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SUMMARY

This submission was prepared for the examination of Austria's State party's report, and of the adoption of the Concluding Observation for Austria by the UN Human Rights Committee during its 146th session, on 19 October to 6 November 2026. In it, Amnesty International raises concerns regarding non-discrimination, violence against women, voluntary termination of pregnancy and sexual and reproductive rights, treatment of persons deprived of their liberty, excessive use of force, treatment of non-nationals, right to privacy, freedom of conscience and religious belief and freedom of expression. It is not an exhaustive account of the organization's concerns.

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1. INTRODUCTION

This submission has been prepared ahead of the examination and adoption of concluding observations of Austria by the UN Human Rights Committee during its 146th session on 19 October to 6 November 2026.

The information highlights in particular concerns regarding non-discrimination, violence against women, voluntary termination of pregnancy and sexual and reproductive rights, treatment of persons deprived of their liberty, excessive use of force, treatment of non-nationals, right to privacy, freedom of conscience and religious belief and freedom of expression. It is not an exhaustive account of the organization's concerns.

2. GENERAL INFORMATION ON THE NATIONAL HUMAN RIGHTS SITUATION

Since the last review, Amnesty International has noted some positive developments, such as the establishment of an investigation and complaints office for allegations of mistreatment by police which contributes to greater accountability for excessive use of force.[1] Amnesty International further welcomes the adoption of a provision on legal guardianship for unaccompanied children seeking asylum by parliament,[2] as well as the government's commitment to combating gender-based violence, particularly through the adoption of the National Action Plan Against Violence Against Women 2025–2029, which stipulates a wide range of measures aimed at promoting a life free from violence for women and girls.[3]

3. NON-DISCRIMINATION

3.1 FRAGMENTED ANTI-DISCRIMINATION LEGISLATION (ART. 2)

Amnesty International notes with concern that Austria's anti-discrimination legislation remains fragmented and lacks harmonization at federal and regional level. In general, Austria's anti-discrimination law protects against discrimination based on gender, ethnic origin, disability, religion and belief, sexual orientation, age, and family-related reasons such as parental leave. However, there is not a uniform level of protection for all characteristics, as there are differences in the protection given to each under the law. For instance, the federal Austrian Equal Treatment Act protects against discrimination on the grounds of disability, ethnicity, gender and gender identity in the working environment and in accessing goods and services, such as housing. However, this same act stipulates that protection against discrimination on the basis of other protected grounds, such as sexual orientation, age, religion and belief, exists only in the working environment.[4]

AMNESTY INTERNATIONAL RECOMMENDS AUSTRIA TO:

- Ensure equal protection for all people from all forms of discrimination, including by harmonizing national legislation and extending its scope to include all protected grounds, such as age, religion and belief, sexual orientation, in particular in the context of accessing goods and services.

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[1] Federal Ministry of Interior, "*Die EBM*", https://www.bak.gv.at/601/start.html; Amnesty International, "*Ein Jahr Ermittlungsstelle gegen Polizeigewalt: Guter Start, aber Unabhängigkeit muss sichergestellt sein – Kennzeichnungspflicht fehlt weiterhin"*, 20 January 2025, https://www.amnesty.at/presse/ein-jahr-ermittlungsstelle-gegen-polizeigewalt-guter-start-aber-unabhaengigkeit-muss-sichergestellt-sein-kennzeichnungspflicht-fehlt-weiterhin/.

[2] Amnesty International, "*Nationalrat beschließt Obsorge ab Tag 1*", https://www.amnesty.at/ueber-amnesty/erfolge/nationalrat-beschliesst-obsorge-ab-tag-1/.

[3] Federal Ministry Women, Science and Research, *National Action Plan Against Violence Against Women*, 2025 – 2029, https://www.bmfwf.gv.at/frauen-und-gleichstellung/nap_gegen_gewalt_an_frauen.html.

[4] HOSI, *Apartment denied due to homosexuality: HOSI Vienna finally calls for comprehensive protection against discrimination*, July 2025 https://www.ots.at/presseaussendung/OTS_20250721_OTS0032/wohnung-wegen-homosexualitaet-verweigert-hosi-wien-fordert-endlich-umfassenden-diskriminierungsschutz.

3.2 LACK OF OFFICIAL DATA ON RACIST INCIDENTS AND A NATIONAL ACTION PLAN AGAINST RACISM; HARMFUL AND RACIST RHETORIC (ARTS. 2, 19, 20 AND 26)

Amnesty International is concerned about prevailing racism in Austria. Statements by civil society organizations and state authorities suggest a sharp increase in racist, Islamophobic and antisemitic incidents after 7 October 2023,[5] as was also expressed by the UN Special Rapporteur in her latest report on Austria.[6]

In addition, Amnesty International regrets that Austria has not adopted a national action plan against all forms of racism, yet, despite several recommendations made by international experts, treaty bodies and civil society organizations.[7] On the contrary, the government most recently rejected recommendations to adopt such a plan.[8]

Amnesty International is also concerned about the lack of comprehensive, systematic and disaggregated data collection on racist incidents in Austria.[9] In this respect, the organization notes with concern that data collected by the government as well as several non-governmental actors on antisemitic incidents is based on the working definition by the International Holocaust Remembrance Alliance (IHRA). Amnesty International has noted previously that this working definition is inconsistent with international human rights law and has been used to restrict legitimate criticism of Israeli government violations of Palestinians' rights, as it can contribute to blurring the lines between cases of antisemitism and expressions protected under international human rights law.[10]

Amnesty International shares the UN Special Rapporteur's concern about politicians' discriminatory speech.[11] The organization noted an increase in racist speech, including by public officials, particularly online, targeting asylum seekers and refugees in the run up to parliamentary elections in September 2024.[12]

AMNESTY INTERNATIONAL RECOMMENDS AUSTRIA TO:

- Adopt a national action plan against racism in line with the Durban Declaration and Programme of Action.
    - In meaningful consultation with affected groups adopt definitions and monitoring tools to increase awareness of forms of racism that are in line with

[5] Antisemitismus Meldestelle, *Antisemitic cases 2023 in Austria*, 2024, https://fca755ac-004d-4a98-bf62-6ebd5ba1ecc3.filesusr.com/ugd/49f9f8_5da10887d19c44aea2e3773cef56ca91.pdf, p. 7. Notably, government authorities as well as non-state actors refer to the IHRA WDA when collecting data. Dokumentationsstelle Islamfeindlichkeit und antimuslimischer Rassismus, *Antimuslimischer Rassismus Report 2023*, 2024, https://dokustelle.at/fileadmin/Dokuments/Reports/Report_2023/Dokustelle_Oesterreich_Report_2023.pdf, p. 2, 74.
[6] UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Report: *Visit to Austria*, 24 June 2026, UN Doc. A/HRC/62/55/Add.1, https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session62/advance-versions/a-hrc-62-55-add-1-aev.pdf, para. 67.
[7] UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Report: *Visit to Austria*, 24 June 2026, UN Doc. A/HRC/62/55/Add.1, https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session62/advance-versions/a-hrc-62-55-add-1-aev.pdf, para. 70(d); United Nations General Assembly, Report of the Working Group on the Universal Periodic Review Austria, UN Doc A/HRC/62/12, para 50.01, 50.66, 55.69, https://docs.un.org/en/A/HRC/62/12.
[8] Amnesty International, "*Austria: A missed opportunity to advance national human rights framework: Oral statement to HRC62, UPR adoption"* (EUR 13/1241/2026), 30 June 2026, https://www.amnesty.org/en/documents/eur13/1241/2026/en/.
[9] UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Report: *Visit to Austria*, 24 June 2026, UN Doc. A/HRC/62/55/Add.1, https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session62/advance-versions/a-hrc-62-55-add-1-aev.pdf, paras 18, 36, 51.
[10] Amnesty International, '*Freedom of Expression is Highly Selective': Austria Limits Expressions of Solidarity with Palestinians* (EUR 13/0800/2026), March 2026, https://cdn.amnesty.at/media/hytprvly/amnesty-bericht_austria_freedom-of-expression-is-highly-selective.pdf, p. 25.
[11] UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Report: *Visit to Austria*, 24 June 2026, UN Doc. A/HRC/62/55/Add.1, https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session62/advance-versions/a-hrc-62-55-add-1-aev.pdf, para. 32, 45.
[12] Amnesty International, *The State of the World's Human Rights*, April 2025, https://www.amnesty.org/en/documents/pol10/8515/2025/en/, p. 86.

Austria's human rights obligations and use monitoring tools to increase awareness of the same, with a view to develop plans to eradicate it through awareness raising, education, capacity development and community building, including by deconstructing stereotypes, removing stigma and economic barriers in order to promote social cohesion.

- Ensure that any definition of antisemitism is strictly aligned with international human rights law and revoke any policy and decision legitimizing and disseminating the IHRA working definition of antisemitism due to its lack of compliance with international law.
- Revise the National Strategy against antisemitism in meaningful consultation with affected groups and civil society organizations, in particular organizations working on anti-discrimination and anti-racism, adequately resourced to address the historical and societal roots of this for anti-discrimination and strictly aligned with Austria's obligations on anti-discrimination and freedom of expression.

- Take steps to address and prevent racist political rhetoric from state officials and members of parliament that are in contravention with Austria's human rights obligations on anti-discrimination.

3.3 LACK OF INDEPENDENT REVIEW FOR RACIAL PROFILING AND POLICE MISCONDUCT (ARTS. 2 AND 26)

The binding police code of conduct for law enforcement officials in Austria[13] stipulates that executive acts by law enforcement officials must be conducted in a non-discriminatory manner, regarding gender, race, skin colour, national or ethnic origin, religion, political opinion and sexual orientation.

Until 31 August 2025, individuals affected by acts violating this decree, which constituted police misconduct or racial profiling, could submit a complaint. If the initial assessment from the police department did not establish a breach of the decree, affected individuals could subsequently request that an independent court decides over the complaint.[14]

Following a decision by the Constitutional Court in 2024,[15] the provision on the complaint mechanism to an independent court was lifted as of September 2025. The Constitutional Court ruled that Regional Administrative Courts do not have the general authority to hear all complaints against policing misconduct, and that these should be divided between the Federal and the Regional Administrative Court. This required subsequent legislative action by the government to implement. However, to date, it has not been replaced by legislative measures, meaning at the moment there is no way to bring a complaint before an independent court. Amnesty International regrets that the Austrian government failed to take necessary action in line with the Court's ruling, as this may risk leaving individuals affected by racial profiling without access to the court and consequently, independent review.[16]

[13] Richtlinien-Verordnung – RLV, BGBl. Nr. 266/1993 (amended as of 20 July 2026), 1993, https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10005857&FassungVom=2026-07-20.
[14] Sicherheitspolizeigesetz, BGBl. Nr. 566/1991 idF BGBl. I 161/2013, Section 89 para. 4, https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10005792&FassungVom=2025-08-31.
[15] Constitutional Court, G 533/2023-8, 28 February 2024, https://www.ris.bka.gv.at/Dokumente/Vfgh/JFT_20240228_23G00533_00/JFT_20240228_23G00533_00.pdf.
[16] Amnesty International Austria in die Presse, *"Lücke im Rechtsschutz gegen polizeiliches Einschreiten", 16 April 2026,* https://www.diepresse.com/20761939/luecke-im-rechtsschutz-gegen-polizeiliches-einschreiten.

AMNESTY INTERNATIONAL RECOMMENDS AUSTRIA TO:

- Amend the Security Police Act[17] regarding the police code of conduct and reintroduce a provision for an independent review of allegations of police misconduct or racial profiling through courts.

4. VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE

4.1 SEXUAL VIOLENCE; LACK OF AFFIRMATIVE CONSENT-BASED MODEL (ARTS. 2, 3, 6, 7 AND 26)

According to the National Statistical Institute's data (*Statistik Austria*), one in four women has experienced sexual violence from the age of 15 onwards.[18] At the legislative level, sexual offences are regulated in the Criminal Code. Austria currently applies a two-tier system with regard to the criminalization of rape and other non-consensual sexual acts. Section 201 of the Criminal Code defines rape primarily as an offence involving force, coercion, or threats;[19] whereas Section 205a ("Violation of Sexual Self-Determination") was adopted to fulfil the stated goal of strengthening the protection of sexual autonomy,[20] by criminalizing the performance of sexual intercourse or equivalent sexual acts against a person's will, provided that there are no more severe elements such as violence.[21]

Amnesty International notes with concern that Section 205a of the Criminal Code reflects a so-called "No Means No" approach rather than a fully affirmative consent-based model.[22] As a result, not all non-consensual sexual acts (e.g. due to flight, fight, freeze, flop or befriend responses) are criminalized, and hence not fully in line with human rights standards as noted by GREVIO.[23] In its baseline evaluation report on Austria, GREVIO noted in particular that "there is – however slight – a difference between sexual acts committed against the will of the victim (Austrian legislation), and non-consensual sexual acts (the Convention)."[24] The baseline report also notes that "the [Austrian legislation] may not allow for prosecution in cases where the victim remains passive but does not consent. For the act to be punishable under Austrian legislation, the victim must express her opposing will verbally or otherwise."[25]

Amnesty International regrets that the National Action Plan Against Violence Against Women, despite foreseeing an evaluation of the criminal law on sexual offence, does not include an explicit commitment to reform the legislation fully in line with international human rights law and standards.

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[17] Sicherheitspolizeigesetz, BGBl. Nr. 566/1991, Section 89 para. 4, https://www.ris.bka.gv.at/GeltendeFassung.wxe?Gesetzesnummer=10005792&Abfrage=Bundesnormen.
[18] Statistik Austria, *Violence Against Women*, 2021, https://www.statistik.at/statistiken/bevoelkerung-und-soziales/kriminalitaet-und-sicherheit/gewalt-gegen-frauen.
[19] Strafgesetzbuch, BGBl. Nr. 60/1974, https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10002296.
[20] Ibid.
[21] ibid.
[22] Section 205a (1) Austrian Criminal Code reads as follows: "Any person who engages in sexual intercourse or a sexual act equivalent to sexual intercourse with another person against that person's will, by exploiting a coercive situation or following prior intimidation, shall, unless the act is punishable under another provision carrying a more severe penalty, be liable to a term of imprisonment of up to two years."
[23] GREVIO, *4th General Report on GREVIO's activities*, September 2023, https://rm.coe.int/4th-general-report-on-grevio-s-activities/1680aca199, pp. 32.
[24] Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), Baseline Evaluation Report on Austria, 2017, p. 141.
[25] ibid.

AMNESTY INTERNATIONAL RECOMMENDS AUSTRIA TO:

- Ensure that the ongoing evaluation of the criminal law on sexual offences as stipulated in the Criminal Code Sections 201ff leads to timely legislative reforms that fully align the legal definition of sexual offences with international human rights standards and the principle of freely given consent.
- Ensure that the ongoing evaluation of criminal law on sexual offences includes meaningful consultation with a broad range of stakeholders and experts, particularly organizations and practitioners working directly with survivors of sexual violence, in order to ensure that reforms are informed by survivors' experiences and needs.

5. VOLUNTARY TERMINATION OF PREGNANCY AND SEXUAL AND REPRODUCTIVE RIGHTS

5.1 CRIMINALIZATION OF ABORTION; LIMITED ACCESS TO ABORTION CARE (ARTS. 6, 7 AND 8)

Abortion continues to be regulated under criminal law through Sections 96 and 97 of the Criminal Code. While Section 96 criminalizes abortion care services, Section 97 provides exemptions from this criminal liability, including for abortions performed within the first three months of pregnancy and for medical reasons and in cases where the life or health of the pregnant person is at risk or if the pregnant person was under the age of 14 at the time of conception,

Amnesty International regrets the lack of plans or concrete steps towards the full decriminalization of abortion in line with international human rights law and standards, including the World Health Organization's 2022 Abortion Care Guideline.[26]

Licensed gynaecologists were authorised to prescribe abortion medication in 2020,[27] which improved access to medical abortion care services. However, significant gaps in the provision of abortion care services remain throughout Austria. According to information compiled by the Austrian Society for Family Planning (ÖGF), access to abortion care remains particularly scarce in several federal states (*Länder*).[28] For instance, the federal states of Salzburg and Vorarlberg respectively have one known provider of abortion services each, while no officially known provider is available in Burgenland.[29] These disparities raise concerns regarding the issues of availability and accessibility of abortion care throughout the country.

Amnesty International's research further shows that healthcare professionals involved in the provision of abortion services continue to face stigma, harassment, and hostility, which can contribute to existing shortages in service provision, particularly in rural areas.[30] In addition, the possibility of refusals of care under Section 97 of the Criminal Code may further result in limited access to abortion care, as previously highlighted by the Committee on the Elimination of Discrimination against Women (CEDAW).[31]

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[26] World Health Organization (WHO), Abortion care guideline, 8 March 2022, https://www.who.int/publications/i/item/9789240039483
[27] DerStandard, "Abtreibungspille" Mifegyne wird in Österreich leichter zugänglich, 2. Julo 2020, https://www.derstandard.at/story/2000118462893/gynaekologen-duerfenabtreibungspille-mifegyne-verschreiben or Österreichisches Parlament, Entschließungsantrag, 416/A(E), https://www.parlament.gv.at/dokument/XXVII/A/416/imfname_789982.pdf
[28] ÖGF, Schwangerschaftsabbruch (Abortion), https://oegf.at/schwangerschaftsabbruch/.
[29] Ibid.
[30] Amnesty International Austria, *"Es ist mein Job": Gesundheitspersonal als Verteidiger*innen des Rechts auf Schwangerschaftsabbruch in Österreich*, 2024, https://cdn.amnesty.at/media/11919/amnesty-briefing_es-ist-mein-job_gesundheitspersonal-als-verteidiger_innen-des-rechts-auf-schwangerschaftsabbruch-in-oesterreich_062024.pdf
[31] Committee on the Elimination of Discrimination against Women, Concluding observations on the ninth periodic report of Austria, 22 July 2019, para. 34 – 35, https://www.gleichbehandlungsanwaltschaft.gv.at/dam/jcr:bed5f4e8-e354-4356-a7e7-5006b0e0ff51/CEDAW-Concluding%20observations%20on%20the%20ninth%20periodic%20report%20of%20Austria.pdf

An additional factor impacting pregnant persons' access to abortion care, is the issue of costs. Abortion services are generally not integrated into the regular public healthcare system and consequently not covered by public health insurance, except in cases of medical necessity. Individuals seeking abortion care must cover their costs privately, ranging from approximately EUR 400 to EUR 1,600 depending on the federal state (*Länder*).[32] These financial barriers disproportionately affect persons on low income and those living in poverty. While Vienna and Tyrol provide financial support through dedicated assistance schemes to pregnant persons on low income and living in poverty, such support is not available throughout Austria.[33] Therefore, Amnesty International notes with concern the absence of measures aimed at comprehensively improving the availability, accessibility, and affordability of abortion care across all federal states, particularly for persons on low income, those living in poverty and in rural areas.

AMNESTY INTERNATIONAL RECOMMENDS AUSTRIA TO:

- Ensure the complete decriminalization of abortion in accordance with the World Health Organization's 2022 Abortion Care Guideline, including by repealing Section 96 of the Austrian Criminal Code.
- Recognize abortion care as healthcare and ensure access to comprehensive sexual and reproductive health services and information for all persons, in line with Austria's international human rights obligations.
- Implement effective measures to eliminate the stigmatization of abortion care and abortion providers.
- Implement measures to ensure the sexual and reproductive rights of all individuals, including through the meaningful participation of relevant stakeholders, in particular people affected by sexual and reproductive health policies, and the removal of existing barriers.
- Adopt effective measures to protect healthcare professionals from attacks, including physical and verbal violence, threats, intimidation, and harassment – both online and offline – along with any necessary swift, thorough, and independent investigations of such attacks.

6. TREATMENT OF PERSONS DEPRIVED OF THEIR LIBERTY

6.1 DETERIORATING PRISON CONDITIONS (ART. 10)

A 2026 report by the expert group, established by the Minister of Justice, identified several shortcomings in Austrian prison conditions, and consequently, recommendations to improve the situation in prisons.[34] The report raised concerns, in particular, around over-crowding in prisons and the adverse impact of prison conditions on certain groups, including those with psycho-social disabilities and people who need mental health care. For example, the report noted how overcrowding with an occupancy rate of 108% has further reduced prisoners' access to work, sports and social contacts, resulting in prolonged confinement within the

[32] Amnesty International, *When Rights Aren't Real for All: The Struggle for Abortion Access in Europe* (EUR 01/0275/2025), 6 November 2025, https://www.amnesty.org/en/documents/eur01/0275/2025/en/, p.21.
[33] Ibid.
[34] Expert*innenkommission, *"Kommission zur Prüfung des Vorfalles in der JA Hirtenberg (Tod eines psychisch kranken Strafgefangenen) am 3.12.2025 auf Hinweise für das Vorliegen von strukturellen Mängeln im Strafvollzug und Erstattung von Empfehlungen"*, 30 Juni 2026, https://www.bmj.gv.at/ministerium/presse/Pressemitteilungen-2026/Justizministerin-Sporrer-pr%C3%A4sentiert-Endbericht-der-Expert-innenkommission-f%C3%BCr-den-Strafvollzug.html

cell.[35] The situation is exacerbated by the shortage of prison staff. The report noted that for people suspected of an offence, who have psycho-social disabilities or need mental health care the conditions are even more severe. The report also found that the structural absence of adequate psychiatric and medical care can leave individuals without proper treatment.[36]

AMNESTY INTERNATIONAL RECOMMENDS AUSTRIA TO:

- In line with the recommendations of the report of the expert group, end prison overcrowding, and ensure prisons are provided with adequate financial resources to fulfil their aim of rehabilitation and social reintegration.

7. EXCESSIVE USE OF FORCE

7.1 PERCEIVED LACK OF INDEPENDENCE OF THE INVESTIGATIONS AND COMPLAINTS OFFICE; LACK OF INDIVIDUAL IDENTIFICATION BADGES (ARTS. 6, 7, 10 AND 21)

Amnesty International notes the government has established an investigation and complaints office to address allegations of mistreatment by police in 2024. This office is responsible for conducting investigations against allegations of excessive use of force by law enforcement officials. However, concerns regarding its full independence persist, as the office is integrated into the organizational structure of the Ministry of Interior, which leaves the theoretic possibility for a Minister of Interior to issue directives that impact its functioning.[37]

An additional obstacle for individuals seeking accountability for alleged mistreatment or violations by police officers is the lack of mandatory visible individual identification badges or other unique identifiers for police officers, as required by international human rights law.[38] Where police officers do not wear identification badges, Amnesty International notes that identifying an individual uniformed police officer depends on the officer being requested to identify themselves. This can increase the risk of escalation and, especially in volatile situations, may discourage a person from seeking to identify the officer involved. Amnesty International regrets that the government has not introduced the mandatory wearing of individual identification badges, as it would be a crucial step to ensure accountability, end impunity and strengthen the work of the investigation and complaints office for allegations of mistreatment by police.[39]

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[35] Expert*innenkommission, *"Kommission zur Prüfung des Vorfalles in der JA Hirtenberg (Tod eines psychisch kranken Strafgefangenen) am 3.12.2025 auf Hinweise für das Vorliegen von strukturellen Mängeln im Strafvollzug und Erstattung von Empfehlungen"*, 30 June 2026, https://www.bmj.gv.at/ministerium/presse/Pressemitteilungen-2026/Justizministerin-Sporrer-pr%C3%A4sentiert-Endbericht-der-Expert-innenkommission-f%C3%BCr-den-Strafvollzug.html

[36] Expert*innenkommission, *"Kommission zur Prüfung des Vorfalles in der JA Hirtenberg (Tod eines psychisch kranken Strafgefangenen) am 3.12.2025 auf Hinweise für das Vorliegen von strukturellen Mängeln im Strafvollzug und Erstattung von Empfehlungen"*, 30 Juni 2026, https://www.bmj.gv.at/ministerium/presse/Pressemitteilungen-2026/Justizministerin-Sporrer-pr%C3%A4sentiert-Endbericht-der-Expert-innenkommission-f%C3%BCr-den-Strafvollzug.html Amnesty International, *"Strafvollzug am Limit: Amnesty fordert nach Expert*innenbericht sofortige Umsetzung der Empfehlungen"*, 6 July 2026, https://www.amnesty.at/presse/strafvollzug-am-limit-amnesty-fordert-nach-expert-innenbericht-sofortige-umsetzung-der-empfehlungen/.

[37] Amnesty International Austria, *"Ein Jahr Ermittlungsstelle gegen Polizeigewalt*: Guter Start, aber Unabhängigkeit muss sichergestellt sein – Kennzeichnungspflicht fehlt weiterhin", 20 January 2025, https://www.amnesty.at/presse/ein-jahr-ermittlungsstelle-gegen-polizeigewalt-guter-start-aber-unabhaengigkeit-muss-sichergestellt-sein-kennzeichnungspflicht-fehlt-weiterhin/; Amnesty International Austria, *"Polizeigewalt: Ermittlungsstelle im Ministerrat – einige Verbesserungen im geänderten Gesetz, doch Unabhängigkeit weiterhin nicht sichergestellt"*, 15 Juni 2023, https://www.amnesty.at/news-events/news/polizeigewalt-ermittlungsstelle-im-ministerrat-einige-verbesserungen-im-geaenderten-gesetz-doch-unabhaengigkeit-weiterhin-nicht-sichergestellt/.

[38] See European Court of Human Rights, Hentschl and Stark v. Germany (Appl. No 47274/15), para 91, https://hudoc.echr.coe.int/eng#{%22itemid%22:[%22001-178381%22]}.

[39] Amnesty International Austria, *"Amnesty International fordert Kennzeichnungspflicht bei Polizei"*, 26 March 2024, https://www.amnesty.at/presse/amnesty-international-fordert-kennzeichnungspflicht-bei-polizei/; Amnesty International Austria *"Dein Recht auf Protest: Versammlungsfreiheit in Österreich und weltweit"*, November 2025, https://www.amnesty.at/themen/dein-recht-auf-protest-versammlungsfreiheit-in-oesterreich-und-weltweit/.

AMNESTY INTERNATIONAL RECOMMENDS AUSTRIA TO:

- Ensure that the investigation and complaints office for allegations of mistreatment by police is able to investigate cases of alleged police abuse independently and according to international human rights standards.
- Ensure that police officers carrying out law enforcement duties are individually identifiable through visible identification numbers or badges, subject only to narrowly defined exceptions where anonymity is strictly necessary for legitimate operational purposes.

8. TREATMENT OF NON-NATIONALS, INCLUDING MIGRANTS, REFUGEES, ASYLUMSEEKERS AND STATELESS PERSONS

8.1 PROTECTION AGAINST REFOULEMENT (ART. 7)

Austria was the first member state of the European Union (EU) to resume forced returns to Syria in 2025, after the fall of former President Bashar al-Assad's government[40] and one of the first to carry out deportations to Afghanistan the same year.[41] Extensive documentation by Amnesty International shows that individuals forcibly returned to countries, such as Syria and Afghanistan, face a serious risk of enforced disappearance,[42] torture,[43] and other grave human rights violations.[44] Amnesty International believes that Afghanistan and Syria cannot be considered safe for any forced returns.

Therefore, Amnesty International considers that Austria's plans to continue forcibly deporting people to these countries would breach the principle of non-refoulement and are not in line with Article 7 of the Covenant.

AMNESTY INTERNATIONAL RECOMMENDS AUSTRIA TO:

- Ensure that all government policies and actions affecting asylum seekers and refugees comply with international human rights law.
- Stop forced returns to Syria and Afghanistan and refrain from deporting anyone to countries where there is a real risk of persecution and other human rights violations, including enforced disappearance, torture, arbitrary detention. Ensure that all return decisions are fully compliant with the principle of non-refoulement and based on individualised assessments.

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[40] The Guardian, *"Austria deports man to Syria for the first time in 15 years"*, 3 July 2025, https://www.theguardian.com/world/2025/jul/03/austria-syria-deportation-assad-criminal-asylum.

[41] Politico EU, *"Austria deports first person to Afghanistan since Taliban takeover"*, 21 October 2025, https://www.politico.eu/article/austria-deport-first-person-afghanistan-taliban-takeover-christian-stocker/; Amnesty International Austria, *"Gefährlicher Dammbruch: Österreich liefert Menschen erstmals in die Hände der Taliban aus",* 21 October 2025, https://www.amnesty.at/presse/gefaehrlicher-dammbruch-oesterreich-liefert-menschen-erstmals-in-die-haende-der-taliban-aus/.

[42] Amnesty Inernational, "Syria: "You're going to your death" Violations against Syrian refugees returning to Syria", 3 September 2021, https://www.amnesty.org/en/documents/mde24/4583/2021/en/

[43] Amnesty International, *Forced Back to Danger: Asylum-Seekers Returned from Europe to Afghanistan* (ASA 11/6866/2017), 2017, https://amnesty.dk/wp-content/uploads/media/3454/forced-back-to-danger.pdf and Amnesty International, *"Afghanistan: Forced returns to Taliban rule must end as latest figures reveal millions unlawfully deported in 2025"*, December 2025, https://www.amnesty.org/en/latest/news/2025/12/afghanistan-forced-returns-to-taliban-rule-must-end-as-latest-figures-reveal-millions-unlawfully-deported-in-2025/

[44] Amnesty International, "Afghanistan: Forced returns to Taliban rule must end as latest figures reveal millions unlawfully deported in 2025", 16 December 2025. https://www.amnesty.org/en/latest/news/2025/12/afghanistan-forced-returns-to-taliban-rule-must-end-as-latest-figures-reveal-millions-unlawfully-deported-in-2025/.

8.2 RETURN HUBS IN THIRD COUNTRIES (ARTS. 7, 9, 12, 13 AND 24)

Austria is among five EU countries[45] which are negotiating agreements or arrangements with third countries for the establishment of so-called "return hubs", which is being made possible under the new EU Return Regulation, agreed in June 2026 and currently pending final adoption.

"Return hubs" would be sites in third countries where people would be sent from the EU, which could also include offshore detention and deportation centres in countries other than a person's country of origin or transit. Amnesty International notes that, by their very design, they pose a serious risk of human rights violations and is therefore concerned by the EU and its member states' plans of implementation.[46] "Return hubs" are likely to result in arbitrary detention, restrictions on the right to freedom of movement, inadequate conditions of stay or detention, and a risk of indirect refoulement, or onward deportation to countries where individuals may face torture or inhuman or degrading treatment and further refoulement. In addition, people transferred to third countries, including families with children, [47] could be left in a legal limbo, situations of protracted uncertainty, and challenges in accessing legal remedies or independent access and oversight.[48] At the same time, these practices would create significant challenges in monitoring human rights conditions, ensuring accountability, and establishing clear legal responsibility and jurisdiction.[49]

AMNESTY INTERNATIONAL RECOMMENDS AUSTRIA TO:

- Refrain from pursuing plans to establish return hubs in third countries, as such arrangements pose a serious risk of undermining the principle of non-refoulement and leading to arbitrary detention and other serious human rights violations.

8.3 GAPS IN GUARDIANSHIP FOR UNACCOMPANIED CHILDREN (ART. 24)

Amnesty International welcomes the adoption of a legal provision regarding a guardianship for unaccompanied children seeking asylum at federal level. However, the implementation of this provision is left to the federal states (*Länder*). In addition, the organization is concerned that the provision only applies to unaccompanied children arriving in Austria after 12 June 2026. Consequently, unaccompanied children who arrived before this date will not have a right to a de iure guardianship.

AMNESTY INTERNATIONAL RECOMMENDS AUSTRIA TO:

- Ensure the effective implementation of the provisions of the Austrian Civil Code regarding guardianship for unaccompanied children seeking asylum across all nine federal states (Länder). Ensure that such guardianship is also extended to children who arrived in Austrian territory before 12 June 2026.

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[45] Euro News, „*Five EU countries team up to build return hubs outside Europe*", 9 March 2026, https://www.euronews.com/my-europe/2026/03/06/five-eu-countries-team-up-to-build-return-hubs-outside-europe.
[46] EU: European Parliament greenlights punitive detention and deportation plans - Amnesty International
[47] Amnesty International, *"More than 200 Organisations: Inhumane Deportation rules should be rejected"*, September 2025, https://www.amnesty.eu/news/deportation-rules-should-be-rejected/
[48] Amnesty International, "*EU-Abschiebezentren: Amnesty International fordert Ablehnung der Rückführungsverordnung",* 25 March 2026, https://www.amnesty.at/presse/eu-abschiebezentren-amnesty-international-fordert-ablehnung-der-rueckfuehrungsverordnung/ und Amnesty Internationl „*Return Hubs: Wie die EU mit Abschiebezentren in Drittstaaten Menschenrechte aushebelt*", 18 June 2026, https://www.amnesty.de/aktuell/return-hubs-eu-abschiebezentren-drittstaaten
[49] Ibid, *"More than 200 Organisations: Inhumane Deportation rules should be rejected"*

9. RIGHT TO PRIVACY

9.1 SURVEILLANCE OF ENCRYPTED COMMUNICATIONS THROUGH SPYWARE (ARTS. 17 AND 19)

The Austrian parliament adopted legislation in July 2025, allowing state authorities to surveil encrypted communications using spyware.[50] Amnesty International raised serious human rights concerns in two separate written submissions.[51] To the organization's knowledge, much government spyware is highly invasive, meaning that it allows unlimited access to a device by default, and that it cannot be limited to only those functionalities that are necessary and proportionate to a specific use and target; or whose use is not verifiable and capable of being independently audited. Thus, Amnesty International considers that highly invasive spyware violates the right to privacy and poses a serious risk for the work of journalists and human rights defenders, having a potential chilling effect on their rights to freedom of expression and peaceful assembly. [52] Moreover, any spyware – regardless of whether it meets this definition, poses unacceptable human rights risks unless accompanied by human rights safeguards capable of preventing and remedying abuses in practice.

AMNESTY INTERNATIONAL RECOMMENDS AUSTRIA TO:

- Repeal the law allowing the use of spyware to surveil encrypted communications.
- Ban highly invasive spyware.
- Refrain from purchasing and using any kind of spyware until an adequate system of human rights safeguards is in place that prevents abuse.

10. FREEDOM OF CONSCIENCE AND RELIGIOUS BELIEF

10.1 HEADSCARF BAN FOR GIRLS (ARTS. 2, 3, 18, 19 AND 26)

After the Constitutional Court annulled a headscarf ban in 2020, Austria adopted a new and similar legislation in December 2025. The law prohibits the wearing of headscarves (hijab) by girls under the age of 14 in both public and private schools and entered into force in September 2026.[53]

Amnesty International raised concerns regarding the draft legislation in a written submission, highlighting its discriminatory character.[54] The organization considers the blanket ban to constitute direct discrimination against Muslim girls under the age of 14, as it specifically targets a particular religious group, gender, and form of religious expression. Amnesty International further considers the measure to amount to a disproportionate interference with several human rights, including the rights to freedom of religion, freedom of expression, and education, as well as the right to non-discrimination.

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[50] BGBl. I Nr. 54/2025

[51] Amnesty International, *Stellungnahme zum Ministerialentwurf eines Bundesgesetzes, mit dem das Staatsschutz- und Nachrichtendienstgesetz geändert wird*, 24 September 2024, https://cdn.amnesty.at/media/czolvb4s/stellungnahme-amnesty-international-oesterreich-sng-aenderung-350-me.pdf; Amnesty International, *Stellungnahme zum Ministerialentwurf eines Bundesgesetzes, mit dem das Staatsschutz- und Nachrichtendienstgesetz, das Sicherheitspolizeigesetz, das Telekommunikationsgesetz 2021, das Bundesverwaltungsgerichtsgesetz und das Richter- und Staatsanwaltschaftsdienstgesetz geändert werden (8/ME)*, 28 May 2025, https://cdn.amnesty.at/media/fp4bx0nf/stellungnahme-amnesty-international-oesterreich-messenger-ueberwachung-mai-2025.pdf.

[53] Bundesgesetz zur Stärkung der Selbstbestimmung von unmündigen Mädchen an Schulen mittels Einführung eines Kopftuchverbots (44/ME), https://www.parlament.gv.at/gegenstand/XXVIII/ME/44

[54] Amnesty International, *Stellungnahme zum Ministerialentwurf (44/ME) betreffend das Bundesgesetz zur Stärkung der Selbstbestimmung von unmündigen Mädchen an Schulen mittels Einführung eines Kopftuchverbots*, 22 October 2025, https://cdn.amnesty.at/media/wdjghqxw/amnesty_stellungnahme_kopftuchverbot_oktober-2025.pdf.

Amnesty International also underlines that such measures risk reinforcing existing patterns of gendered Islamophobia and anti-Muslim racism.[55]

AMNESTY INTERNATIONAL RECOMMENDS AUSTRIA TO:

- Repeal the ban on the wearing of headscarves by pupils in both public schools and private schools.
- Ensure that any legislation concerning restrictions on religious clothing is in compliance with human rights law and standards including the rights to freedom of expression and religion, right to education and the right to be free from discrimination.

11. FREEDOM OF EXPRESSION

11.1 CHILLING EFFECT ON SPEECH AND EXPRESSION (ARTS. 19 AND 20)

Austria has incorporated the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism in its policies, [56] for instance in its national strategies against antisemitism in 2021 and 2025, respectively.[57] Amnesty International is concerned about its impact on freedom of expression in Austria as it has a significant influence on policy and practice. This definition has been criticized by UN experts, academics and civil society groups, including Amnesty International, for not being consistent with international human rights law, including as it legitimizes the suppression of criticism of Israel's policies by wrongly labelling such criticism as antisemitic.[58]

Amnesty International's research shows that this has also been the case in Austria, where expressions of solidarity with Palestinians or criticism of Israel's policies were met with allegations of antisemitism. It resulted in a chilling effect on the right to freedom of expression and, in some cases, violation of that right.[59]

Furthermore, police authorities prohibited and dissolved some assemblies where the chant "from the river to the sea, Palestine will be free" was likely to be used, because they assessed the chant as "inciteful".[60] In some cases, this occurred without assessing the intent of the

[55] ECRI Report on Austria, 2020, p. 7, https://rm.coe.int/report-on-austria-6th-monitoring-cycle-/16809e826f and EU-FRA, Being Muslim in the EU - Experiences of Muslims, 2024 https://fra.europa.eu/sites/default/files/fra_uploads/fra-2024-being-muslim-in-the-eu_en.pdf
[56] In 2017, the Austrian government adopted the IHRA working definition on antisemitism by governmental declaration. See Federal Chancellery, "*Beschlussprotokoll des 40. Ministerrates vom 25. April 2017"*, https://www.bundeskanzleramt.gv.at/bundeskanzleramt/die-bundesregierung/ministerratsprotokolle/ministerratsprotokolle-xxv-regierungsperiode/beschlussprotokoll-des-40-ministerrates-vom-25-april-2017.html.
[57] Federal Chancellery, *National Strategy against Antisemitism,* 2021, https://www.bundeskanzleramt.gv.at/dam/jcr:1a1eef15-318d-45e2-95e1-a564ed4d54f2/national_strategy_against_antisemitism.pdf.
[58] UN Special Rapporteur on Freedom of Expression, *Global threats to freedom of expression arising from the conflict in Gaza* A/79/319, 23 August 2024, https://docs.un.org/en/A/79/319, para 80; UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, *Combating glorification of Nazism, neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance*, A/77/512, 7 October 2022, https://docs.un.org/en/A/77/512 paras 74-75; EU Observer, *"128 scholars warn: Don't trap the United Nations in a vague and weaponized definition of antisemitism"*, 3 November 2022. https://media.euobserver.com/9e86df02ddf67c6046d190b65e4380df.pdf; Human Rights Watch and 103 other organizations, *"Human Rights and other Civil Society Groups Urge United Nations to Respect Human Rights in the Fight Against Antisemitism"*, 20 April 2023, https://www.hrw.org/news/2023/04/04/human-rights-and-other-civil-society-groups-urge-united-nations-respect-human
[59] Amnesty International, *"Austria: Crackdown on Palestinian solidarity has triggered significant chilling effect"*, 18 March 2026, https://www.amnesty.org/en/latest/news/2026/03/austria-crackdown-on-palestinian-solidarity-has-triggered-significant-chilling-effect/
[60] Vienna Administrative Court, VGW-103/040/15922/2023, 4 December 2024, https://www.ris.bka.gv.at/Dokumente/Lvwg/LVWGT_WI_20241204_VGW_103_040_15922_2023_00/LVWGT_WI_20241204_VGW_103_040_15922_2023_00.html p. 9; Vienna Administrative Court, VGW-103/040/16069/2023, 4 December 2024, https://www.ris.bka.gv.at/Dokumente/Lvwg/LVWGT_WI_20241204_VGW_103_040_16069_2023_00/LVWGT_WI_20241204_VGW_103_040_16069_2023_00.html p. 11**;** Vienna Administrative Court, VGW-103/040/16067/2023, 4 December 2024, https://www.ris.bka.gv.at/Dokumente/Lvwg/LVWGT_WI_20241204_VGW_103_040_16067_2023_00/LVWGT_WI_20241204_VGW_103_040_16067_2023_00.html, p.11.

person voicing the chant.[61] In this respect, Amnesty International is concerned about a non-public decree issued in November 2023 by the Ministry of Justice.[62] In the Ministry's view, the chanting of this phrase, in particular at rallies which are public, is suitable to present an initial suspicion of the crime "approval of terrorist offences" and thus stipulated the need for an individual investigation when the chant was used .[63] This led to investigations by the authorities based on initial suspicion.[64] Even though these may not necessarily lead to criminal charges, these proceedings have a chilling effect on people using the chant, as they may refrain from voicing it or joining protests where the chant might be voiced, out of fear facing any kind of investigation or stigmatization.[65]

Amnesty International's research also documents non-binding resolutions to Austrian authorities by the national parliament and the city councils of Vienna and Graz that discourage participation in the Boycott, Divestment and Sanctions (BDS) movement, including by labelling it as inherently 'antisemitic'.[66] While these resolutions are not legally binding, they are supported by all political parties represented in the Austrian parliament and are widely interpreted as authoritative guidance leading to undue restrictions on expression.[67] Amnesty International is concerned about the chilling effect on freedom of expression of these resolutions, as activists and civil society organizations reported fearing court proceedings, smear campaigns or financial losses, in particular state funding when advocating for non-violent boycotts or engaging with BDS.[68]

AMNESTY INTERNATIONAL RECOMMENDS AUSTRIA TO:

- Ensure that any definition of antisemitism is strictly aligned with international human rights law and revoke any policy and decision legitimizing and disseminating the IHRA working definition of antisemitism due to its lack of compliance with international law.
- Refrain from imposing restrictions on freedom of expression, including chants, use symbols or other forms of expression in support of Palestinians that fail to comply with Austria's legal obligations under international human rights law.

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[61] See Vienna Administrative Court, case number VGW-102/067/8305/2024-29, 26 November 2024, https://verwaltungsgericht.wien.gv.at/Content.Node/rechtsprechung/VGW-102-067-8305-2024.pdf, p. 33. Another reason for the dispersal was voicing "Student Intifada Camp" and violations of the Austrian prohibition of face covering. However, the court decided that these were also not enough to disperse the assembly; Vienna Administrative Court, case number VGW-102/067/1784/2025, 24 April 2025, https://www.ris.bka.gv.at/Dokumente/Lvwg/LVWGT_WI_20250424_VGW_102_067_1784_2025_00/LVWGT_WI_20250424_VGW_102_067_1784_2025_00.pdf, p. 28.

[62] Kurier, "Justizministerium klärt per Erlass: Pro-Palästina-Parole ist Terror-Gutheißung", 4 January 2024, https://kurier.at/politik/inland/justizministerium-klaert-per-erlass-pro-palaestina-parole-ist-terror-gutheissung/402729769;

[63] Ministry of Justice, written response to Amnesty International's written enquiry dated 20 October 2025, received on 24 November 2025; Ministry of Justice, written response to Amnesty International received on 23 January 2025.

[64] Amnesty International comes to this conclusion as procedural rules in Austria stipulate ex officio investigation of any initial suspicion of a criminal offence (see sections 1 and 2 Austrian Code of Criminal Procedure).

[65] Reuters, *"'From the river to the sea' prompts Vienna to ban pro-Palestinian protest"*, 11 October 2023, https://www.reuters.com/world/from-river-sea-prompts-vienna-ban-pro-palestinian-protest-2023-10-11/;

[66] In 2018, the Municipal Council of Vienna unanimously voted for a legally non-binding motion condemning the BDS movement as antisemitic and calling upon the regional government of Vienna not to grant any municipal spaces to BDS campaigns or events, exhibitions or assemblies that support the aims of BDS. It also called on the regional government to not support any events that advertise BDS. See Municipal Council of Vienna, Austria, *"39. Sitzung vom 27.06.2018, Wörtliches Protokoll"["39. Session of 27.6.2018, verbatim transcript]*, 27 July 2018, p. 81, https://www.wien.gv.at/mdb/gr/2018/gr-039-w-2018-06-27-081.htm. In 2019, the Municipal Council of Graz published a "declaration against antisemitism and BDS" saying that "[m]unicipal departments may not support events organised by groups that pursue or promote the goals of the BDS movement". See Municipal Council of Graz, Austria, *"Erklärung gegen Antisemitismus und BDS"*, 14 November 2019, https://www.ris.bka.gv.at/Dokumente/Gemeinderecht/GEMRE_ST_60101_Pr%c3%a4s_078079_2019_0001/GEMRE_ST_60101_Pr%c3%a4s_078079_2019_0001.html. In 2019, the federal parliament adopted a resolution with similar content addressing the federal government. See Federal Parliament, Austria, *"Entschließung des Nationalrates vom 27. Februar 2020 betreffend Verurteilung von Antisemitismus und der BDS-Bewegung"*, 27 February 2020, https://www.parlament.gv.at/dokument/XXVII/E/12/fname_785457.pdf.

[67] See for example: CASE Coalition, *"City of Vienna singles out BDS Austria member with vexatious lawsuit"*, 20 December 2024, https://www.the-case.eu/latest/city-of-vienna-singles-out-bds-austria-member-with-vexatious-lawsuit/; Communication of four UN special rapporteurs on the case of the City of Vienna vs. BDS Austria, AUT 2/2022, 20 May 2022 https://spcommreports.ohchr.org/tmresultsbase/downloadpubliccommunicationfile?gid=27241

[68] Amnesty International, *"Austria: Crackdown on Palestinian solidarity has triggered significant chilling effect"*, 18 March 2026, https://www.amnesty.org/en/latest/news/2026/03/austria-crackdown-on-palestinian-solidarity-has-triggered-significant-chilling-effect/.

- Repeal the ministerial decree on the chant "From the river to the sea, Palestine will be free" and officially declare it null and void. Respect and protect the right to advocate for boycotts, divestments and sanctions as these are legitimized forms of political expression that should not be prohibited or criminalized.
- Assess any restrictions on the right to freedom of expression always on a case-by-case basis, ensuring due process guarantees and in accordance with international human rights law and standards and, in particular, in compliance with the requirements of legality, legitimate aim, necessity and proportionality. In addition, in assessing whether expression constitutes advocacy of hatred that amounts to incitement to discrimination, hostility or violence, and must be prohibited, a higher threshold must be met, in accordance with the Rabat Plan of Action.

11.2 GAPS IN PROTECTION AGAINST STRATEGIC LAWSUITS AGAINST PUBLIC PARTICIPATION (SLAPP) (ART. 19)

Despite international trends showing an increase of SLAPPs against media outlets, journalists and activists, Austria has not yet implemented effective measures to protect public watchdogs against abusive litigation. The Austrian government has not fulfilled the deadline for implementation of the EU-Anti-SLAPP directive. This directive provides several measures to counter SLAPPs in cross-border civil proceedings. Amnesty International notes that the directive is an important step to provide protection against SLAPPs, however it does not apply to domestic cases and does not cover claims governed by criminal law or administrative procedures.[69] The government should adopt a comprehensive approach to tackle SLAPPs, to effectively protect the right to freedom of expression, association, peaceful assembly and public participation, among other human rights.

AMNESTY INTERNATIONAL RECOMMENDS AUSTRIA TO:

- Enact effective anti-SLAPPs legislation with a scope that is sufficiently broad to protect all those potentially targeted by state and non-state actors, using comprehensive definitions that include all abusive actions.
- Ensure that those targeted by SLAPPs have access to comprehensive and effective remedies, financial restitution (including full compensation for damages) and other forms of support, covering all direct, indirect, past and future detriment suffered.

[69] Amnesty International, "*The Anti-SLAPP Directive creates a promising minimum standard for Member States*", 27 February 2024, https://www.amnesty.eu/news/the-anti-slapp-directive-creates-a-promising-minimum-standard-for-member-states/; CASE Coalition, *CASE Analysis of EU Anti-SLAPP Directive's Cross-border definition,* 27 February 2024, https://www.the-case.eu/wp-content/uploads/2024/02/CASE-Cross-border-definition.pdf.202https://www.the-case.eu/wp-content/uploads/2024/02/CASE-Cross-border-definition.pdf