

# AUSTRIA

## Based on ECF research for the CIVICUS Monitor,<sup>1</sup> with the support of IGO – Interest Group of Public Benefit Organisations

### Summary:

Since the ÖVP-FPÖ (Peoples Party - Freedom Party Austria) coalition government was formed in 2018, the rule of law has come under pressure. Concerns over political attempts to obstruct anti-corruption investigation and to curb media freedom and freedom of expression have emerged. **The political environment in Austria has been hostile to CSOs**, often affected by smear campaigns and funding cuts. As a result of the 2019 elections, the replacement in the coalition government of the far-right FPÖ party by the Green party led to a positive change and more dialogue between public authorities and CSOs in 2020. Nevertheless, **worries over corruption, media freedom, lack of transparency and participation in the policy-making have persisted**. For example, calls for more involvement and transparency in the development of the EU Recovery and Resilience facility have been rejected and, as a consequence, the government proposal has been harshly criticised for failing to respond to needs raised by NGOs. **Issues linked to the right to protest have also been raised**. In this context, several CSOs and citizens initiatives have been launched in 2021 to protect rule of law and strengthen the culture of participation, such as a Rule of Law and Anti-Corruption Referendum (Antikorruptionsbegehren.at) to strengthen the rule of law and the independence of the judiciary.

### Institutional landscape and safe space (including state duty to protect and right to freedom from fear)

#### Concerns over political attempts to obstruct anti-corruption investigation

Investigations involving the conservative ruling party in Austria has raised concerns over the integrity and separation of

powers in the country. At the beginning of 2021, during an anti-corruption investigation analysing more than 300,000 text message conversations, conservative leaders have continued to attack the Economic and Corruption Prosecutor (WKStA),<sup>2</sup> subjecting the office to political pressure and hindering the investigative efforts of the judicial body. The judiciary system has been repeatedly attacked and accused of conducting “partisan investigations” by the conservative

<sup>1</sup> <https://monitor.civicus.org/country/austria/>

<sup>2</sup> [Kurz greift Korruptionsstaatsanwaltschaft an: "Viele Verfehlungen" - Lobbying & Korruption - derStandard.at > Inland](#)

Austrian People's Party (ÖVP). For example, in October 2021, when Andreas Hanger (the ÖVP chairman of the concluded Ibiza Committee of Inquiry) claimed that "left-wing cells" were located in the WKStA.

The former ÖVP Ministry of Interior Karl Nehammer also proposed to revoke the possibility to conduct house searches of public officials in an amendment to the State Protection Act which critics argued "*represents a step backwards in the fight against corruption*".<sup>3</sup> The paragraph has gained the nickname 'cover-up paragraph' as it is seen as an attempt by the ÖVP to circumvent investigations and cover up corruption.

The corruption investigation known as 'Ibiza affair' by a parliamentary subcommittee and a new corruption inquiry that accused Kurz and other 9 high-profile politicians of embezzlement and bribery, led to the resignation of the then-Chancellor Sebastian Kurz in October 2021. The Organized Crime and Corruption Reporting Project (OCCRP) nominated former Chancellor Sebastian Kurz among the finalists for the 2021 Person of the Year in Organized Crime and Corruption.<sup>4</sup>

### **Attempts at curbing media freedom and freedom of expression**

Already in 2020, freedom of expression in Austria came under threat as government officials attempted to prevent independent

media from reporting on certain briefings and subjected them to online attacks – as reported by CIVICUS Monitor.<sup>5</sup> The new Austrian bill to combat hate speech on social media and online platforms, which was presented on 3 September 2020, also raised concerns.<sup>6</sup>

As documented by Mapping Media Freedom,<sup>7</sup> on 24 February 2021 the ÖVP party - headed by the former Federal Chancellor Sebastian Kurz - mentioned a new controversial plan, as part of judicial reforms, that would impose tough criminal penalties on journalists for quoting from leaked documents. The idea comes following media coverage of judicial cases involving politicians who are under investigation by the Economic and Corruption Prosecutor (WKStA). The initial idea for this new plan was put forward by former ÖVP Minister for Constitutional Affairs Karoline Edtstadler, who said that "*everything must be done in a non-public investigation*" to ensure that no leaks were published in the media before "*those involved in the proceedings*" learned themselves. Several media watchdog groups and journalists' unions condemned the proposal.<sup>8</sup>

### **New appointment of ORF Director General sparked criticism**

In August 2021, the 35 members of the foundation board of the Austrian national

<sup>3</sup> [Parlamentarischer Bürgerprotest gegen Razzia-Paragraf - Österreich - derStandard.at](https://www.derstandard.at/story/3000000000000000000) > Panorama

<sup>4</sup> <https://monitor.civicus.org/updates/2021/05/25/excessive-force-protest-government-reluctant-involve-csos-covid-19-recovery-plan/>; <https://www.occrp.org/en/poy/2021/>

<sup>5</sup> [Austria civic space rating upgraded to open - CIVICUS - Tracking conditions for citizen action](#)

<sup>6</sup> [Austrian platform law: Government should avoid errors made with NetzDG | RSE](#)

<sup>7</sup> [Posts - Mapping Media Freedom \(ushahidi.io\)](#)

<sup>8</sup> [Austria: Plans to restrict media reporting on leaked judicial information threatens press freedom - International Press Institute \(ipi.media\)](#)

public service broadcaster ORF (in which the ÖVP has the majority of votes) elected Roland Weissmann, former Deputy Finance Director and Chief Producer of ORF, as its new Director General from 2022. This decision was criticised because of the closeness of Weissmann to the ÖVP party; the Green party was criticised too by civil society and artists like E. Jelinek, in failing to prevent such a deep and anti-democratic change in the direction of the public TV station.

### **Oldest official gazette under threat**

The daily newspaper *Wiener Zeitung* almost faced the closure of its print edition after the Austrian federal government announced plans to scrap mandatory public advertisements of companies in its official gazette – a plan that could have led to the newspaper losing three quarters of its funding. In the Spring 2021, the plans were announced by the Austrian People's Party and Greens coalition as part of the implementation of an EU directive on the 'use of digital tools and procedures in company law'.<sup>9</sup> The Austrian Press Union and Press Club Concordia criticised the lack of detail in the plan to assist the newspaper's survival.<sup>10</sup>

As reported by CIVICUS Monitor in October 2021, after the criticisms, the Federal Chancellery announced that a new business model for *Wiener Zeitung* should be implemented by the end of 2022. The

government programme provided for an end to mandatory advertisements of companies, which make up the largest part of the newspaper's annual income of around 18 million EUR. The schedule from the Chancellery also set a deadline for mandatory publications. Due to all these changes, *Wiener Zeitung's* daily print edition may face possible closure in 2022, with many layoffs of the editorial staff.<sup>11</sup>

### **Violence against journalists covering public protests**

Between 2020 and 2021, in particular, journalists have faced violence when covering anti-Covid-19 protests, by both police and protesters. The following cases were documented by Mapping Media Freedom:

- On 6 March 2020, during a protest against Covid-19 measures in Vienna, photojournalists were subjected to threats and insults by protesters, with one photojournalist being physically threatened. The photojournalist, who was from the Vienna Press Service, was "physically pushed and obstructed" from doing her job. One protester tried to grab the camera out of her hands and intimidated her. Journalists' unions condemned these attacks;<sup>12</sup>
- On 8 November 2020, a camera crew for the Austria Broadcasting

---

<sup>9</sup> [Excessive force at protest, government reluctant to involve CSOs in COVID-19 recovery plan - CIVICUS - Tracking conditions for citizen action](#)

<sup>10</sup> [Journalistengewerkschaft und Presseclub Concordia gegen Aus der "Wiener Zeitung" - Medien - derStandard.at > Etat](#)

<sup>11</sup> ["Wiener Zeitung": Bundeskanzleramt sieht keine wesentliche Veränderung bis 2022 - Medien - derStandard.at > Etat](#)

<sup>12</sup> - [Mapping Media Freedom \(ushahidi.io\)](#)

Corporation (ORF) faced intimidation and harassment while covering an anti-lockdown protest in central Vienna. The camera crew was verbally attacked while trying to film the protest and, at one point, a group of protesters surrounded a camera operator chanting "Lügen Presse" ("Lying Press");<sup>13</sup>

- On 8 May 2021, amidst the neo-fascist and anti-fascist demonstrations, a journalist was attacked with pepper spray by the police, despite appearing to pose no danger and the situation had largely calmed down;<sup>14</sup>
- On 30 June 2021, during a protest against Covid-19 measures staged outside the office of the Austrian public broadcaster Österreichischer Rundfunk (ORF), journalists and staff were verbally harassed and had their vehicles spat at by protesters. The group hurled insults, including "murderers", "psychopaths" and "lying press". ORF staff have been instructed not to wear the broadcaster's logo or identify themselves as working for the broadcaster, following a spate of attacks;<sup>15</sup>
- On 11 September 2021, during a protest against Covid-19 measures and vaccinations, freelance

journalist Michael Bonvalot was insulted, threatened and had a can of beer thrown at him. Groups threatened the journalist, stating "we will get you" and "be careful", suggesting that they knew of the journalist's movements outside of his home.<sup>16</sup>

### **The Austrian Ombudsperson Board applied for international reaccreditation as a National Human Rights Institution**

On 6 October 2021, Amnesty International Austria and 10 other CSOs issued a statement after an application was submitted by the Austrian Ombudsperson Board (AOB) for international reaccreditation as a National Human Rights Institution (NHRI). In an opinion published on 19 October 2021,<sup>17</sup> CSOs highlighted specific areas where the AOB could be strengthened to effectively implement its mandate as a NHRI and fulfil its crucial role in the promotion and protection of human rights in Austria. This effort was undertaken in view of the 13 recommendations made to Austria during the last Universal Periodic Review (UPR) to strengthen the AOB and ensure full compliance with the Paris Principles. These recommendations have been accepted by the Austrian government.

The AOB was re-accredited with B Status in May 2011, meaning it only partially

<sup>13</sup> - [Mapping Media Freedom \(ushahidi.io\)](https://www.usahidi.io)

<sup>14</sup> (2) [Presseservice Wien on Twitter: "In diesem Video von @MichaelBonvalot sieht man bei Sekunde 00:27 wie die Polizei einen Journalisten mit Pfefferspray angreift, obwohl von diesem keine Gefahr ausging und sich die Lage weitestgehend beruhigt hatte. #Pressefreiheit](#)

[#w0805 @PCCConcordia @OeJC @pressefreiheit" / Twitter](#)

<sup>15</sup> [Posts - Mapping Media Freedom \(ushahidi.io\)](#)

<sup>16</sup> [Posts - Mapping Media Freedom \(ushahidi.io\)](#)

<sup>17</sup> [Stellungnahme: Volksanwaltschaft stärken. Menschenrechte in Österreich schützen | Amnesty International Österreich](#)

complied with Paris Principles, which meant that it could participate in GANHRI meetings but was unable to vote or hold governance positions. The International Coordinating Committee (ICC) has criticised, inter alia, the lack of a dedicated human rights mandate, the current appointment and selection procedure of the AOB's decision-making body, and the AOB's relations with civil society.

Since then, the AOB has undergone various positive changes, including the implementation of the mandate as National Preventive Mechanism (NPM) to conduct visits to places of detention, as well as certain institutions and programmes for persons with disabilities and the establishment of a Human Rights Advisory Council (HRAC).

However, despite these reforms the latest joint information by CSOs expressed concerns about the state of compliance of the AOB, as a NHRI, with the Paris Principles. The areas of concern include the scope of the human rights mandate, the composition and selection process of the AOB's decision-making body and its cooperation with civil society.

Thus, as reported by CIVICUS Monitor,<sup>18</sup> CSOs urged the GANHRI Sub-Committee on Accreditation to consider a detailed focus on the areas of concern raised in their submission and give consideration to the following steps to strengthen the AOB in its role as a NHRI:

- Initiate a broad consultation process with civil society and other relevant stakeholders representing all social segments in Austria in order to devise a plan of implementation for reforming AOB;
- Evaluate the scope and the application of the current human rights mandate;
- Take steps to strengthen its role as a human rights coordinating body to monitor and promote the national implementation of international standards and recommendations in cooperation with civil society;
- Introduce specific provisions and procedures aimed at comprehensively safeguarding the pluralism and independence of the AOB, in particular by reviewing the selection and appointment procedure in accordance with Paris Principle 4 and other relevant standards;
- Maintain a regular exchange with civil society and all relevant stakeholders.

### **Issue of systemic racism within the police dismissed by the government**

The issue of systemic racism within the Austrian police has been raised in June 2021 by Mario Lindner (SPÖ), who filed a parliamentary query on the topic *Ethnic Profiling in the Police*.<sup>19</sup> His request referred to a survey by the EU Agency for

---

<sup>18</sup> [Women's rights NGOs call for more funding: Rule of law & anti-corruption referendum launched - CIVICUS - Tracking conditions for citizen action](#)

<sup>19</sup> [6906/J \(XXVII. GP\) - Ethnic Profiling in der Polizei | Parlament Österreich](#)

Fundamental Rights (FRA), published in May 2021, on police stops conducted on immigrants and ethnic minorities in Europe.<sup>20</sup> The survey was conducted among 5,803 people, either migrants from Africa or their descendants, in 12 of the 28 EU Member States; according to the research, minorities in Austria are more affected by police stops than in any other EU country.

Back then, former Minister of the Interior Nehammer dismissed the idea that such a structural problem exists in the police force: in Nehammer's view, law enforcement bodies always react *"on the basis of the applicable legal situation and on the basis of criminal police pictures and analyses, as well as criminal police information."* Lindner requested that the Ministry of Interior provide data on possible incidents or complaints in the context of ethnic profiling, together with a response to the results of the FRA report. In his answer to the parliamentary interrogation, in fact, Nehammer denied<sup>21</sup> any concrete conclusions based on the survey: *"Statistical correlations on their own can lead to mistakenly confusing them with causal relationships"*.

On the contrary, a statement by the anti-racism NGO ZARA (Zivilcourage und Anti-Rassismus-Arbeit) pointed out that there is

evidence of racism in the police, as every year dozens of such cases are reported to the association – 83 cases in 2020 alone.<sup>22</sup>

## The regulatory environment for and implementation of civic freedoms

### **Tougher Covid-19 regulations do not gain the trust of citizens and lead to protests outbreak**

News outlets such as Süddeutsche Zeitung<sup>23</sup> have been questioning the speedy law-making processes, with well hundreds of laws being passed since the beginning of the COVID-19 crisis, allegedly limiting the fundamental rights and freedoms of citizens. The Constitutional Court ruling that found a substantial part of the legislation passed by the government in Vienna in the first phase of the pandemic was unconstitutional<sup>24</sup> contributed to deteriorate trust over the ever-tightening Covid-19 regulations.<sup>25</sup>

Since the start of 2021, Austria saw an increasing number of protests against Covid-19 regulations and vaccination, many of which have been organised by far-right groups and Covid-19 sceptics. Demonstrations against Covid-19 measures took place every weekend in Vienna: the biggest assembly took place in

---

<sup>20</sup> [Your rights matter: Police stops - Fundamental Rights Survey | European Union Agency for Fundamental Rights \(europa.eu\)](#)

<sup>21</sup> [Nehammer: Kein "Ethnic Profiling"-Problem in der Polizei | DiePresse.com](#)

<sup>22</sup> [ZARA - Zivilcourage und Anti-Rassismus-Arbeit on Twitter: "Die Polizei muss sich ihrem Rassismusproblem stellen statt es zu leugnen. Ohne Anerkennung des Problems wird sich für Betroffene nichts ändern. Wir fordern](#)

[Gleichbehandlung & die Umsetzung der angekündigten unabhängigen Beschwerdestelle! https://t.co/o6wKJlaBFd" / Twitter](#)

<sup>23</sup> <https://www.sueddeutsche.de/politik/oesterreich-corona-kurz-1.4882457>

<sup>24</sup> <https://www.eurotopics.net/en/244599/austria-s-corona-legislation-unconstitutional>

<sup>25</sup> <https://monitor.civicus.org/updates/2021/04/12/increased-police-powers-crackdown-protests-attempts-limit-media-freedom/>

December 2021, when around 40,000 people gathered in the Viennese streets to demonstrate.<sup>26</sup>

In January 2021, the Ministry of the Interior and Vienna State Police Directorate announced a tougher approach by security authorities. New regulations included an obligation to provide further detailed information when asking for permits and registering demonstrations, so that authorities can conduct a more detailed examination to verify that the declared purpose corresponds to the actual motive of the mobilisation; if there is evidence that participants will not adhere to health measures, guidelines will be detailing possible courses of action, such as dissolving a meeting through specified police tactics or forbidding meetings in advance. However, media outlets such as *Salzburger Nachrichten*<sup>27</sup> highlighted that the proposed guidelines offered little respite for those who worry about their impact on the capacity of citizens to demonstrate freely: the guidelines contemplate the possibility of analysing social media content of applicants, and increased cooperation between security authorities and a stronger police presence at demonstrations.

Human rights defender organisations such as Amnesty International warned that the guidelines did not establish clear criteria in placing restrictions on freedom of peaceful assembly, and simply granted greater powers to police in the context of the pandemic.<sup>28</sup>

### **Violence by police forces against peaceful demonstrators**

In 2021, there have been many episodes of excessive use of force by the Austrian police during peaceful assemblies:<sup>29-30</sup>

- Out of around 20 demonstrations registered on 1 May 2021 (International Workers' Day) in Austria's capital, one at Vienna's Votivpark saw excessive force by police (including the use of batons and pepper spray, footage showed)<sup>31</sup> and over 11 people were arrested. Protesters reported that there were around 50 people in need of acute medical attention following the violence - in some cases, also people just passing by in the park were injured. Following the event, the then-Minister of the Interior Karl Nehammer (ÖVP) thanked the police officials and spoke of an "abuse of the basic

---

<sup>26</sup><https://www.tagesschau.de/ausland/europa/wien-corona-proteste-101.html>

<sup>27</sup> [Richtlinie für Corona-Demos mit wenig Inhalt | SN.at](#)

<sup>28</sup> [Increased police powers to crackdown on protests, attempts to limit media freedom - CIVICUS - Tracking conditions for citizen action](#)

<sup>29</sup> [Excessive force at protest, government reluctant to involve CSOs in COVID-19 recovery plan - CIVICUS - Tracking conditions for citizen action](#)

<sup>30</sup> [Women's rights NGOs call for more funding: Rule of law & anti-corruption referendum launched - CIVICUS - Tracking conditions for citizen action](#)

<sup>31</sup> (2) [Presseservice Wien on Twitter: "Nachdem Studierende ein Transparent auf dem Gerüst der Votivkirche hissten, eskalierte die Polizei die Situation. Es kam zu massivem Gewalteinsatz, Verfolgungsjagden, Verhaftungen und Pfeffersprayeinsatz, auch gegen Journalist:innen. #w0105 https://t.co/xLrQFW2KnQ" / Twitter](#)

right to assemble”, whilst organisers condemned the “police attacks” and called for police reform;

- On 8 May 2021 (the day marking the end to National Socialism in Austria), neo-fascists demonstrated in Vienna, while an anti-fascist counter demonstration was organised on the same day. Violent clashes broke out between the police and the left-wing counter demonstrators, after police moved to protect the neo-fascist demonstrators using pepper spray, kettling and heavy-handed policing to curb them. The clashes were eventually quelled only when police officers accompanied neo-fascist protesters to the subway. One arrest and several injuries were reported;
- On 28 May 2021, about 500 people took part in a protest organised by Fridays for Future and other environmental CSOs against what is said to be the largest Viennese transport construction project in the coming years.<sup>32</sup> The project involves the planned extension of the S1 northeast bypass, including the Lobau tunnel. Police reported that the protest was peaceful, however the majority of the participants had to be carried

away. According to the former Minister of Interior Nehammer, in this case the blockades of activists represented “a completely unnecessary danger for all road users and emergency services”;

- On 2 October 2021, in Vienna’s Resselpark, a police officer reportedly stepped on a participant who was lying on the ground during a counter demonstration staged against a Covid-19 measures protest on the same day. Videos<sup>33</sup> distributed on social media showed only a part of what is reported to have taken place: a policeman pushed a protester, who then fell over his bicycle (the same official is reported to have stepped on the protester), while another police officer can also be seen hitting a participant on his back and neck area. The Vienna State Police Directorate’s reaction was contradictory, thus there were no immediate consequences for the officers involved in the violence.

Amnesty International Austria conducted an investigation and a survey report<sup>34</sup> about the excessive use of force by the Austrian police during the demonstrations on 1<sup>st</sup> May 2021. The report was published in December 2021, and showed the need

---

<sup>32</sup> [Lobautunnel: Demonstration in Wien - Stadtentwicklung - VIENNA.AT](#)

<sup>33</sup> [\(2\) Samuel Winter on Twitter: "Linke schieben ihre Räder weg. Polizei knüppelt auf den Hinterkopf und in den Rücken. Eine Stunde später entglast ein Neonazi-Schlägertrupp das Cafe Votiv und greifen die linke Abschlusskundgebung an. Polizei: Kesselt jetzt](#)

[die linke Demo. Es ist jedesmal dasselbe. #w0210 https://t.co/AMC2BReNX2" / Twitter](#)

<sup>34</sup><https://www.amnesty.at/media/9272/gutachten-im-auftrag-von-amnesty-international-jaenner-2022-polizeigewalt-bei-mayday-demo-1-mai-2021.pdf>



for an independent complaints office for victims of violence.<sup>35,36</sup>

## The framework for civic organisations' financial viability and sustainability

Austria introduced a special grant package for CSOs during the Covid-19 pandemic.<sup>37</sup> Since early July 2020 non-profit organisations (NPOs) are entitled to demand compensation for income losses due to the pandemic, through a 700 million EUR fund set up exclusively for NPOs.<sup>38</sup> Since the beginning of the pandemic in March 2020, the main NPO platform in Austria, *Bündnis für Gemeinnützigkeit (Alliance for Public Benefit)*,<sup>39</sup> has been heavily involved and regularly consulted during impact assessments and the creation of the fund.<sup>40</sup>

By the end of 2020, CSOs, fire brigades, churches and other religious organisations as well as organisations owned by them could apply for cost recovery, with a cap of 2.4 million EUR or the total amount of income loss compared to 2019. CSOs in the cultural and economic sectors depending on such funding had access to additional

emergency funds.<sup>41</sup> Some provinces also announced additional measures to support CSOs, especially targeting the volunteer sector.<sup>42</sup>

Nevertheless, in May 2021, the pandemic recovery proposal has been heavily criticised by CSOs, which highlighted major shortcomings in the areas of global responsibility, social sustainability and climate justice. As Stefan Grasgruber-Kerl, human rights expert at Südwind, commented: *"the plan submitted by the federal government remains guilty of ineffective protective measures for disadvantaged groups."*<sup>43</sup> Out of the 17 recommendations given by Südwind itself, only 1 was included in the government's recovery plan, while 5 other points were weakly represented and 11 disregarded.

### **More funds for women's shelters needed**

According to Eurostat, femicides almost doubled from 2014 to 2018 in Austria, increasing from 23 to 44 cases. The country's general homicide rate is low, but the proportion of women killed in comparison to men is high. In 2020, 31 out of the 43 total murder victims (72%) were women, according to the Autonomous Austrian Women's Shelters (Verein

<sup>35</sup> <https://www.amnesty.at/presse/polizeigewalt-in-oesterreich-weiter-ohne-folgen-unabhaengige-ermittlungs-und-beschwerdestelle-muss-prioritaet-haben/>

<sup>36</sup> <https://www.amnesty.at/news-events/polizeigewalt-in-oesterreich-warum-sie-meist-folgenlos-fuer-die-taeter-innen-bleibt/>

<sup>37</sup> [Austria civic space rating upgraded to open - CIVICUS - Tracking conditions for citizen action](#)

<sup>38</sup> [NPO Unterstützungsfonds – NPO Unterstützungsfonds \(npo-fonds.at\)](#)

<sup>39</sup> [Home - Bündnis für Gemeinnützigkeit \(buendnis-gemeinnuetzigkeit.at\)](#)

<sup>40</sup> [PA-2020-07-02-final.pdf \(buendnis-gemeinnuetzigkeit.at\)](#)

<sup>41</sup> [Unterstützungsmöglichkeiten für von COVID19-Maßnahmen betroffene Kunst- und Kulturakteur\\*innen | IG Kultur](#)

<sup>42</sup> [Microsoft Word - CoV\\_ver\\_ehr2020.pku.docx \(vorarlberg.at\)](#)

<sup>43</sup> [Südwind: Austria's proposal for the EU reconstruction plan clearly falls through | South wind, 03.05.2021 \(ots.at\)](#)

Autonome Österreichische Frauenhäuser - AÖF).<sup>44</sup>

In order to tackle the issue, in the last year, AÖF has been calling for more funds for creating long-term and sustainable protection for women against gender-based violence: 228 million EUR for victim protection and at least 3,000 additional jobs (social work and counselling) were still needed in October 2021.<sup>45</sup> After a virtual roundtable on the issue in May 2021, the Austrian government pledged an additional 24.6 million EUR - which is a significant increase from existing funding, but just a small fraction of what was requested by organisations in the field.<sup>46</sup>

## The right to participation and dialogue between the civic sector and governing bodies

### Improved dialogue between the government and civil society but issues persist

As reported by CIVICUS Monitor in September 2020, *"political gains made by the Green party and increasing dialogue between government and civil society has led to an improvement in civic space in Austria."*<sup>47</sup> Under the ÖVP-FPÖ (Peoples Party - Freedom Party Austria) coalition government in 2018, the political environment in Austria has been particularly hostile to CSOs, often affected

by smear campaigns and funding cuts; at the time, for example, the then-Chancellor Sebastian Kurz labelled NGOs defending migrants' rights as *"human traffickers"*.

As a result of the 2019 elections, the replacement in the coalition government of the far-right FPÖ party by the Green party led to a positive change and more dialogue between public authorities and CSOs. For example, when the Covid-19 pandemic has already started and a large #BlackLivesMatter demonstration took place in Vienna in June 2020, the government called a round table with health authorities and protest organisers to find solutions concerning health and safety measures.<sup>48</sup> Nevertheless, restrictions of the right to assembly and protest have persisted as described above.

### Lack of public consultation on COVID-19 legislation and crisis management

While the dialogue between the government and civil society has improved, the involvement of civil society in the management of the COVID-19 pandemic has come under criticism. For example, some rescue organisations reported in September 2020 that they felt excluded by the Covid-19 crisis management. The close ties between the Red Cross and then-Chancellor Kurz's ÖVP party, in particular, were cause for great concern, as well as a general lack of

---

<sup>44</sup> [Protests as Austria grapples with violence against women | AP News](#)

<sup>45</sup> [PA 25.08.2021: Gewaltschutz verbessern, Femizide verhindern \(aoef.at\)](#)

<sup>46</sup> [Women's rights NGOs call for more funding: Rule of law & anti-corruption referendum](#)

[launched - CIVICUS - Tracking conditions for citizen action](#)

<sup>47</sup> <https://monitor.civicus.org/updates/2020/09/15/austria-civic-space-rating-upgraded-open/>

<sup>48</sup> <https://monitor.civicus.org/updates/2020/09/15/austria-civic-space-rating-upgraded-open/>

transparency.<sup>49</sup> According to CSOs, *“the government allocated funding and health equipment to manage this emergency exclusively to the Red Cross, as if it were the only recognised civil society body.”*<sup>50</sup> As said above, the speedy Austrian law-making processes also affected the ability to involve CSOs with repercussions on civic freedoms.

### **Hesitation to involve CSOs in Covid-19 recovery plan**

As Austria was looking forward to receiving 3.5 billion EUR from the EU Recovery and Resilience facility, in Spring 2021 CSOs raised concerns about the lack of willingness by the government to make transparent decisions and involve civil society in drawing up the plans.<sup>51</sup> One example concerned an invitation for local and regional authorities, social partners, CSOs and youth organisations to send suggestions to a specific email address by 26 February 2021, without any feedback since then on how the suggestions have been taken into consideration. Furthermore, around a dozen CSOs was also invited to a 40-minute video conference in which former Federal Minister Karoline Edstadler rejected civil society calls for a structured and transparent participation process on the grounds that there were no resources for it.<sup>52</sup>

---

<sup>49</sup> [Rotes Kreuz vor türkischem Hintergrund: Kritik an enger Kooperation - Inland - derStandard.at > Inland](https://www.derstandard.at/story/3093737-rotes-kreuz-vor-tuerkischem-hintergrund-kritik-an-enger-kooperation-inland)

<sup>50</sup> [Austria civic space rating upgraded to open - CIVICUS - Tracking conditions for citizen action](https://www.civicus.org/news/austria-civic-space-rating-upgraded-to-open-civicus-tracking-conditions-for-citizen-action)

<sup>51</sup> [EU Corona Aufbaufonds: „Schwarmintelligenz“ der organisierten Zivilgesellschaft nutzen! | IGO -](https://www.igo.at/de/eu-corona-aufbaufonds-schwarmintelligenz-der-organisierten-zivilgesellschaft-nutzen)

## **Civil society's responses to challenges to democracy, the rule of law and fundamental rights**

### **Anti-corruption referendum launched by citizens**

In June 2021, a group of 12 Austrian citizens, *“who have been dealing with the rampant corruption in the country and an increasingly questionable political culture for many years”*, began collecting signatures for a Rule of Law and Anti-Corruption Referendum ([Antikorruptionsbegehren.at](https://antikorruptionsbegehren.at)).<sup>53</sup>

Since *“for decades, Austria has had an obvious and structural problem with corruption”*, the anti-corruption initiative demands that the federal government and the parliament adopt and implement *“all necessary constitutional laws, simple laws, regulations, codes, voluntary commitments and other agreements”* to strengthen the rule of law. Strengthening the independence of the judiciary is also one of the themes of the referendum. This comes after the judiciary has been repeatedly attacked and accused of conducting *“partisan investigations”* by the conservative Austrian People’s Party (ÖVP) as described above.

[Interessenvertretung Gemeinnütziger Organisationen, 31.03.2021 \(ots.at\)](https://www.ots.at/interessenvertretung-gemeinnuetziger-organisationen-31.03.2021)

<sup>52</sup> [Excessive force at protest, government reluctant to involve CSOs in COVID-19 recovery plan - CIVICUS - Tracking conditions for citizen action](https://www.civicus.org/news/excessive-force-at-protest-government-reluctant-to-involve-csos-in-covid-19-recovery-plan-civicus-tracking-conditions-for-citizen-action)

<sup>53</sup> <https://antikorruptionsbegehren.at/>

**New CSOs online petition against the  
'cover-up paragraph'**

Concerning the 'cover-up paragraph' (Paragraph 112a in the Code of Criminal Procedure) to amend the State Protection Act, which proposed to revoke the possibility to conduct house searches of public officials, an online petition by association Aufstehn<sup>54</sup> has mobilised thousands of people across Austria in May 2021, gaining support on social media.<sup>55</sup>

Through the petition, Aufstehn has promoted the use of civic technologies to break down barriers to participation and political processes by directing people to submit opinions on ministerial drafts on the parliament website, where theoretically every contribution must be taken into account in the course of the legislative process.

**Civil dialogue deficit addressed with  
online CSOs participation platforms**

Throughout last year, CSOs IGO and Decidim Austria have been working to address the deficit in civil dialogue and make more transparent and accountable the decision-making process, thanks to digitalisation. The two CSOs have been trying to introduce one of the most internationally established open-source online participation platforms to Austria,<sup>56</sup> inviting government and public administration to make use of them.<sup>57</sup>

---

<sup>54</sup><https://www.aufstehn.at/vertuschungsparagrafen-stoppen/?source=stellungnahme-04-2021+L+Vertuschungsparagraf+stoppen>

<sup>55</sup><https://twitter.com/aufstehnat/status/1390295523068944386?s=20>

<sup>56</sup> <https://decidim-austria.org/>

<sup>57</sup><https://monitor.civicus.org/updates/2021/05/25/excessive-force-protest-government-reluctant-involve-csos-covid-19-recovery-plan/>