



FUNDAMENTAL RIGHTS AND THE RULE OF LAW

Report on the visit to Austria **Authorities' observations on the report**

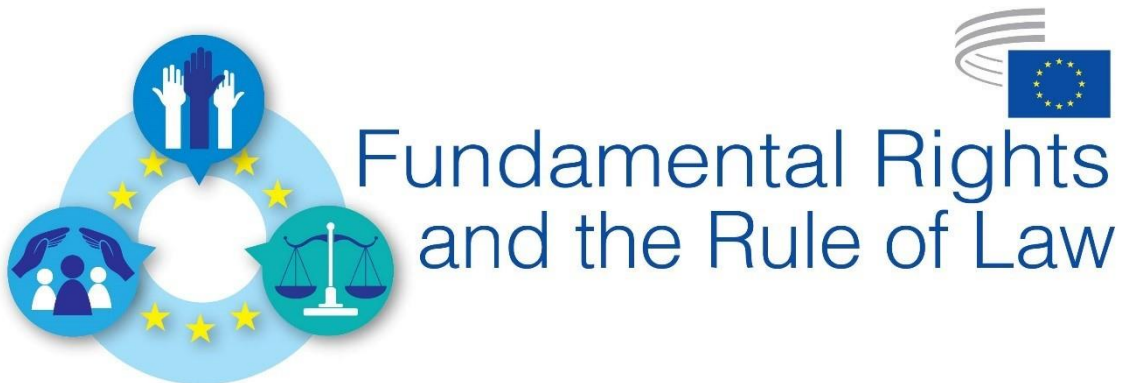
19-20 March 2025



European Economic
and Social Committee

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As part of the EESC's efforts to promote fundamental rights and the rule of law, a delegation from the EESC's Fundamental Rights and Rule of Law Group visited Austria on 19 and 20 March 2025. The delegation met with several civil society representatives, specifically civil society organisations (CSOs), social partners, the media and legal professionals. A separate meeting was held with the Austrian authorities, during which they had the opportunity to respond to some of the points presented to them. The aim of this report is to faithfully reflect the views of civil society. The last visit of the EESC's Fundamental Rights and Rule of Law Group to Austria had been on 3 and 4 June 2019.

1. Fundamental rights of social partners

Participants appreciated Austria's **long-standing social partnership** (*Sozialpartnerschaft*), in which trade unions and employers prioritised negotiation over public confrontation. Austria's exceptionally high collective bargaining coverage (98% - the highest in the EU) was attributed to a post-war culture of compromise, which also explained the rarity of strikes and the limited need for industrial action legislation. The Austrian authorities also expressed pride in this model, crediting it with maintaining social peace and welfare.

Participants explained that while Austria lacked a specific law on **social dialogue**, key institutions such as the Federal Economic Chamber (*Wirtschaftskammer Österreich, WKÖ*), the Chamber of Labour (*Kammer für Arbeiter und Angestellte, AK*) and the Chamber of Agriculture (*Landwirtschaftskammer Österreich, LKÖ*) are constitutionally protected. The fact that the Austrian Trade Union Federation (*Österreichischer Gewerkschaftsbund, ÖGB*) had a de facto monopoly minimised issues of competition and representation compared to other countries. Participants considered the labour court system – comprising professional judges and employer-employee representatives – to be efficient and relatively fast by EU standards.

Social partners explained that they had a legal right to **consultation on legislation**, with government drafts usually shared in advance, though often with shorter notice than the official six weeks. However, participants believed that legislative initiatives (*Gesetzesinitiativen*) proposed by MPs did not require

mandatory consultation. They also noted that social partners' involvement varied depending on the ruling coalition. The Austrian authorities referred to a revision of the National Council's Rules of Procedure that had, since 1 August 2021, seen experts, civil society representatives and citizens explicitly invited to participate by submitting comments on all types of legislative initiatives, including those proposed by MPs, parliamentary committees, the Federal Council and popular initiatives throughout the parliamentary legislative process (the 'parliamentary consultation procedure'). These comments were then published on the Parliament's website (those of individuals only with their consent), facilitating broad and transparent participation.

One participant noted that Austria's social partnership helped workers manage inflation, but also increased labour costs, impacting competitiveness in a fragile economy reliant on Germany's industry and cheap energy. Despite low unemployment, there had been significant industrial job losses, and participants highlighted the **need for structural reforms** to address economic and demographic challenges. Labour shortages persisted despite efforts to recruit skilled workers, and Austria's integration of migrants since 2015 had not prevented the rise of nationalist rhetoric at the expense of labour interests.

The full **integration of women into the labour market** remained a key challenge. Participants had different views on the reasons behind Austria's high gender pay gap: some saw it as a result of career and sector choices rather than direct discrimination, pointing out that the adjusted pay gap (salaries in the same position) was 6%, compared to the overall 18% gap. Others stressed the importance of broader policies, including the full implementation of the EU's Pay Transparency Directive, a fairer distribution of care work, and social partner initiatives like childcare funding or childcare services at the workplace, as well as leadership programmes for women.

2. Freedom of association and freedom of assembly

Participants observed that Austria did not face systematic issues **regarding freedom of association and assembly**, but they did identify several serious concerns. Some perceived a double standard in how demonstrations were authorised or restricted on security grounds, believing that farmer and anti-vaccine protests had been more tolerated than demonstrations or other activities (including public debates) related to the environment or the situation in Palestine.

Regarding **demonstration policing**, one participant cited past instances of disproportionate force during climate protests. The practice of confining journalists to distant 'press zones' was seen as hindering their monitoring role. One participant also stated that police officers were not required to wear identification numbers and expressed doubt about the effectiveness of body cameras, as officers could choose when to activate them. However, participants welcomed the creation of the Investigation and Complaints Office for Allegations of Police Ill-treatment (*Ermittlungs- und Beschwerdestelle Misshandlungsvorwürfe*, EBM) in 2024. While concerns remained about its dependence on the Federal Bureau of Anti-corruption (*Bundesamt zur Korruptionsprävention und Korruptionsbekämpfung*, BAK), the inclusion of experts and CSOs in the Ministry of the Interior's supervisory board was appreciated.

The Austrian authorities explained that the EBM's placement in the ministry guaranteed full investigative competencies. They further emphasised safeguards provided for under law, such as the

integration of the EBM in the BAK outside the regular chain of command of the police, multidisciplinary investigation teams, and civil society representation in the advisory board. They stated that allegations were always reported to the public prosecutor within 48 hours. The public prosecutor would then decide on investigations, with the possibility of separate disciplinary action. Authorities also explained that crowd control police displayed identification numbers, while patrol officers had to provide business cards with their name and ID number after checks. They acknowledged that individual misconduct, including ethnic profiling, could not be ruled out, but stressed that Austria's comparatively long two-year police training focused on behaviour rather than specific groups.

Some participants felt that **environmental CSOs** faced particular challenges to their freedoms. Authorities were seen as drifting away from the Aarhus Convention requirements, in particular by using ordinances (*Verordnungen*) instead of laws in key areas like species protection, thus limiting CSO participation in decision-making. Some political forces had advocated harsher penalties (including criminal charges) for non-violent protest actions like road blockades. Participants also cited instances of strategic lawsuits against public participation (SLAPPs) against climate activists. While Constitutional Court rulings protected against the use of spyware, concerns remained about potential risks.

Participants highlighted the impact that political instability had on **civil society's financial viability**. Women's rights CSOs, often reliant on short-term contracts, were seen as particularly vulnerable. The Federal Agency for Reception and Support Services (*Bundesagentur für Betreuungs- und Unterstützungsleistungen*, BBU GmbH), which funds CSOs providing legal aid to migrants, also faced funding uncertainties, though service cuts were ultimately avoided. On a positive note, participants welcomed the 2023 Non-profit Reform Act (*Gemeinnützigkeitsreformgesetz*, GemRefG), which expanded tax exemptions to all charitable purposes. However, some noted that the far right had fuelled suspicions against CSOs by questioning their transparency and funding sources in parliamentary debates, and they feared that a far-right-led government could revoke these tax benefits in the future.

Regarding **civil society participation in decision-making**, participants observed that while CSOs could formally comment on draft legislation, their input often lacked impact. Influence was perceived to be ministry-dependent, with short deadlines hindering effective consultation with constituencies. One participant stressed the importance of Austria's direct democracy mechanisms, including the Citizens' Climate Assembly (*Klimarat*), the popular initiative (*Volksbegehren*), and the referendum (*Volksabstimmung*), which were perceived as more neutral than plebiscites (*Volksbefragung*).

3. **Freedom of expression and media freedom**

Participants noted that Austria had dropped to 32nd place in the 2024 global Reporters Without Borders (RSF) ranking, reflecting their perception of **deteriorating media freedom** (Austria leaped forward to 22nd place in the 2025 index, as later underlined by the Austrian authorities). Participants highlighted the rise of partisan media in particular, especially online, which they believed promoted political agendas at the expense of journalistic standards. Participants believed that the political influence over the media in terms of editorial lines and financing was making press freedom vulnerable to a political takeover by anti-democratic forces. They thought it important to devise resilience mechanisms in advance to safeguard media independence in such scenarios.

Participants criticised Austria's high level of **media concentration** across newspapers, radio and television. There were only 12 daily newspapers remaining, following the closure of two, with one participant raising concerns about the long-term pluralism of regional newspapers. The same participant also observed that the EU Postal Services Directive protected addressed newspapers, but left free, unaddressed local newspapers (distributed without subscriptions to a whole community) at risk of not being delivered, threatening local journalism's role in providing community-based news.

Participants highlighted structural weaknesses in Austria's **media funding system**, particularly in a small market where subsidies and public advertising were essential funding sources and prone to political influence. They criticised the 2004 Press Subsidies Act (*Presseförderungsgesetz*, PresseFG) for allocating funds primarily based on circulation criteria rather than the quality of journalism, favouring sensationalist tabloids over more serious outlets and prioritising traditional print over digital journalism. One participant believed that the public media academy was distorting the private journalism training market. Concerns were also raised that the far right, if in power, could easily alter media funding rules by simple majority vote. Public subsidies were a minor part of media funding compared to advertising revenue, where participants saw similar risks of political influence. The Austrian authorities considered that these concerns ignored different legal acts providing for media funding at the federal level, such as the Quality Journalism Subsidies Act (*Qualitäts-JournalismusFörderungs-Gesetz*, QJF-G). They added that funding based on the PresseFG and the QJF-G was granted by a public authority that was independent by virtue of a constitutional provision.

The 2024 revision of the 2011 **Media Transparency Act** (*Medienkooperations- und -förderungs-Transparenzgesetz*, MedKF-TG) was viewed as an improvement in ensuring transparency in public advertising spending. However, participants found it regrettable that there were no objective criteria or prerequisites for quality-guided ad placements, leaving room for political interference. The Austrian authorities strongly rejected the statement that there was an unfair distribution of public advertising funds. They noted that the 2011 MedKF-TG was pioneering in requiring full disclosure of public institutions' media expenditure and reaffirmed the government's commitment to strengthening a funding structure that supports media diversity and independent journalism.

Participants acknowledged some progress in **public service media** (PSM), the Austrian Broadcasting Corporation (*Österreichischer Rundfunk*, ORF), since the 2019 FRRL Group visit. They mentioned the 2023 Constitutional Court ruling that had found the ORF Board of Trustees (*Stiftungsrat*) appointment process to be unconstitutional due to excessive government influence over civil society representation. While implementation of this ruling was still pending, participants warned that some politically nominated board members had pressured journalists, fostering self-censorship. Some participants welcomed the 2024 ORF Contribution Act (ORF-Beitrags-Gesetz'), but also highlighted certain challenging aspects: the shift to a household levy (replacing the licence fee) had secured ORF funding but lacked inflation indexing and was vulnerable to future political reductions; moreover, the levy's introduction coincided with a drastic reduction in the ORF's budget of over EUR 300 million, significantly impacting staffing and content production. Participants also criticised the ORF Act's transparency requirements, which mandated reporting on top ORF salaries. One participant argued that such disclosures should apply to all public institutions, fearing that they could fuel populist resentment by implying that ORF staff were overpaid (though only top management salaries were concerned). They

also noted that the ORF's collective bargaining agreement already moderated salary increases below inflation. The Austrian authorities defended the salary disclosure requirement, saying that it was aligned with international transparency standards and was an important aspect of public information rights, as already stated in the explanatory report to the government draft of the ORF Act.

Participants noted an increase in **legal and physical threats** against journalists in Austria. They suspected that SLAPPs were more widespread than the 18 officially recorded in Austria over the past 15 years, citing cases involving far-right reactions to investigative journalism. Online threats, particularly targeting female journalists, were also mentioned, though comprehensive data was lacking. Participants reported that journalists did not feel fully protected from violence during demonstrations, with police instructing them to remain in 'journalist zones' away from key events and sometimes seizing phones and computers, raising concerns about press freedom and source protection. In that context, participants hoped that the Austrian authorities would fully implement the Council of Europe's recommendations on media freedom and journalist safety. The Austrian authorities acknowledged concerns regarding SLAPPs and expressed their political will to address the issue. They highlighted plans to establish an independent legal aid body within press clubs to support journalists facing legal harassment. They also pointed to existing media contact officers designated for journalists at demonstrations.

4. The right to non-discrimination

While Austria benefited from an advanced **institutional anti-discrimination framework**, participants raised concerns about regional inconsistencies in enforcing federal anti-discrimination laws. With nine regions responsible for implementation, legal protections varied, sometimes favouring certain groups at the regional rather than federal level. Participants noted that individuals struggled to identify the appropriate legal framework, with protection levels varying between discrimination grounds. The Austrian authorities acknowledged gaps in protection outside the labour market and expressed willingness to rectify them, referencing Austria's support for the now-abandoned EU Horizontal Equal Treatment Directive.

Participants criticised the lack of legal standing for CSOs to sue on behalf of victims, and the absence of a legal right to demand cessation of discrimination beyond seeking compensation. **Discrimination in education** was highlighted, where ethnic origin was the only explicitly protected ground. Participants noted the lack of dedicated budgets for anti-discrimination initiatives in schools, and the lack of sanctions for discriminatory behaviour in classrooms. One participant also criticised the perceived lack of a comprehensive response to hate speech and hate crime.

Participants observed that **access to justice for people with disabilities** remained more limited than for other discriminated groups. Unlike other grounds, disability discrimination was regulated under the Federal Disability Equality Act (*Bundes-Behindertengleichstellungsgesetz*, BGStG) rather than the Equal Treatment Act (*Gleichbehandlungsgesetz*, GIBG). The Austrian authorities clarified that people with disabilities that suffered intersectional and multiple discrimination, such as women with disabilities, were, by design (the intention of the Parliament), obliged to use the conciliation proceeding system set up under the BGStG rather than the Equal Treatment Commission (*Gleichbehandlungskommission*) proceeding. The Austrian authorities also emphasised the role of the

Office of the Ministry of Social Affairs (*Sozialministeriumservice*) in providing rapid, low-cost conciliation proceedings, if requested with Disability Ombudswoman support while preserving court access. They considered that access to remedy (conciliation proceedings and court proceedings) was not limited for people with disabilities in comparison to other discriminated groups.

Beyond access to justice, participants highlighted barriers to the full **inclusion of people with disabilities** in education and the labour market. They pointed to a lack of resources for transitioning from segregated schooling to genuinely inclusive education. People with disabilities were paid pocket money rather than wages in workshops, maintaining financial dependency. Inheritance laws often directed funds towards daily support rather than long-term financial autonomy. Personal assistance remained unstandardised across regions, and media representation was marked by underrepresentation and stereotypes. One participant raised concerns about difficulties older people suffer in accessing services due to digitalisation, particularly in banking and insurance, and the chronic lack of pain management resources and trained staff in aged-care institutions. The Austrian authorities highlighted significant investments in vocational training and the upcoming Accessibility Act (*Barrierefreiheitsgesetz*, BaFG), which will introduce accessibility requirements for products and services in June 2025.

Regarding **ethnic and religious discrimination**, participants noted Austria's lack of a national action plan against racism. They referred to data from the EU Fundamental Rights Agency (FRA), which showed a particularly high level of discrimination against Muslims and black people in Austria, including ethnic profiling. Participants had the perception that anti-Muslim rhetoric had intensified, and made reference to several significant incidents since the last FRRL Group visit in 2019. These included the failed attempt to ban headscarves in primary schools – overturned by the Constitutional Court in 2020, but still a political objective of the far-right movement – and the 'Islam map', put together in 2021 by Austria's Documentation Centre of Political Islam as an online tool intended to counter extremism, but which Muslims believed incited threats. One participant pointed to Operation Luxor, a large-scale 2020 anti-terrorism raid on 70 households, considering it a political operation that led to no arrests or convictions. The participant added that Muslim-run CSOs reported increasing difficulties in securing funding, renting spaces and organising activities, creating a chilling effect on civil society participation. The Austrian authorities acknowledged calls for a national action plan against racism, but also underlined the importance of carefully evaluating existing thematic national action plans and initiatives before committing to additional plans.

One participant highlighted the severe challenges faced by **undocumented migrant workers** in exercising their rights, particularly in low-wage sectors, due to fears of deportation or losing subsidies. The recently announced end of family reunification was seen as affecting migrant women's rights particularly badly. One participant criticised the lack of a 'firewall' to guarantee that labour inspectors would not report undocumented workers to immigration authorities. It was considered that most asylum seekers remained excluded from the labour market, as work permits were only granted if the employer could justify that the position could not be filled by an Austrian, an EU citizen or a resident third-country national. The Austrian authorities specified that the act governing the employment of foreign nationals (*Ausländerbeschäftigungsgesetz*, AuslBG) allowed potential employers of asylum seekers to apply for a permit three months after the asylum application had been submitted through the regular procedure.

Participants also noted persistent **gender inequalities**. The gender pay gap remained high, contributing to a pension gap of more than 30%. One participant noted that while wages were formally equal for men and women in the same positions, disparities stemmed from company-level pay gaps, underpaid female-dominated jobs and weak legal enforcement. A perceived culture of wage secrecy was also seen as hindering efforts to address pay discrimination. Women were underrepresented in leadership roles and performed more unpaid care work than paid work where childcare services were not universally available. The Austrian authorities acknowledged gender pay gaps, attributing them to occupational segregation. They considered that the swift implementation of the EU Pay Transparency Directive (included in the current government's programme) would help, as part of a group of multifaceted actions and approaches by various ministries to reduce gender inequalities.

Participants felt that Austria's implementation of the Istanbul Convention on **violence against women** was inadequate (the Austrian authorities later commented that a national action plan to further improve prevention and protection against violence against women would be adopted in 2025). Despite budget increases, funds remained inadequate, and there were too few centres for protection against violence. Government instability threatened long-term funding for women's rights organisations. The Austrian authorities acknowledged funding challenges for women's CSOs due to budget negotiations at that time. Participants criticised the inadequacy of judicial training on domestic violence, and noted cases where victims' addresses had been disclosed to perpetrators in official summonses. During the session on the rule of law, one participant explained that while the Equal Treatment Act (GIBG) had reinforced penalties on sexual harassment, Austria's Criminal Code did not specifically recognise femicide, treating male and female homicide equally despite Austria's relatively high femicide rate. This participant felt that police and judicial actors lacked awareness of domestic violence cycles and the psychological vulnerability of victims, leading to case dismissals and high acquittal rates. On the positive side, the participant mentioned that Austria had been recognised for its best-practice emergency protective orders since the 1990s. A multi-agency risk assessment project tested in Vienna was also seen as a potential model for reimplementation.

One participant noted progress on **LGBTIQ rights**, including the removal of blood donation restrictions for homosexual men, but expressed concern over continued medical interventions on intersex children without consent. HIV-positive individuals were still barred from joining the police force, though participants were hopeful for change.

5. The rule of law

Participants warned of increasing **questioning of the rule of law** in Austria, particularly under pressure from the far right. Some political actors argued that agendas such as 'remigration' should not be hindered by constitutional principles or European Convention on Human Rights guarantees. One participant cited threats against and doxing of judges handling neo-Nazi cases, highlighting a perceived lack of response by the authorities to growing online attacks against judges. Following a terror attack, the Ministry of Interior proposed mass police checks on Syrians and Afghans, raising concerns about ethnic profiling. Another participant criticised Austria's reluctance to enforce International Criminal Court (ICC) arrest warrants universally, and called for improved mechanisms to address international law violations, including a specialised prosecution unit for such cases.

Participants noted persistent **delays in judicial and administrative systems**, especially in asylum procedures and citizenship applications. In one year, the Ombudsman received over 1 000 complaints about slow asylum proceedings. Despite additional resources, administrative courts were still failing to meet the six-month legal limit for examining asylum requests. It was argued that this timeframe forced superficial case handling. In Vienna, the citizenship application office was so overwhelmed it could not answer phone inquiries until recently, when new staff were recruited. Delays, coupled with complex documentation requirements, unnecessarily complicated applications. Similarly, obtaining family allowances, particularly for international couples, involved cumbersome social security procedures. The Austrian authorities stressed that Austria's justice system was among the most efficient in the EU, with case processing times rarely exceeding a few months; the EU Justice Scoreboard ranked Austria in the top five for resolving civil, commercial and administrative cases.

Concerns were raised over the **politicisation of judicial appointments**, particularly in administrative courts. One participant referred to the European Commission's Rule of Law Report, which criticised the lack of reform to ensure judicial involvement in the appointment of administrative court presidents and vice-presidents. A similar issue was noted in regional administrative courts. One participant flagged a problematic appraisal system at the Vienna administrative court that could lead to automatic dismissal after two negative evaluations. Concerns were also raised about political interference in investigations through ministerial instructions to prosecutors in individual cases. However, one participant expressed optimism about renewed political will to strengthen judicial independence and the autonomy of the Procurator General's Office (*Generalprokuratur*).

Participants observed that judicial **resource shortages** persisted, with an estimated deficit of 200 judges across civil and criminal courts. While new resources had been announced, participants feared that austerity could still hinder recruitment and training. Budget constraints have forced many judges to work six-day weeks, delaying proceedings. Prosecutors also face resource shortages, especially due to new data seizure rules under the 2024 Criminal Procedure Amendment Act (*Strafprozessrechtsänderungsgesetz*), which have improved data protection but imposed greater constraints and therefore increased the number of staff needed to prevent delays.

Participants felt that **access to justice** was hindered by high court fees for civil cases. One participant called for legal aid to be reformed to prevent lawyers from being randomly assigned outside their specialisation. It was noted that certain legislation, such as the Anti-money Laundering Directive, posed some risk to lawyer-client confidentiality. Hopes were expressed for the swift ratification of the Council of Europe Convention for the Protection of the Profession of Lawyer. According to one participant, the reform of the Federal Agency for Reception and Support Services (BBU GmbH) had improved asylum counselling, making it more predictable and efficient. Another participant remarked that Austria's judicial system still relied heavily on paper documentation, though digitalisation efforts were underway and had been particularly successful in penal procedures. Another participant underlined how difficult it was for liberal professions to be at the service of their clients in a context where civil law proceedings were lengthy and costly, and where bureaucratic burdens were increasing due to both European and national regulations.

Participants reported that Austria's **prison occupancy rate** slightly surpassed the EU average, particularly in Vienna's men's prisons. The Ombudsman's Office reported poor conditions, especially

for prisoners with psychological impairments, and cells below European size standards. Insufficient funding and staffing hindered improvements to prison facilities and rehabilitation programmes.

One participant drew attention to Austria's worst-ever ranking in the 2024 Transparency International **Corruption** Perceptions Index (CPI). Corruption was perceived as possible at all levels of governance, with inadequate safeguards against public officials misusing funds. The Austrian authorities clarified that public servants were required to complete training and e-learning courses on the topics of corruption prevention, compliance and integrity. In cases of breaches of official duties, disciplinary and even criminal consequences were possible. The 'friendship economy', or exchanges of favours based on personal connections, remained widespread and potentially discouraged foreign direct investment. A significant gap was identified in the absence of mandatory asset and conflict-of-interest declarations for MPs. Participants called for stronger anti-corruption laws and greater transparency in public office. The Austrian authorities referred to the 2023 adoption of the national anti-corruption strategy and the related 2023-2025 action plan, implemented inter alia by the Federal Bureau of Anti-corruption (BAK). They also referred to the Incompatibility and Transparency Act (*Unvereinbarkeits- und Transparenz-Gesetz*), which obliged Members of the National Council and Members of the Federal Council to report specific activities and income categories to the president of the respective representative bodies. The European Commission's 2024 Rule of Law Report mentioned that the perception among experts and business executives was that the level of corruption in the public sector remained relatively low.

**Authorities' observations
on the report on the visit to Austria,
19-20 March 2025**

Observations from the Austrian authorities concerning the FRRL Group's draft report

Austria would like to thank the Ad Hoc Group on Fundamental Rights and the Rule of Law (FRRL Group) of the European Economic and Social Committee (EESC) for its efforts in relation to the report. The EESC's FRRL Group is an important forum for European civil society organizations to come together and share their views on the situation of fundamental rights and the rule of law.

Since the last visit of the Ad Hoc Group on Fundamental Rights and the Rule of Law in Austria in 2019, the EU's Rule of Law Toolbox has been considerably expanded. Of particular significance are the annual Rule of Law Reports published by the European Commission, which also contain a separate country chapter on Austria. The Commission's reports are an important reference for the discussion and evaluation of the rule of law situation in the Union and in the Member States, covering the judicial system, the fight against corruption, media freedom and pluralism and other institutional issues related to checks and balances. The underlying methodology ensures that the Rule of Law Report is the result of close cooperation with national authorities and that it is based on a wide range of sources. All Member States and those candidate countries that have been included have the opportunity to participate in the process, provide written contributions and take part in thoroughly prepared country visits. In the context of these visits, the Commission organizes meetings with national authorities, independent bodies and stakeholders, including representatives of civil society.

The FRRL Group's report addressed a number of relevant issues and the authorities take note of civil society's concerns with interest. At the same time, the authorities point out that contrary to the method applied by the Commission, the report is a compilation of observations gathered by the FRRL Group following consultations with members of civil society organizations, the social partners, media and legal professions, and that it does not claim to be representative or objective. Since the report only aims at reflecting the views of civil society members, it stands on its own and in principle requires no further detailed commentary from the authorities. At the same time, Austria would like to mention that a number of factual corrections as well as clarifications made by the authorities during their meeting with the FRRL Group have not been considered adequately. We therefore would like to refer to the separately transmitted document with factual corrections and provide some examples and clarifications below (non-exhaustive list):

- In **chapter three on freedom of expression and media freedom**, for example, the statements in the report on alleged structural weaknesses in Austria's media funding structure do not seem to have taken into account the different legal acts containing a funding of media at the federal level. Regarding public subsidies as part of media funding, it is important to note that funding based on the PresseFG and the QJF-G is granted by a public authority that is independent due to a constitutional provision.
- Regarding the **operation and role of the EBM** (*Ermittlungs- und Beschwerdestelle Misshandlungsvorwürfe*) in chapter two on freedom of association and freedom of assembly, safeguards have to be emphasized, e.g. the integration of the EBM in the BAK

outside the regular line organization of the police. Furthermore, an independent Advisory Board was set up, which also includes representatives of civil society.

- Regarding **protection against discrimination for people with disabilities**, the Austrian Disability Equality Act (in force since 1.1.2006) has been mentioned several times as a good example in EU-wide comparative studies. The “sectoral” approach chosen in Austria for the protection of people with disabilities against discrimination has proven to be right and has stood the test of time.
- Austria launched political initiatives at national, regional, and local levels to improve equal opportunities and strengthen social inclusion of children. On July 6, 2022, the Federal Government adopted the ‘National Disability Action Plan 2022-2030’ in the Council of Ministers. The National Disability Action Plan is the Austria-wide strategy for implementing the UN Convention on the Rights of Persons with Disabilities. It comprises 375 measures in various areas, such as disability policy, equal rights and non-discrimination as well as education.
- Regarding **inclusive education**, Austria is committed to a systemic transformation process towards an inclusive teaching and learning culture. The path to an inclusive education and science system will be continued on the basis of the ‘Strategy and Position Paper on Inclusive Education and Special Needs Education’.
- To combat **hate speech**, the ‘Preventing extremism at school’ initiative, introduced in April 2022, aims at raising awareness of the dangers of ideologies of inequality among pupils at all levels and types of school across Austria and strengthen resilience to radicalization. The program offers opportunities to reflect on questions of identity and coexistence in a pluralistic society. In 2025 Digital Citizenship Education is one of the focal points of Zentrum Polis, which was commissioned by the Ministry of Education to support schools regarding Citizenship Education. There were action days dedicated to the topic, as well as monthly compilations. Polis, as well as the ministry itself, is also part of the no-hate-speech committee, an initiative of the Council of Europe. Within the Austrian Exchange service, ERINNERN:AT deals with prevention of antisemitism and Holocaust Education, among other things. The focus in 2024 was on the persecution of Roma and in 2023 on the persecution of homosexuals in Austria.
- The statement regarding the absence of **mandatory consultation for legislative initiatives** (*Gesetzesinitiativen*) proposed by members of Parliament (MPs) appears to overlook the important development introduced by section 23b to the Rules of Procedure of the National Council (*Geschäftsordnungsgesetz 1975*), which entered into force on 1 August 2021. Under this revised procedure, experts, civil society representatives, and citizens are explicitly invited to participate by submitting comments on all types of legislative initiatives - including those proposed by MPs, parliamentary committees, the Federal Council, and popular initiatives - throughout the parliamentary legislative process (so-called ‘parliamentary consultation procedure’). These comments are published on Parliament’s website (those of individuals only with their consent), facilitating broad and transparent participation.
- Regarding the stated lack of a National Action Plan Against Racism, Austria recognizes the importance of developing targeted **National Action Plans (NAPs)** addressing specific human rights issues. However, before committing to additional plans, the Austrian government is carefully evaluating existing thematic NAPs and initiatives, ensuring a coordinated and resource-efficient approach without duplication. Austria

remains committed to finding comprehensive and sustainable solutions, closely involving civil society stakeholders to address all human rights dimensions effectively.

- With regard to the statement concerning the **inadequate implementation of the Istanbul Convention on violence against women**, Austria would like to note that in April 2025, a council of ministers resolution on drafting a new national action plan on violence against women was adopted. The preparations have already begun to develop a comprehensive NAP to further improve violence prevention and protection. This development process also involves civil society comprehensively. The kick-off event, which took place on 20 May 2025, involved a wide range of political, administrative and practical stakeholders. It is planned to adopt this NAP in 2025.
- Regarding funding challenges for women CSOs, Austria notes that the public funding of nation-wide, low-threshold counselling centres for women and girls remain a priority.
- In connection with the allegedly inadequate safeguards against public officials misusing funds, it should be noted that public servants are required to complete training and e-learning courses on the topics of **corruption prevention, compliance, and integrity**. If breaches of official duties are discovered in this regard, they face disciplinary and possibly even criminal consequences. As part of an amendment in 2024, a legislative clarification was provided for public servants regarding how actual and perceived conflicts of interest are to be handled in order to maintain public confidence in the objective and correct performance of official duties.
- It should be noted that, in addition to obligations under the Incompatibility and Transparency Act (*Unvereinbarkeits- und Transparenz-Gesetz*), specific provisions of the Rules of Procedure of the National Council and the Rules of Procedure of the Federal Council guarantee that Members of the Immunities Committee and of the Incompatibility Committees are represented by other MPs in the Committee insofar as they are personally affected by an item under consideration. There is also a Code of Conduct for Members of Parliament as well as internal Guidelines on the existing legal provisions on reporting requirements pursuant to the Incompatibility and Transparency Act. The compliance unit of the Parliamentary Administration continues to offer voluntary counselling for Members of Parliament in different areas of compliance. Furthermore, specific guidelines on dealing with advantages provide practical assistance on how to handle gifts and other advantages correctly.

On the part of the authorities, reference is made to the [European Commission's Rule of Law Report 2024](#) and, with regard to planned reform projects, to the [Austrian Federal Government's Program 2025 - 2029](#).



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