally recognised standards. The Austrian NCP promotes the effective implementation of the OECD Guidelines and assists enterprises and stakeholders to take appropriate measures. The Austrian NCP also acts as a non-judicial grievance mechanism to contribute to resolving any issues that may arise relating to the implementation of the OECD Guidelines.

## 5. Non-governmental organisations

182. Civil society and non-governmental organisations play a key role in the protection, promotion and advancement of human rights in Austria, e.g. the Human Rights Advisory Council, consisting of Federal Ministries, the *Länder* and civil society, supports the Ombudsman Board as an advisory body. Furthermore, any person over the age of 14 and any representative of an organisation or legal entity can submit a statement on legislative initiatives and ministerial drafts.

183. The expert knowledge of representatives from thematically specialised non-governmental organisations is also much appreciated and drawn upon by the Federal Government as much as possible when developing and implementing specific policy measures and initiatives. Non-governmental organisations also play a major part in human rights training amongst Government officials and in raising public awareness on key human rights issues and receive public funding from the federation, the *Länder* and municipalities.

184. Since the first Universal Periodic Review (UPR) in 2011, a structured dialogue with representatives of civil society on implementing UPR recommendations has been ongoing, which contributes to building mutual confidence and a positive culture of communication between the Federal Government and non-governmental organisations.

185. In order to support non-governmental organisations during the COVID 19 pandemic, e.g. sports and cultural associations, churches and religious communities or environmental NGOs, the Federal Parliament and Government set up the Support Fund for Non-Profit Organisations (NPO Fund). As of end of June 2024, 23,650 civil society organisations and human rights defenders had received support with a total volume of around € 830 Mio.

## 6. Human rights education

### (a) Judicial, legal and official training in human rights

186. Education on human rights forms an integral part of the curriculum for the Qualifying Law Degree in all Austrian universities, and also pervades the vocational courses for lawyers, prosecutors and judges.

187. Police officers are provided with mandatory human rights training with a special focus on non-discriminatory police work in a multicultural society. The curriculum for the mandatory basic training for police officers provides for 56 hours of human rights education. Mid-level officers participate in a three-day seminar on human rights in the course of their professional training. Senior officers develop their skills in the field of human rights in a 2 ECTS comprehensive follow-up seminar. Human rights education is also part of personality training and security police conduct courses. Regular human rights seminars are held in cooperation with non-governmental organisations as part of lifelong learning.

188. In connection with the restriction of a person's personal freedom, starting with the pronouncement of arrest by an organ of the public security service, through short-term detention at a police station to detention in a detention room of a security authority, the curriculum for basic police training as well as the curriculum for middle management provides for an interdisciplinary examination of the rights of detained persons. Students acquire the legal, tactical and operational skills that ensure that detainees and persons detained are treated in accordance with human rights. Focusing on the basic principles of the Security Police Act and the Code of Criminal Procedure they are especially trained on the necessary and proportional use of coercive force on the use of weapons. These lessons include training sessions by learning de-escalating communication models that are intended to prevent or minimise conflict situations in the course of arrests or detention.

189. A variety of measures has been taken concerning human rights training for judges and public prosecutors. A human rights course is mandatory for all future judges and public prosecutors. Human rights, including equal treatment and anti-discrimination, are part of the final exams for future judges. Since 2009, all future judges and public prosecutors have had to complete an internship of at least two weeks in an institution for the protection of victims or a welfare institution. Additional human rights courses are offered on a voluntary basis.

190. In the course of the implementation of the National Strategy against Antisemitism presented in 2021 (for details, see IV.B.8.), several measures have been implemented to enhance the education and awareness of members of the judiciary regarding antisemitism. The working definition of antisemitism of the International Holocaust Remembrance Alliance (IHRA) has therefore been integrated in the human rights lecture and script. Furthermore, relevant criminal offenses, such as incitement and those outlined in the Prohibition Act (*Verbotsgesetz 1947 – VerbotsG*), are now being addressed in criminal law courses for judicial candidates, as well as in practical seminars for judges and prosecutors. Furthermore, since 2023, the one-day event "Place of Crime – Place of Remembrance – Place of Learning: Excursion to the Mauthausen Concentration Camp Memorial" addresses civil servants, contract staff and prison staff. In addition, a two-day seminar especially for judges and public prosecutors with an excursion to the Hartheim Castle learning and memorial site and the Gusen and Mauthausen concentration camp memorials was offered for the first time in autumn 2024 and took place again in October 2025.

191. The Prison Staff Academy offers anti-bias and diversity training to prison officers on dealing with conflict situations involving prison inmates. Since 2012, all prison staff have been successively trained in the importance of and respect for human rights in their day-to-day work. To this end, indoor seminars were held for all prisons, in which all prison officers were required to participate. All newly recruited officers are trained on the topic in their basic training courses and are required to complete the human rights training (requirement of the Prison Academy for basic training courses E2b / E2a).

### (b) Education in human rights among wider society

192. Human rights education forms an integral part of citizenship education, which is an educational principle that has been in force since 1978 and provides for civic and human rights education at all school levels and in all school types. Human rights are dealt with in numerous ways, ranging from education in history and political science to children's rights.

193. The Austrian Centre for Citizenship Education in Schools (*polis*) is an educational service institution operating under the Ministry of Education, which offers training courses for teachers, teaching material and textbooks developed in close cooperation with national and international organisations (e.g. Vienna Forum for Democracy and Human Rights, Austrian Federation for Human Rights, AMNESTY ACADEMY, Council of Europe). The programmes

primarily aim at linking universal human rights with everyday experience, focusing on the importance of these rights in practice (e.g. democracy in schools).

### 7. National dissemination of human rights instruments

194. There are various methods through which materials relating to international human rights instruments are disseminated throughout Austria. Austrian law, including international human rights treaties ratified by Austria and legal acts containing human rights, is electronically published through the Legal Information System of the Republic of Austria (RIS), which is an online platform and data base providing information on Austria law and jurisdiction free of charge (ris.bka.gv.at). The platform "oesterreich.gv.at" offers help and information on administrative topics and because of the "cross-portal" search option (oesterreich.gv.at, USP, RIS, Data.gv.at), citizens have centralised access to public administration information.

195. Reports concerning compliance with international obligations under UN or Council of Europe human rights instruments are both drafted and made accessible by the relevant Federal Ministry responsible for overseeing implementation and compliance.

## C. Reporting process at the national level

196. Austria fulfils its obligation to periodically report to international human rights monitoring mechanisms. Preparation of and follow-up to the reports is mainly done by the network of the human rights coordinators in the Federal Ministries and the *Länder*. The following table identifies the Federal Ministry responsible for the coordination of the reporting process under the eight main UN human rights instruments ratified by Austria and the Universal Periodic Review. The drafting process usually involves comprehensive participation by other relevant Federal Ministries and the *Länder*. Reports are published on the relevant ministry's official website. Austria also regularly reports on the implementation of the Beijing Declaration and Platform for Action.

Table 36: Federal Ministry responsible for the reporting process on UN instruments

| UN instrument | Coordinating Federal Ministry |
|---|---|
| ICCPR | Federal Chancellery |
| ICESCR | Federal Chancellery; following report: Federal Ministry of Labour, Social Affairs, Health, Care and Consumer Protection |
| ICERD | Federal Chancellery |
| CEDAW | Federal Ministry for Women, Science and Research |
| CAT | Federal Ministry for European and International Affairs |
| CRC | Federal Chancellery |
| CRPD | Federal Ministry of Labour, Social Affairs, Health, Care and Consumer Protection |
| UPR | Federal Ministry for European and International Affairs |
| CPED | Federal Ministry of Justice |

# IV. Information on Non-Discrimination and Equality

## A. Legislation and effective remedies

### 1. Legislation

197. The principle of equal treatment and non-discrimination is enshrined in the Federal Constitution. The International Convention on the Elimination of All Forms of Racial Discrimination was ratified by Austria on 9 May 1972 and implemented, *inter alia*, by a special Federal Constitutional Act (*BVG zur Durchführung des internationalen Übereinkommens über die Beseitigung aller Formen rassischer Diskriminierung*, Federal Law Gazette No. 390/1973). The Constitutional Court has interpreted Art I of this constitutional act as a requirement of equal treatment of non-nationals relative to one another and as a general requirement of objectivity. In addition, extensive anti-discrimination legislation has been adopted, which is continuously enhanced. The Equal Treatment Act prohibits direct discrimination, indirect discrimination, victimisation and harassment on grounds of gender, ethnic origin, religion or belief, age, or sexual orientation in the working sphere. Furthermore, it prohibits discrimination due to gender and ethnicity in the areas of social protection, vocational training, education in schools and the provision of goods, facilities and services available to the public.

198. In the administrative and civil law area, the implementation of relevant EU directives has reinforced anti-discrimination legislation in Austria. The *Länder* have adopted their own equal treatment and anti-discrimination acts within their spheres of competence, part of which exceed the scope of anti-discrimination protection guaranteed at federal level.

199. Gender, ethnic origin, religion or belief, age, or sexual orientation are also protected grounds of anti-discrimination legislation. Persons with disabilities are protected by comprehensive anti-discrimination legislation. It provides for a prohibition of discrimination in everyday life, which covers access to and supply with goods and services available to the public and the working environment as well as the area of the federal executive administration. The *Länder* have issued anti-discrimination laws for their own spheres of competence.

200. The Constitutional Court plays an important role in the context of eliminating discrimination and ensuring equal treatment (selected case-law):

201. On 1 January 2010, the Registered Partnership Act (*Eingetragene Partnerschaft-Gesetz*) came into force. The act pursued the aim of eliminating discrimination of same-sex couples, but against the background of a "certain traditional perception" upheld two different legal institutions, i.e. marriage and registered partnership. With its judgement of 4 December 2017, the Constitutional Court repealed those legal provisions which denied same-sex couples access to marriage. In its reasoning, the Constitutional Court referred to the ban on discrimination enshrined in the principle of equal treatment.

202. On 15 June 2018, the Constitutional Court held that intersex persons, persons born with physical sex characteristics that do not fit typical definitions for male or female bodies, have the right to individual gender identity and to be registered according to their gender in the civil register or in official documents. The Constitutional Court arrived at its decision by way of an interpretation of the Civil Register Act 2013 (*Personenstandsgesetz 2013*) in conformity with the Austrian Constitution.

203. According to current Austrian legal situation, adoption is open to individuals, spouses and registered, as well as cohabiting, partners. These options exist irrespective of their gender, variations of sex characteristics and sexual orientation. In each individual case, a court shall examine whether the adoption is in the best interests of the child and whether a relationship corresponding to the relationship between natural parents and children exists or is to be established. On 18 June 2022, the Constitutional Court further held that the Private International Law Act allowed courts to disregard foreign law, which is in principle applicable, if its application would lead to a result incompatible with the fundamental values of the Austrian legal system. According to the Constitutional Court, the civil courts shall not apply the provisions of foreign law but apply the corresponding Austrian provisions instead, if the foreign law excluded same-sex partners from adoption, although it might be required from the perspective of the best interests of the child.

204. A broad selection of judgments of the Constitutional Court on the topic of equal treatment and non-discrimination is accessible at the Homepage of the Constitutional Court.[8]

[8] Selected Judgements - Der Österreichische Verfassungsgerichtshof (vfgh.gv.at).

## 2. Effective remedies

205. The equality bodies on national and *Länder* level (see III.B.4. b,g,h,i) provide for protection against discrimination on various grounds in employment and access to goods and services. Sanctions for all forms of discrimination have been expanded and have been consistently applied by Austrian courts. This includes compensation for material and immaterial damage. These efforts have contributed to an increasing awareness and public sensitivity about discrimination issues.

206. Victims of discrimination by law enforcement officials may file a complaint with the administrative courts of first instance. These courts assess the lawfulness of the police action but are not authorised to impose any sanctions or grant compensation. Disciplinary measures are to be taken by the superior of the official concerned and/or by a separate disciplinary commission. If the misconduct of the law enforcement official constitutes a criminal offence, it must be reported to the public prosecutor's office, which is obliged to initiate an investigation.

207. In 2024, the Investigation and Complaints Office for Allegations of Ill-treatment (*Ermittlungs- und Beschwerdestelle Misshandlungsvorwürfe – EBM*) was created, which is exclusively responsible for investigating allegations of ill-treatment against police officers and for criminal investigations in all cases of direct coercive force resulting in death and life-threatening use of weapons. The independence of the EBM's investigative activities is ensured by a series of legal and organisational measures. An independent advisory board within the Ministry of the Interior, which is not bound by instructions, has been set up to provide accompanying structural control of the EBM's activities. The EBM has comprehensive police powers and investigates criminal cases under the direction of the public prosecutor's office, drawing on interdisciplinary and multi-professional expertise.

208. In this context, reference is made to more specific information provided in Section II B. The Constitutional Court reviews the conformity of acts, treaties and regulations, with the principles of equality and non-discrimination enshrined in the Constitution.

# B. Government activities

209. The following list contains a non-exhaustive selection of government activities aiming at the prevention of discrimination of different groups in the main policy fields.

## 1. Women's rights, gender equality and a life free from gender-based violence

210. Austria pursues a dual strategy to strengthen women's rights and gender equality, namely the interplay of gender mainstreaming on the one hand and the promotion of women on the other. Despite significant improvements in the situation of women and girls and gender equality in recent years, gender equality has not yet been achieved.

211. To improve gender equality in the labour market, various measures and strategies have been implemented, such as the ongoing initiatives of the Public Employment Service (including funding earmarked for women above their share among the unemployed population) as well as the Girl's Day and the MINT-Girls Challenge to encourage girls and young women's interest in STEM, comprehensive information and counselling offers including the topics of financial independence and pension entitlements, and "LEA – Let's empower Austria", an Austrian fund established in 2022 to strengthen and promote women and girls. Furthermore, calls for funding for projects across Austria have been released. In addition to projects in the field of violence prevention, girls and women are also empowered through projects in the STEM fields and in the digital space. These initiatives aim to reduce gender gaps in the labour market, including the gender pay gap and regarding career opportunities.

212. To strengthen women's representation in decision-making positions, quotas and financial incentives have been implemented for supervisory boards of state-affiliated (50% target), publicly registered and large companies (30% target), as well as for parliamentary groups (financial bonus for a share of more than 40% women). Further measures include regular reports on women's representation in politics and the "Girls in politics" project to motivate and interest young women and girls for local politics.

213. Gender budgeting is the fiscal tool of the gender mainstreaming strategy. In addition to the explicit commitment to the equality between women and men, pursuing the aim of establishing the equality between women and men was also included in the Federal Constitution as a budgetary principle as part of the outcome orientation on the federal state and municipality level in the year of 2009. Since 2009, the objective of *de facto* equality between women and men in the context of budgetary planning is enshrined in the Federal Constitution and since 2013, gender budgeting must be applied at federal level. The Interministerial Working Group for Gender Mainstreaming/Budgeting serves as a supportive body for the implementation of gender mainstreaming in all Federal Ministries and at all political levels, and itis chaired by the member of the government responsible for women and equality.

Ongoing information and awareness-raising measures are carried out, among other things, through the www.imag-gmb.at website or the annually published report on women and men in Austria – figures, data and facts.

214. Over the last years, the budget for projects to strengthen and promote women and girls has been substantially and continuously increased: In 2025, the budget was € 33,6 million, and in 2026 € 34,1 million (+€ 0.5 million / +1.5% compared to the previous year). The women's and girls' counselling centres, which also have an important role in preventing and protecting against violence as a low-threshold first point of contact, have been expanded to country-wide coverage of all districts, thus ensuring a structurally sustainable counselling and support service for women and girls by offering free, confidential and anonymous, holistic social and legal counselling and support on a variety of different counselling topics, oriented towards their respective needs. The funding for women's and girls' counselling and support services has increased by over 150% since 2019, reaching a record budget of roughly € 13,9 million in 2024. This marks the fifth consecutive year of increased budget allocations for these services. The overall funding volume of around € 14 million for women's and girls' counselling centres is to be continued in 2025 and 2026. In addition to structural funding of the counselling centres, calls for projects are also carried out. The projects implemented through the funding complement the counselling services and additionally empower women and girls.

215. To further reduce socio-economic inequalities and to strengthen women's rights in all areas of life, continuous efforts to combat gender-based violence have been made, *inter alia* by a comprehensive "Violence protection strategy for coordination and networking with a focus on counselling for women affected by violence in Austria"[9], which was published in the summer of 2024. It identifies strategic focuses and measures in the key areas of education, the interior, justice, social affairs, health and women in connection with gender-specific violence. Also, it fosters reliable and effective cooperation and networking among the counselling services and other public and publicly financed institutions, and while enhancing the visibility of the Austrian-wide and low-threshold counselling network, to ensure that all women in Austria have access to support at an early stage. Furthermore, a new comprehensive National Action Plan to combat violence against women is currently being developed, aiming to address existing gaps and to identify key areas for improvement in the field of violence prevention and protection. To coordinate, implement, monitor and evaluate policies and measures to prevent and combat all forms of violence covered by the

[9] https://www.bmfwf.gv.at/frauen-und-gleichstellung/gewalt-gegen-frauen/gewaltschutzstrategie-2024.html.

Istanbul Convention and to continue the systematic collection of data on violence against women, the National Coordination Body "Violence against Women" (www.coordination-vaw.gv.at) was established in 2015. Legislation against domestic violence, regularly updated, adheres to the principle "the one who hits, leaves" and includes the statutory prerequisites for fast and efficient protection of victims of domestic violence. A two-year pilot phase for the cross-region admission of high-risk victims to women's shelters was launched on 1 January 2021 and was maintained into standard practice by 2023. In addition, the Federal Government is providing a total of € 12 million from the budget for women and equality over the period 2023-2026 for the expansion of women's shelters, particularly for temporary housing (based on an agreement pursuant to Article 15a B VG between the Federation and the *Länder*).

216. The ongoing work of the Equal Treatment Commission and the Federal Equal Treatment Commission is an important pillar for the implementation of equal treatment of women and men, especially in the working sphere. Proceedings are important measures for enforcement of equal treatment and protection against discrimination in the private and public sectors. Every two years, the Federal Government submits a comprehensive report to the National Council on the status of equality and equal treatment in the Federal Civil Service as well as a report concerning the private sector. The Equal Treatment Reports are published on the websites of the ministry as well.[10]

217. In the culture sector, gender equality and the gender pay gap are addressed *inter alia* by gender-balanced funding, fair pay measures, advanced training courses and the collection of gender-specific data. In 2022, *Vera**, the trust centre for individuals affected by violence, harassment, and the abuse of power in the arts, culture, and sport, was established. Those affected can access psychological and legal support, as well as receive advice on options of action. Related to this measure is the Fairness Codex in arts and culture with a commitment to fair cooperation in arts and culture. According to a decision by the National Council in 2020, a gender report in the fields of arts and culture is to be published every five years to ensure regular data collection in order to reduce the gender imbalance (first report published in September 2024).

218. The Austrian Public Employment Service (*AMS*) provides a multitude of measures to promote gender equality on the labour market and to tackle gender segregation. To reach this goal, the AMS spends a disproportionately high share (of 4% above their proportion of

[10] https://www.bmfwf.gv.at/frauen-und-gleichstellung/gleichbehandlung/gleichbehandlungsberichte.html.

the unemployed registered with AMS) on active labour market policies (ALMPs) for women. In general, AMS offers gender sensitive counselling in its regional branches to advise women on possible career trajectories. Specific active labour market policies for women, such as women's vocational centers that offer individual and intensive advice on careers and further qualifications and a programme to increase the number of women in crafts and technology (*FiT, Frauen in Handwerk und Technik*) promote gender equality on the labour market. In this context, a modular and flexible upskilling programme and a programme that supports women after a family-related career break additionally contribute to enhancing women's situation on the labour market.

## 2. Rights of persons with disabilities

219. Persons with disabilities have equal access to all measures that are available to job seekers. An employment quota for persons with disabilities shall ensure their inclusion in the labour market. Employers who employ 25 or more employees are obliged to employ one registered disabled person for every 25 employees. Companies that do not employ persons with disabilities must pay compensation into a fund. Since 1 January 2024, employers with 25-99 employees have to pay € 320 per month; employers with 100-399 employees € 451, and employers with 400 or more employees € 477 into the fund for each individual person to be employed. This fund – in conjunction with resources from the federal budget and the European Social Fund – is used to finance individual subsidies (e.g. wage subsidies, workplace adjustments, assistive technologies) and the provision of high quality support measures aiming at the inclusion of persons with disabilities in the general labour market (e.g. personal assistance at the workplace, vocational training assistance, job coaching, work assistance).

220. The inclusion of children with disabilities at primary and secondary schools was provided for by law in 1993 and 1996. At the parents' request, children in need of special educational support may either attend a school for children with special needs or be taught in a regular school. Inclusive education is organised either in inclusive classes or individually. For several years, more than half of all children in need of special educational support have been receiving inclusive education. Special statutory provisions were enacted in order to guarantee inclusive assistance for students with disabilities in upper secondary schools. Inclusive vocational training is realised by extending the apprenticeship by one year or, in exceptional cases, by two years and/or in the form of partial qualification for a craftsman's trade with one to three years of training. The Vocational Training Act provides for a

reduction of the regular daily and weekly working hours for apprentices with disabilities. University students with disabilities and health impairments have statutory rights during their studies. All universities have a contact person for students with disabilities and health impairments; at some universities, this contact person is integrated into an organisational or service unit that is responsible for the concerns of the target group.

## 3. Tackling of economic and social disparities

221. To continue to secure the comprehensive social network in economically challenging times, the Federal Government takes specific reform measures to achieve full employment and combat poverty.

222. The promotion of training and gender equality, the employment of youths and elderly people as well as the integration of marginalised groups into the labour market are priority areas of the labour market policy. On behalf of the Federal Government, the Public Employment Service (AMS) provides placement services, counselling, active labour market policies (e.g. re- and upskilling measures) and financial support. Therefore, it plays an essential role in preventing and eliminating unemployment in Austria.

223. All services offered by the AMS are equally available to migrants. Specific measures, such as German language courses, competence checks, re- and upskilling based on specific needs, promote migrants' integration into the labour market. In addition, active labour market policies for women offer specific guidance and counselling. To enhance the labour market situation of migrants, the AMS also cooperates with the Austrian Integration Fund (*Österreichischer Integrationsfonds*), with contact points on recognition of foreign qualifications and other counselling centres for migrants.

224. Strengthening social solidarity and combating poverty are central objectives of the government in all policy areas. In December 2010, the Austrian social assistance scheme was reformed and the means-tested minimum-income scheme (*Bedarfsorientierte Mindestsicherung*) implemented by an agreement between the Federation and the *Länder* pursuant to Article 15a of the Federal Constitutional Act. Under this regime, benefits were granted to persons who do not have sufficient means to cover their own and their relatives' costs of living on their own by way of a lump sum to ensure the means of subsistence and living (minimum standards) outside of residential institutions on the one hand and necessary health services in the event of illness, pregnancy and childbirth on the other. The

agreement between the Federation and the *Länder* pursuant to Article 15a expired at the end of 2016 and legislative responsibility remained with the *Länder* until 2019. The Social Assistance Basic Act (*Sozialhilfe-Grundsatzgesetz*) includes benefits in kind (*Sachleistungen*) and in cash (*Geldleistungen*) that are granted to support general living expenses and covering housing needs. The details of the Social Assistance Basic Act are implemented by the *Länder*. For example, the *Länder* may grant benefits in cash to single parents based on the number of children to increase the basic benefit from social assistance. The *Länder* must grant a mandatory supplement for people with disabilities (2025: maximum of approximately € 217 per month) if they have not already provided equivalent benefits.

225. The Living and Housing Cost Equalisation Act (*Lebenshaltungs- und Wohnkosten-Ausgleichs-Gesetz*), which has been in force since July 2022, was adopted to provide targeted support for low-income households and families with children. In addition, the "Healthy after crisis" project grants clinical-psychological, health-psychological, psychotherapeutic and music-therapeutic counselling and treatment to help children, adolescents and young adults up to the age of 22 to overcome the psychosocial consequences of the prevailing multiple crises such as the COVID-19 crisis, the Russian war of aggression against Ukraine, the associated energy crisis and inflation, as well as the climate crisis.

226. The social and economic protection of artists and cultural workers is an important focus of Austria's cultural policy. Austria has launched a "Fairness Process" in 2020, involving the Federal Government, the *Länder* and stakeholders from the arts and culture sector. Fair pay for work in the arts and culture sector has been integrated as an eligibility criterion in all new calls for proposals and an earmarked fund has been created. Apart from fair remuneration emphasis lies with diversification of the Arts and Culture Sector, e.g. cultural participation of persons from marginalised groups in order to secure that the Arts and Culture Sector adequately reflects societal diversity.

## 4. Educational measures

227. The core elements of the Austrian education policy are education and training for everyone, increase of knowledge, abilities and skills, recognition of individual performance and promotion of value-oriented personal development. Education means promotion of creativity, social competence, intercultural understanding, tolerance and democracy, which is strengthened primarily through political education. Primary and secondary schools have to ensure the highest possible level of education for everyone. Children and young adults

in Austria should receive the best possible education. Since 2018 schools are provided with a framework for implementing the interdisciplinary and competence-oriented topic of "Reflexive Gender Education and Equality" anchored in the new curricula at the various levels of school teaching and learning. It contains suggestions on how issues of equality can be addressed in public schools – against the background of a pluralistic society characterised by religious, cultural and social diversity – both at the subject and teaching level and at the level of social relationships. It aims to contribute to the development of a professional and reflective approach to gender issues in schools, which are characterised by heterogeneous living environments, on the basis of the constitutional mandate of equality and anti-discrimination.

228. Austria has taken comprehensive measures in the field of adult education to enable young people and all adults living in Austria, regardless of their origin and educational background, to acquire basic skills and educational qualifications. The program "Level Up – *Erwachsenenbildung*" enables, participants to acquire basic digital skills as well as basic writing, reading and mathematical skills and receive individual counselling. Furthermore, participants can obtain a certificate of completing compulsory school. The aim is to ensure equal access to the labour market and the Austrian education system and to enable persons to actively shape their own educational pathway. All courses in this programme are free of charge for participants. For this programme, a budget of € 172,8 million is available for the period of 2024-2028, including federal, regional and EU (ESF+) funds.

229. Since 2021, the National Education Report (*NBB*) is coordinated, published and submitted to the National Council by the Federal Ministry of Education, in collaboration with the Federal Institute for Quality Assurance of the Austrian School System (*IQS*) and external researchers. The NBB represents an overview of the results of impact-orientated management, quality management, resource controlling and education monitoring, offers a comprehensive quantitative representation of important aspects of the school and education system and deals with selected areas for development in the education sector.

## 5. Health care

230. The Federal Government is committed to a strong public health system and to guaranteeing high-quality medical care for everyone in Austria, irrespective of income, age, origin, religion, gender, language, colour, sexual or political orientation, disability or social affiliation. To increase the quality of the health system and of patient safety, the Federal

Government has – in addition to the legal framework – published a national strategy for quality and a national strategy for patient safety. The focus of the measures commissioned for the next couple of years will be on improving health care for people with disabilities and chronic diseases, e.g. through the development of models of integrated care. Important topics are patient empowerment and participation processes as well as easier access to health care through extended offers of digitalisation-tools.

231. In 2011, 10 health targets were formulated in a broad and participatory process (involving more than 40 stakeholders from relevant institutions and civil society). In 2012, these targets were approved by the Federal Health Commission (*Bundesgesundheitskommission*). The targets aim to prolong the healthy life years of the Austrian population over 20 years (until 2032), irrespective of the level of education, income or personal living conditions of individuals.

## 6. Long-term care

232. In 1993, universal coverage of a tax-financed long-term care allowance was introduced to fund long-term care (*Pflegegeld*). The long-term care system combines cash and in-kind benefits. It aims at enabling persons in need to remain at home for as long as possible and to live independent lives. If necessary, 24-hour care in private households is provided.

233. The allowance is the core of the system and granted regardless of the reasons for care needs or the income or assets of the person concerned. The allowance provides flat-rate compensation for additional costs caused by care requirements and is granted at seven levels according to the extent of care required, ranging from € 192,00 (level 1) to € 2.061,80 (level 7). In 2024, around 490,024 people in Austria received this allowance at the highest level.

234. In 2011, the long-term care fund was introduced in Austria. The grants from this fund are aimed at securing the availability and sustainability of long-term care services, which are provided by the *Länder* and municipalities in cooperation with non-profit organisations. The long-term care fund sets priorities for the nationwide expansion of mobile services and is primarily used for non-stationary services. With the amendment to the Long-term Care Fund Act, which came into force on 1 January 2024, re-endowment of the Long-term Care Fund for the years 2024 to 2028 was ensured (2/3 by the Federal State and 1/3 by the

*Länder* and municipalities). An increase from € 455,6 million to € 1,1 billion was provided for 2024 as well as an annual valorisation from 2025 on, resulting in a total increase of € 6,034 billion for the entire period.

235. Today, the long-term care system also comprises the care leave benefit to support family carers to better reconcile work and care by taking care leave or part-time care. The care leave benefit depends on the applicant's income. In 2023, as an additional financial benefit for close caregiving relatives, the bonus for caregiving relatives was introduced as part of the long-term care reform.

## 7. Integration

236. Since June 2017, the Integration Act (*Bundesgesetz zur Integration rechtmäßig in Österreich aufhältiger Personen ohne österreichische Staatsbürgerschaft – Integrationsgesetz*) sets the central framework for the successful integration of persons who settle in Austria on a long-term basis. In June 2019, the integration obligations were harmonised with the Fundamental Law on Social Assistance in the sense of a coordinated nationwide system. The new laws should encourage immigrants to learn German more quickly and effectively so that they can participate in both the Austrian labour market and Austrian society.

237. The mandatory courses on rule of law and principles (values) for persons entitled to asylum and subsidiary protection implemented by the Austrian Integration Fund were extended to five days in 2025. They focus on basic principles of the Federal Constitution such as equal rights for men and women, human dignity and democracy, the importance of German language skills, education, police and security and antisemitism as well as everyday knowledge. Building on this, a mandatory, modular integration programme based on individual integration counselling, including a skills screening, is to be introduced in the future to facilitate the successful integration and, as a central goal, the rapid participation in the labour market of displaced persons, asylum seekers with a high probability of recognition.

238. In 2020, the Austrian Fund for the Documentation of Religiously Motivated Political Extremism ("Documentation Centre against Political Islam") was established. Its task is the scientific investigation of the phenomenon of Political Islam and other religiously motivated extremisms and the associated networks and structures (causes and trends) with the goal

of strengthening and promoting pluralism, democratic awareness and religious freedom in all parts of the Austrian population based on the research results.

239. In 2021, the "Vienna Forum on Countering Segregation and Extremism in the Context of Integration" was established as a centre of expertise in the fight against Islamism and extremism and brings together experts from politics, administration and academia.

## 8. Combating Antisemitism

240. Against the background of Austria's special historical responsibility towards its Jewish population Austria adopted the National Strategy against Antisemitism (*NAS*) in 2021. It was developed in close consultation with Jewish communities and civil society and aims to combat antisemitism effectively and to provide safeguard for Jewish people. In 2025, the *NAS* was evaluated and updated. The updated *NAS* ("*NAS 2.0*") was presented on 10 November 2025. The strategy comprises 49 new measures to prevent and combat all forms of antisemitism in the areas of security, law enforcement, education, digital sphere, media, integration, remembrance, research, documentation, EU and international affairs as well as sports and civil society.

241. To implement the *NAS*, a comprehensive working structure was created, comprising various national bodies and the EU-like-minded group of the European Conference on Antisemitism (ECA). At the national level, the "National Forum against Antisemitism" was established in 2021 as an annual platform for exchange across society. In 2023, the Task Force on Online Antisemitism and Disinformation was set up, and in 2024, the "Antisemitism Online" package of measures was developed. In addition, the annual subsidy to the Jewish Religious Community (*Israelitische Religionsgesellschaft*) – enshrined in the Austrian Jewish Cultural Heritage Act 2021 – was significantly increased.

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