

Austria

MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS - ONGOING SUPERVISION

▶ *Private and family life*

Shortcomings in the conduct of return proceedings of wrongfully removed children due to the authorities' failure to take swift and adequate steps to enforce return orders.

Severe (53661/15)
 Judgment final on 21/12/2017

Standard supervision
Status of execution

Requirement under domestic law (Land Registry Act) to enter into the public land register the full divorce settlement (instead of just an excerpt thereof excluding personal data) to allow for a transfer of real estate property. Domestic courts' failure to conduct a comprehensive assessment of whether the legal obligation to produce the full original divorce settlement was compatible with the applicant's right to protection of his personal data.

Liebscher (5434/17)
 Judgment final on 06/07/2021

Standard supervision
Status of execution

Unjustified prohibition on prefix "von" in the applicants' surnames, after a long period of accepted use on the basis of an inconsistent application of the 1919 Abolition of Nobility Act.

Künsberg Sarre (19475/20+)
 Judgment final on 26/06/2023

New case
Status of execution

▶ *Freedom of expression – Freedom of the press*

Lack of any balancing between the opposing interests in the domestic courts' decisions of 2014 and 2015 obliging the applicant media company, as host provider, to disclose personal data of its users who wrote offensive comments on two on-line articles the applicant company had published regarding two politicians and a political party.

Standard Verlagsgesellschaft mbH (39378/15)
 Judgment final on 07/03/2022

Standard supervision
Status of execution