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Social assistance benefits in some states remained inadequate. The right to adequate housing was insufficiently recognized and implemented. Women and girls were not adequately protected from gender-based violence. Journalists were prevented from observing protests. Media freedom came under increased pressure. Regulations for unaccompanied children seeking international protection did not adequately protect them. Racial profiling persisted. Police accountability for excessive use of force remained inadequate. Austria failed to reach its climate targets.

Right to social security

In June, parliament amended the Basic Act on Social Assistance, providing a hardship clause for non-Austrians and ensuring those living in shelters for women and homeless people receive the full amount of social assistance. By the end of the year, four federal states had partially implemented the amendments, but the law continued to deprive people of adequate access to social benefits.

Right to adequate housing

Although the government introduced some measures to prevent Covid-19 related evictions and support people at risk of homelessness, the authorities failed to develop and implement a national housing strategy or ensure federal provision of homeless assistance services. Further, a lack of information, high levels of bureaucracy, language barriers and statutory requirements intentionally excluding Austrian as well as non-Austrian citizens who did not fulfil the eligibility criteria left many people without access to relevant services and assistance.¹

Women's and girls' rights

Gender and intersectionality were not sufficiently considered in the provision of services. Most homeless assistance services, for example, were not gender-specific but based on the needs and experiences of men. Proposed reforms to the care system failed to fulfil the rights to fair remuneration and social security of migrant women, who constituted the vast majority of workers providing care for older people in their homes.

By the end of the year, 28 women had been killed due to gender-based violence, amid concern that there were insufficient places in women's shelters.

In September, women's rights organizations criticized persistent barriers to accessing affordable and safe abortion services.

Freedom of expression

Media freedom continued to be under pressure.

At several protests in the capital, Vienna, police prevented journalists from observing and reporting protests or failed to adequately protect them from attacks by protesters. When evicting people from a protest camp in April, police set up a separate press zone for journalists at such a distance from the camp that it was impossible to observe events adequately.

The use of strategic lawsuits against public participation (SLAPPs) increased, both against publishers of media outlets and against journalists.

In March, Julian H., who played a key role in the making of the so-called "Ibiza video" alleging high-level corruption, was sentenced to 41 months' imprisonment. Concerns were raised about his right to a fair trial.

A law on freedom of information, proposed in February 2021 and aimed at increasing transparency and trust in politics and institutions, remained stalled.

The EU Commission began infringement proceedings against Austria for its continued failure to transpose the EU Whistle-blower Directive into national law.

Refugees' and migrants' rights

In February, the Styrian Regional Administrative Court ruled that an asylum seeker from Morocco had been unlawfully returned by the police to Slovenia, noting that such unlawful actions were a recurrent practice.

By the end of the year, 90,000 Ukrainian refugees received temporary protection in Austria under the provisions of the EU Temporary Protection Directive.

In September, the Ministry of Internal Affairs revealed that within a period of seven months 5,140 unaccompanied children seeking asylum had disappeared. Many NGOs and politicians demanded the immediate assignment of a legal guardian to all unaccompanied minors on their arrival, rather than only when admitted to the asylum procedure, which could take several months.

Discrimination

Law enforcement continued to use facial recognition technology without a clear legal basis, despite its potentially discriminatory impact on gender and ethnic and racial minorities, as well as on rights to privacy, freedom of expression and peaceful assembly.

Racial profiling by police persisted and there was still no effective accountability mechanism.

Excessive use of force

Failures to investigate allegations of excessive use of force by the police, such as at the 2021 May Day demonstration, persisted.² An independent investigatory body, announced by the government in 2020, had not been established by the end of the year. Police were still not required to wear identification badges, further impeding accountability.

Failure to prevent climate change

Austria failed to reach its climate targets, including the sustainable reduction of carbon emissions, and there was no active climate action law in place.

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1. [Austria: "If housing was a human right, I wouldn't live like this" – Barriers to Accessing Homeless Assistance Services in Austria, 7 April](#)
 2. ["Amnesty criticizes climate of impunity for police violence in Austria", 26 January \(German only\)](#)

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Associated documents

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