



**Written submission
of the Austrian Disability Council
on the occasion of the Special Rapporteur
on contemporary forms of racisms'
country visit to Austria from
2nd to 9th December 2025**

Vienna, 22th of August 2025

The report at hand is mostly based on documents from the Austrian Disability Council, the legally recognised umbrella organization of over 85 member organisations representing approximately 1.4 million persons with disabilities in Austria.



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The Austrian Disability Council remains at your disposal for any further information or discussions, including in the context of the country visit to Austria in December 2025.

1. Legal Framework and Federalism

Austria ratified various international conventions such as the UN Convention on the Rights of Persons with Disabilities (CRPD) under reservation (Erfüllungsvorbehalt), which means that the CRPD and other international human right treaties are not directly applicable.

Another major challenge in the implementation of human rights treaties in Austria derives from the destructive handling of the federalist system. In Austria, the federal government shares its power with the governments of nine provinces, the federal states. The federal system is regularly used as a justification for not fully implementing the human rights conventions. The attempts by the federal government and the federal states to overcome this situation are rare and minimal, resulting in weak and varied levels of protection of human and especially disability rights across the federal states, depending on in which federal state each persons' residency lies. This issue was also highlighted in the concluding observations by the Committee of the CRPD, in the context of the state review in August 2023. The Committee stated that it is "concerned about the wide variety of different legislative approaches".¹

2. Multiple discrimination against persons with disabilities

In Austria, discrimination against persons with disabilities is prohibited by the following laws: The "Disability Employment Act" for all matters related to work (Behinderteneinstellungsgesetz, BEinstG) and the "Federal Disability Equality Act" (Bundes-Behindertengleichstellungsgesetz, BGStG).

The Federal Disability Equality Act's objective is to eliminate or prevent discrimination and covers multiple discrimination. However, apart from the possibility of class actions against large companies, the Federal Disability Equality Act still lacks provisions for injunctive relief or claims for the removal of barriers or discriminatory behaviour.² While the Federal Disability Equality Act requires that multiple discrimination is considered when determining the amount of compensation for

¹ Committee on the Rights of Persons with Disabilities, Convention on the Rights of Persons with Disabilities, Concluding observations on the combined second and third periodic report of Austria 2023 (CRPD/C/AUT/CO/2-3), 2 (9).

² Alternative Report of the Austrian Disability Council and the Civil Society (2018) 5: https://www.behindertenrat.at/wp-content/uploads/2018/07/2018-07-17-Alternative-Report-Austria_-_English.pdf (last accessed: 19.08.2025).

violation of the prohibition of discrimination, there are no systematic measures to prevent multiple discrimination.

The Ombud for Equal Treatment, which is a national authority and part of the Federal Chancellery with the task of enforcing the right to equality and equal treatment, is the competent authority on all grounds of discrimination except for disability. Therefore, it is not responsible for cases of multiple discrimination experienced by persons with disabilities, if one of the grounds of discrimination is disability.

3. Women and girls with disabilities

In Austria, the intersection between gender and disability is rarely considered in today's policies. Gender and disability are two aspects that are often overlooked in the discourse on equality and social justice, denying the importance to recognize this intersectionality appropriately. This lack of recognition leads to violations of human rights, especially for women with disabilities. The compounded discrimination faced by women with disabilities, due to both their gender and disability, is evident yet challenging to monitor, as these discriminations are often left unreported.

In cases of multiple discrimination, women with disabilities must first approach the Social Ministry Service and request a mediation.³ This prior mediation proceeding is mandatory and must be conducted at the Social Ministry Service before any lawsuit can be filed in civil court. However, the Social Ministry Service does not have any specific expertise on women with disabilities, nor is it trained in a gender-sensitive approach.⁴

Additionally, the First Thematic Evaluation Report by GREVIO of 2024, emphasizes the significant challenges faced by women with disabilities, who are victims of violence in accessing justice and effective support during judicial proceedings. The report highlights barriers for women with disabilities in Austria, such as the lack of accessible access to court buildings for women with disabilities and the need for accessible communication, including easy-to-understand language and breaks during hearings for women with psychosocial and/or intellectual disabilities. Additionally, it highlights the importance of qualified interpreters, preferably of the same gender, for women who do not speak the local language. These issues are not just theoretical

³ This aspect was also highlighted by the Committee of CEDAW (CEDAW/C/AUT/CO/9, 13 (40)).

⁴ This aspect was also highlighted by the Committee of the CRPD (CRPD/C/AUT/CO/2-3, 3 (19e)).

concerns but are frequently encountered in practice, as many women with disabilities continue to face these barriers in real-life judicial proceedings.⁵ GREVIO urges Austrian authorities to ensure that all victim protection measures are fully implemented, with particular attention to women with disabilities. The report emphasizes the need for technical and human resources and regular data collection to assess the effectiveness of these measures.⁶ However, despite these recommendations, there has been little progress in addressing the specific challenges faced by women with disabilities in the judicial system.

4. Hate Crimes

The Committee on the Elimination of Discrimination Against Women expressed deep concern about the growing prevalence of hate speech directed at women and girls in online forums and social media platforms.⁷

Unfortunately, this issue has only worsened and intensified, especially for women with disabilities, who encounter even higher levels of online hate speech and discrimination across internet forums and social media platforms. The civil society organization ZARA (Zivilcourage & Anti-Rassismus-Arbeit, Civil courage & anti-racism work) invites individuals to report incidents of online hate speech and discrimination. ZARA offers support by providing legal advice, counseling, and assistance for victims, including persons with disabilities. ZARA has shared updated statistics with the Austrian Disability Council, highlighting the rise on online hate speech.

Although the total number of reports on online hate against people with disabilities remains low, it has more than doubled within one year. In 2024 (up to November 15th), 31 cases of online hate were reported, with 17 targeting women and girls with disabilities. In comparison, there were only 4 cases in 2023 and 2 in 2022. These numbers highlight that women with disabilities are disproportionately affected by online hate. Additionally, it is important to note that ZARA operates on a reporting-based system and lists only cases that have been submitted to them. This, however, does not reflect the actual scale of online hate directed towards persons with

⁵ GREVIO, Austria, First thematic report (2024) 45 (175).

⁶ GREVIO, Austria, First thematic report (2024) 45 (176).

⁷ CEDAW/C/AUT/CO/9, 5 (20). This aspect was also highlighted by the Human Rights Committee in its concluding observations to Austria in 2015 (Human Rights Committee, International Covenant on Civil and Political Rights, Concluding observations on the fifth periodic report of Austria 2015 (CCPR/C/AUT/CO/5) 3 (15).

disabilities, particularly women with disabilities, as the actual prevalence is likely much higher, with a significant number of cases going unreported.

5. Stereotypes

The Committee on the Elimination of Discrimination Against Women reiterated its previous recommendations and stated that Austria needs to “continue its efforts to eliminate stereotypical images” and “to adopt a comprehensive strategy to eliminate discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and in society”. Women with disabilities are particularly affected by discriminatory stereotypes regarding their roles in the family and society.

Unfortunately, no improvements have been made in this regard either. Despite the urgent callings, there is still no information available on adopted measures, such as campaigns and there is still no notable change in the level of public awareness. Neither the first Disability National Action Plan for 2012-2020 nor the subsequent one for 2022-2030 contain any actions in this regard. However, those aspects are particularly relevant for women with disabilities, as they often face compounded stereotypes not only related to traditional gender roles but also based on their disability.

The Committee on the Elimination of Discrimination Against Women further recommended to monitor and address the portrayal of women in the media and on the internet.⁸ However, a recent study shows that persons with disabilities are significantly underrepresented in Austrian mass media, and only about one-third of those portrayed are women with disabilities.⁹ The same study conducted seven years ago showed the same result: persons with disabilities, including women with disabilities, remain just as underrepresented in the media. It can therefore be concluded that nothing has changed over the past seven years.

Another study shows that when persons with disabilities are depicted in print media, they are often portrayed either as victims in need of charity or as heroes overcoming daily challenges, which is highly problematic from the perspective of the CRPD.¹⁰

⁸ CEDAW/C/AUT/CO/9, 5 (21c).

⁹ Media Affairs, Menschen mit Behinderungen & Inklusion in österreichischen Massenmedien (2021/2022) 55.

¹⁰ RTR, Menschen mit Behinderungen in Österreichischen Massenmedien (2015/2016) 36, 37.