

**Group of Experts on Action against Violence
against Women and Domestic Violence
(GREVIO)**

COUNCIL OF EUROPE



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**Report submitted by Austria
pursuant to Article 68, paragraph 4
of the Council of Europe Convention
on preventing and combating violence
against women and domestic violence
(1st thematic evaluation round)**

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Introduction

The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) entered into force in Austria in summer 2014.

In summer 2015 Austria established the "National Coordinating Body - Protection of Women against Violence" (pursuant to Article 10 Istanbul Convention) in the Department for Prevention of and Protection against Violence at the Ministry for Women.

Austria and Monaco were the first two countries to undergo the baseline evaluation by GREVIO (the Group of experts on action against violence against women and domestic violence). In August 2016 the "National Coordinating Body" submitted the first Austrian Country Report to GREVIO. One year later, in summer 2017, GREVIO's final report that included its findings and the comments submitted by Austria followed. In January 2018 the Committee of the Parties issued recommendations for Austria with regard to further implementation of the Convention. Finally, in spring 2021, Austria submitted its Implementation Report on the Recommendations of the Committee of the Parties to the Council of Europe. In December 2021 another four recommendations were issued for Austria.

Since the baseline evaluation procedure has been concluded in almost all member states, GREVIO is now engaged in a **second, thematic evaluation round on "building trust by delivering support, protection and justice"**¹. The objective of this evaluation round is to request information about the implementation of selected aspects of a number of Articles in Austria since GREVIO's final report of summer 2017.

This Report is divided into four parts. The first part describes the developments, and measures taken, in the areas of policies, funding and data collection. The second part provides information about the implementation of selected provisions in the areas of prevention, protection and prosecution. In its third part, emerging

¹ See ["Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence by the Parties"](#).

trends in the area of violence against women and domestic violence are presented, and the fourth part provides relevant data.

In the last few years numerous measures for combating violence against women and domestic violence at a national level have been taken. In order to provide a concise report, as requested, often summarising the measures implemented throughout Austria will, however, be necessary. Moreover, due to the fact that, in some cases, questions overlap, the measures taken in Austria are described under the Articles to which they best correspond in terms of their contents.

In particular, reference is made to the "First Country Report Austria" (2016) and to the "Implementation report on the recommendations of the Committee of the Parties of 30 January 2018" (2021) (Implementation Report). **The Implementation Report includes numerous measures which also fall in the reporting period of the present questionnaire. The Implementation Report should therefore be referred to for supplementary information.**

General information. Due to the fact that the allocation of relevant policy areas to specific Ministries may have changed, in particular in the areas of women and equality, family matters and integration, the terms 'Ministry for Women', 'Ministry for Family Affairs', etc. are used instead of the full names of the Ministries currently in charge.

The numbers stated in front of the paragraph headings refer to the relevant questions in the "Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence by the Parties".

I. Changes in comprehensive and coordinated policies, funding, and data collection in the area of violence against women and domestic violence

Article 7: Comprehensive and coordinated policies

1. | 3. Political priorities, national actions plans and strategies

The Austrian federal government considers preventing and combating violence against women and domestic violence an absolute priority, which is also reflected by the current Government Programme 2020-2024. Since the subjects of protection against violence and prevention of violence are **intersectional**, all Ministries in charge of these issues take measures in their respective area of activities. Reference is made in particular to the measures in the following parts of the government programme²:

- **Strengthening the protection of victims in the administration of custodial sentences**, p. 30
- **Protection against violence and hatred online**, p. 30, 31
- **Specific integration measures for women**, p. 146
- **Strengthening internal security**, p. 153, 156
- **Protection against violence**, p. 190, 191

In addition, the "**National Action Plan on Disability 2022-2030**"³, which was adopted by the federal government in July 2022, contains separate subchapters on "Women with Disabilities" and "Protection against Violence and Abuse" including numerous specific objectives and measures to ensure the implementation of the UN Convention on the Rights of Persons with Disabilities. For example, all centres for protection against violence (hereinafter "violence protection centres"), counselling centres and healthcare institutions

² See Government Programme 2020-2024 "Out of a Sense of Responsibility for Austria."

³ See National Action Plan on Disability 2022-2030, Austria's strategy for the implementation of the UN Convention on the Rights of Persons with Disabilities, adopted by the Austrian federal government on 6 July 2022, in particular p. 19 *et seq.* and p. 49 *et seq.*

should be comprehensively designed according to the concept of accessibility, and enhanced to the specific needs of women with disabilities.

Also some of the Austrian states have issued **equality strategies**. For example, the Styrian equality strategy⁴, which, *inter alia*, addresses the strategic field of action of "freedom from violence", or the Upper Austrian "*Frauen.Leben 2030*" strategy for women's lives⁵.

1. | 3. | 4. General (prevention) measures

For information on the statutory amendments by the **Protection Against Violence Act [Gewaltschutzgesetz] 2019** please refer to the "*Implementation Report*", p. 9 et seq. In addition to the information provided in the Implementation Report we would like to state that the definition of the group of victims of domestic violence was enlarged to include victims who have experienced any form of violence whatsoever in their immediate social environment (e.g. victims of stalking as defined in Section 107a of the Criminal Code [Strafgesetzbuch/StGB]).

As provided by the Protection Against Violence Act 2019, and specifically in Section 94(50) of the Security Police Act [Sicherheitspolizeigesetz/SPG], the Act had undergone evaluation until the end of August 2022. Now the recommendations are in the implementation stage.

Following a "round table" on the subject of protection against violence held on 12 May 2021, the federal government approved a **joint Anti-Violence Package of EUR 24.6 million** based on submission no. 59/16 to the Council of Ministers to enhance protection against violence.⁶ These funds will be used to develop appropriate solutions to improve the protection of victims to offer those who suffer from violence comprehensive protection and as much help as possible. The budget was made available in the same year and invested in measures for the protection of victims and prevention of violence **in addition to ongoing measures**. The table below provides an overview of the specific measures taken, including the relevant expenditure.⁷

⁴ See Styrian Equality Strategy. Styria on the path to more fairness and gender equality (2021).

⁵ See the women's strategy "*Frauen.Leben 2030*" (2018).

⁶ Package of measures to combat violence against women and enhance the prevention of violence, MRV 59/16, 11 May 2021.

⁷ For more details on the different items please refer to the relevant Articles in the Report. In addition, reference is made to **submission no. 7/14 to the Council of Ministers with regard to the implementation measures taken**. See Promoting the prevention of violence and the protection of women and girls against violence, MRV 7/14, 24 November 2021.

Table 1: Measures and allocation of funds under the "Anti-Violence Package 2021"

Measure: Strengthening of ...	
violence protection centres	EUR 5 million
"anti-violence counselling centres"	EUR 4 million
family counselling centres and expansion and securing of child protection centres	EUR 3 million
migrant women (through projects on the subject of sexual violence, and offers for women affected by forced marriage)	EUR 3 million
prevention of violence and funding a campaign against male violence	EUR 4 million
anti-violence and emotional control trainings	EUR 0.3 million
anti-violence trainings ordered by the court	EUR 0.3 million
family court assistance	EUR 1.5 million
legal and psychosocial court assistance	EUR 3.5 million
	EUR 24.6 million

Thus, significant measures (based on the "Anti-Violence Package 2021") included a strengthening of "**anti-violence counselling centres**" (see *Article 16: Preventive intervention and treatment programmes, p. 31 et seq.*) and expanding the agreements with **violence protection centres**⁸ and the **Intervention Center for Trafficked Women***. For more details on enhanced support services see *Article 18: General obligations, p. 32 et seq., and Article 22: Specialist support services, p. 45 et seq.* In order to offer the new support services in the best possible way, human resources at the violence protection centres have been and will continue to be increased as well.

2. Adjusting the definitions

Since 2021 a major reform of parent and child law has been underway. The reform envisages numerous measures to better protect children and women against domestic violence. The reform efforts are guided by the definition of violence of Article 3(a) of the Istanbul Convention. In addition, a handbook is being drafted, which will describe the different forms of violence and is intended to help the courts in dealing with accusations of violence in curatorship cases. The content input is currently prepared at an interdisciplinary level.

By means of the decree "Guidelines for the prosecution of offences in the immediate social environment"⁹ a **single Austria-wide definition of violence in the immediate social environment** was introduced for public prosecutors. Public prosecutors are requested to

⁸ For information on the violence protection centres and their statutory mission see the "*First Country Report Austria*", p. 34.

⁹ See Guidelines for the prosecution of offences in the immediate social environment, 3rd edition (2021).

mark the respective cases with the so-called "FAM code" [*FAM-Kennung*] in internal judicial registers. For information on statistical data collection in connection with this FAM code please refer to *Article 11: Data collection and research, p. 11 et seq.*

Article 8: Funding

4. | 5. Budget increases

Since the matters of protection against violence and prevention of violence are **intersectional**, all Ministries in charge of those matters are required to provide the necessary funds in their respective area of activities. In the reporting period Austria, for example, more than doubled the budget for the Ministry for Women (2018: EUR 10.2 million; 2023: EUR 24.3 million). A major share of that budget is used for measures to combat violence against women and girls. The budget of the Ministry for Social Affairs for work with offenders in the interest of victim protection was significantly increased in the reporting period as well (2021 and 2022: EUR 4 million each; 2023: EUR 7 million).

The Federal Budgetary Framework Act [*Bundesfinanzrahmengesetz/BFRG*] 2022-2025 increased **the funds for anti-violence measures by EUR 80.9 million** in the aggregate compared to the previous *BFRG* 2021-2024.

In order to further expand measures for the prevention of violence against women and children, the funds of the **federal budget for 2023 were increased by another EUR 19.3 million and in the currently applicable *BFRG* 2023-2026 by another EUR 71.5 million** compared to the *BFRG* 2022-2025:

- an amount of EUR 3 million per year was budgeted for measures in the context of initial and transitional housing for women and children who are victims of violence.
- women's and girls' counselling centres are provided with an additional EUR 1 million per year.¹⁰
- the funds for violence protection centres and the Intervention Center for Trafficked Women* will be topped up by EUR 1.9 million in 2023.
- in the field of police work the funds for victim protection/prevention of violence and work with offenders in the interest of victim protection will be increased by EUR 6.5 million per year.

¹⁰ In 2023 additional baseline funding for women's and girls' counselling centres is planned, which means an increase by 15% year-on-year and an increase of approx. 50% or plus 33 percentage points compared to 2019.

- the funds for family counselling centres (+EUR 3 million per year) and child protection centres (+EUR 0.9 million) will also be topped up.
- an additional EUR 3 million per year have been budgeted for anti-violence measures in the area of prevention of domestic violence against women and children as well as for developing and expanding measures to prevent violence against the elderly.

Funding of protected housing is the responsibility of the Austrian states. Moreover, the Austrian states finance numerous women's and girls' counselling centres specialising in the fields of protection against and prevention of violence.

5. Funding of specific projects

Likewise, the yearly project calls of different funding priorities carried out by different Ministries are of great importance.

For example, the Ministry for Integration has financed specific projects for women with a focus on "protection against violence" totalling EUR 6.6 million in the reporting period.¹¹ In addition, projects funded by the Austrian Integration Fund (ÖIF) include "measures to empower women and girls in the context of integration" of a total volume of EUR 4 million in 2022 and 2023.¹² In the course of the implementation of those projects direct victims of violence (in particular due to cultural motives) and witnesses in their immediate environment are offered help, and awareness of the topic of prevention of violence is being raised in society as a whole.

Every year also the Ministry of the Interior awards grants for promoting work with persons likely to threaten safety and anti-violence work targeted at children, young persons, women and men, as well as initiatives dealing with prevention in the field of (cyber) mobbing.

For information on specific projects see *Article 12: General obligations, p. 13 et seq.*, *Article 18: General obligations, p. 32 et seq.*, *Article 20: General support services, p. 37 et seq.* and the *"Implementation Report"*, p. 14.

¹¹ Cf. also *"Implementation Report"*, p. 23.

¹² Those projects were selected during the ÖIF Call 2021 for an initial term from 1 January 2022 to 31 December 2022. The projects and the grant were renewed for another year until the end of 2023. Seven of those projects (of a funding volume of more than EUR 760,000) focus on the prevention of violence.

Article 11: Data collection and research

6. Categories of data

Recording of prejudice motives for hate crimes: On 1 November 2020 the "Motive" tab was activated in the **police recording program for data collection** for recording motives according to nine categories. The nine categories of prejudice motives are age, disability, **gender**, skin colour, national/ethnic origin, religious belief, sexual orientation, social status and ideology.¹³ The data entered is transferred to the justice administration by means of a specifically designed interface via "Electronic Legal Communication" [*Elektronischer Rechtsverkehr*].

Since August 2020 all staff members of the police have been trained in identifying and recording prejudice motives for hate crimes.

FAM code. By introducing a single Austria-wide definition of violence in the immediate social environment data gaps that had existed were closed. Public prosecutors are requested to mark such cases with the **designated "FAM code" in internal judicial registers**. Violence in the immediate social environment or offences committed within families¹⁴ means **offences committed with wilful intent against life and limb, offences against sexual integrity and autonomy or delinquency as defined in Sections 99, 105f, 106a, 107, 107a, 107b, 107c, 109 StGB** to the disadvantage of a partner, spouse or registered partner of the accused, even after the relationship has ended. In the case of contradicting statements of the parties involved, cohabitation has to be assumed in the case of doubt. Offences against minor (adopted/foster) children also belong to this category. Other relatives (cf. Section 72 *StGB*) of the accused person will only be recorded if the criminal police report that they live together in one household.

Data collection in the healthcare sector. In 2022 a set of variables for the uniform recording throughout Austria of cases of domestic violence identified and treated in Austrian hospitals was defined. A concept for implementation, data collection and evaluation throughout Austria for future federal statistics is currently being drafted.

¹³ Recording is based on Section 33(1) No. 5 in conjunction with Section 283 *StGB*. See also "Hate Crime in Austria", Annual Report 2021.

¹⁴ FAM offences: cf. also Section 4(3a) of the Ministry of Justice's Regulation on the Implementation of the Public Prosecutors' Act [*DV-StAG*].

7.a Data on protection orders and mobile restraining orders

The following table shows the data on protection orders and/or mobile restraining orders issued between 2017 and 2022 (inclusive). Until 31 December 2019 only persons likely to threaten safety were registered. **As of 1 January 2020 a different counting method has been applied:** since then only one person likely to threaten safety and one person at risk is recorded per order. If another person is at risk or likely to threaten safety, another order will be issued, which adds to the statistical number of cases. Therefore, starting from 2020 the numbers are no longer comparable to the previous years' data.

Table 2: Evaluations of protection orders and mobile restraining orders from 2017 to 2022 and of administrative offence reports for violation of protection orders or mobile restraining orders from 2020 to 2022 from the Police Crime Statistics [*Polizeiliche Kriminalstatistik*]

Year	Number of protection and mobile restraining orders (Section 38a SPG)	Total number of administrative offence reports for violation of a protection or mobile restraining order
2017	8,414	
2018	7,407	
2019	8,254	
<i>Different counting method since 1 January 2020 (see explanation above)</i>		
2020	11,652	2,059
2021	13,690	2,255
2022	14,643	2,432

7.b Data on withdrawal of parental custody

Even though custody petitions in curatorship cases are recorded in the case automation system of the Ministry of Justice [*Verfahrensautomation Justiz*], the operative part of the decision is not recorded. Accordingly, no data is available on withdrawals of parental custody.

8. Criminal prosecution measures

Reference is made to the answers to *Question 51.a-c* in *Article 52: Emergency barring orders, p. 62 et seq.*

II. Implementation in the areas of prevention, protection and prosecution

Article 12: General obligations

In the reporting period Austria has taken numerous prevention measures aiming at raising awareness of violence against women and of domestic violence in society. In particular, **calls for proposals** were launched to fund projects which tackle gender stereotypes and prejudices, and combat culture-based violence. Several **examples of projects** will be presented hereinafter. We would like to draw attention to the fact that **numerous projects take an intersectional approach**.¹⁵

9.a | 9.b Specific prevention measures to change social and cultural behavioural patterns and to combat intersectional discrimination

In this context the Ministry for Integration finances the following projects, *inter alia*:

- The "**STAR*K – Sensibilisierung gegen Gewalt an Frauen/Mädchen**" project of "Caritas der Erzdiözese Wien - Hilfe in Not", a help programme of the Archdiocese of Vienna for people in need, raises awareness of violence against women/girls among young women and men and trains them to become multipliers. The programme focuses on young women and men between the age of 15 and 25, predominantly with a flight/migration background (both foreign and Austrian nationals).
In the years from 2019 to 2023 the project was supported by a grant of approx. EUR 250,000.
- The "**HEROES – Gegen Unterdrückung im Namen der Ehre**" project in Salzburg and Styria works with young people (especially men) from traditional, patriarchal backgrounds dominated by a culture of honour who advocate for gender equality. The project focuses on the problematic role of men in the context of girls and women being oppressed in the name of honour. The aim is to give young men an opportunity to distance themselves from those power structures.

¹⁵ For specific projects for women with disabilities see *Measures in the public health sector, p. 43 et seq.*

- To carry out the project, the association "*akzente Salzburg – Initiativen für Junge Leute!*" [initiatives for young people] received funds in the amount of approx. EUR 130,000 in the years 2018-2023. In Graz "*Caritas der Diözese Graz-Seckau*" [archdiocese] received grants of approx. EUR 275,960 between 2018 and 2020, and "*Verein für Männer- und Geschlechterthemen Steiermark*" [Association for Men's and Gender Issues of Styria] was paid grants of approx. EUR 300,000 in the years 2021 to 2023.
- The women's health centre "**FEM SÜD – Institut für Frauen- und Männergesundheit**", which offers medical, psychological, social and legal counselling for women and girls affected or threatened by FGM/C, also invests in prevention work. "Empowerment" is seen as the key element in strengthening girls and women and in combating violence against women and FGM/C. Information and awareness-raising work is addressed specifically to women and men in the communities concerned and to training of the relevant professional groups (health, social and educational sectors).
From 2018 to 2023 *FEM SÜD* received grants of approx. EUR 1.3 million.

9.c Empowerment measures (including labour-market measures)

For more empowerment of girls and women in all areas of life, specific project calls are launched regularly, and targeted measures are taken to enable women and girls to lead an autonomous life. Measures strengthening the **financial autonomy of women and girls** are of utmost importance. For example, in connection with its active labour-market policy the federal government has taken comprehensive measures to counteract discrimination against women in the labour market. The labour market promotion budget is one example where women receive more support in proportion to the total of those who are registered as unemployed.

In addition, the Public Employment Service Austria (AMS) supports women under the **FiT Programme** (Women in crafts and technology). The programme organises and finances comprehensive training in the STEM areas (including apprenticeships and tertiary education).

Examples of additional measures that are worth mentioning:

- The Ministry for Women awarded grants of EUR 2 million for more empowerment of girls and women in the **digital world and for diversification of their training path and career choices with a focus on STEM**. The projects aim to tackle gender stereotypes, in particular with respect to educational and vocational choices, and to further strengthen the financial autonomy of women and girls. The projects are being implemented in the period from November 2022 to December 2023.

- In 2022 the Ministry for Women also established the "**Women's Promotion Fund LEA – Let's Empower Austria**" ("Austrian Fund for the empowerment and advancement of women and girls").¹⁶ The objective of LEA is to create a framework for initiatives and measures to break up obsolete stereotypes, develop potentials, and to facilitate freedom of choice. LEA's mission is to promote women-specific matters in all areas of society, to strengthen the financial autonomy of women and girls, and to contribute to actual gender equality. The Fund's work rests on three pillars:
 - Empowerment: enabling women and girls to live an autonomous and independent life (including by organising events, workshops; etc.)
 - STEM: increasing the share of girls and women who learn STEM professions or choose STEM studies (the Fund also collaborates with a constantly increasing pool of role models to enthuse and inspire young girls for subjects and professions in the area of STEM.
 - Knowledge platform: generating knowledge (including through study contracts)
- With the Vienna Employment Promotion Fund (waff)¹⁷ the City of Vienna has established an agency specifically in charge of providing support in professional training and continuing education matters. Gender equality in the labour market is one of its top priorities.
- In addition, the City of Vienna finances measures supporting, in particular, women at an educational disadvantage who immigrated or fled to Austria in **learning German and basic competences** such as ICT, mathematics or English (under the Adult Education Initiative).¹⁸

9.c. Expanding anti-violence work with men and boys

Moreover, Austria finances the expansion of anti-violence work with men. Low-threshold access to counselling for men in crisis situations is financed, e.g. the *Männerinfo* [men's information] helpline or online chat counselling. Expanding gender-sensitive work with boys and young men throughout Austria is another priority. Funded projects include gender-sensitive anti-violence workshops with young men. In addition, the media-effective "**Mann spricht's an**" [men talk about it] campaign is geared to raise awareness of male violence via TV spots, print media, billpostings, etc. by addressing a broad audience.

¹⁶ See [LEA – Let's empower Austria](#).

¹⁷ See [Vienna Employment Promotion Fund](#).

¹⁸ See, *inter alia*, [German courses and basic education for women](#).

For information on funding of prevention work see *Article 8: Funding, p. 9 et seq.*

9.c Awareness, information and media campaigns

- In 2021 and 2022 **media campaigns were carried out in the course of "16 Days of Activism Against Gender-Based Violence"**. The objective of the campaigns was to inform about support offers, in particular about the help offered by the violence protection centres, the women's helpline and the police. Advertisements were published in print media, social media and on infosccreens in means of public transport, at stops and stations all over Austria.
- In order to draw attention to the increased risk of domestic violence during the lockdowns imposed during the Covid-19 pandemic and to draw people's attention to the continued support offers, **flyers** were handed out and **information campaigns** were launched in various print, online, TV and digital media. See also *"Implementation Report", p. 29.*
- At the beginning of the Covid-19 pandemic the Ministry of the Interior set up the **"Sicher zu Hause" [safe at home] website**¹⁹. The website is updated regularly and provides information for persons at risk, relatives and interested persons.
- In the course of the international "16 Days of Activism Against Gender-Based Violence" campaign a **cash register receipt initiative** was carried out by retailers in Austria. During the campaign emergency numbers and contact numbers, such as, e.g. the police emergency number, the number of the women's anti-violence helpline and the contact number of the Federal Association of Violence Protection Centres and the victim emergency helpline, were printed on cash register receipts. Thanks to the collaboration of the Austrian Trade Association and the police under the *"GEMEINSAM.SICHER in Österreich"* [SAFE.TOGETHER in Austria] initiative women affected by violence can be reached even better.

A large number of measures intended to raise awareness and empower women and girls are also taken by the regional governments:²⁰

- In 2021, for example, the women's department of the State of Upper Austria started a campaign on **raising awareness of sexual harassment at public swimming pools entitled "NO GO"** for girls and women to experience public swimming pools and lakes

¹⁹ See the *"Sicher zu Hause"* website.

²⁰ The City of Vienna carries out awareness campaigns on the topic of violence against women and with different focuses on a regular basis. For information on the campaigns of the City of Vienna in the reporting period 2017-2022 see *Kampagnen und Aktionen gegen Gewalt - Frauen in Wien.*

as a safe place they can enjoy without the threat of being sexually harassed. In cooperation with the municipalities of Upper Austria as the providers of public swimming pools kiosk operators were provided with posters, stickers and information material. The campaign also included a roadshow for contact persons at the Upper Austrian public swimming pools. The campaign was continued in 2022 and expanded to include Upper Austrian public indoor swimming pools and spas.

- The State of Lower Austria, for example, commissioned the "**Identify & Respond to Violence**" folder (in several languages) to provide multipliers and the civil society with an overview of the issue of domestic violence against women. At the end of 2022 also a video of the folder was produced, which the municipalities can use in local networking rounds. Supplementary printed matter and materials were prepared that are intended to help municipalities organise events. The campaign is entitled "**Violence has many faces. Moral courage has even more.**"²¹

Article 14: Education

10.a-e Use of teaching materials and initiatives in school education

For information on protection against violence at schools and in particular on the policy decree "*Reflexive Geschlechterpädagogik und Gleichstellung*" [gender-reflective teaching and gender equality] (Circular No. 21/2018)²² please refer to the "*Implementation Report*", p. 7 et seq.

In addition, the **compulsory subject of "Digitale Grundbildung [digital literacy]"** was introduced at schools in Austria as of the school year 2022/2023. Pupils and students must learn the necessary skills for using digital media responsibly and reflectively at a young age, avoiding harming themselves or others.

Several examples of measures taken in Austria will be presented hereinafter:

Guidelines and principles

- In January 2023 the **Leitfaden "Reflexive Geschlechterpädagogik und Gleichstellung in Unterrichtsmitteln"** [guidelines for gender-reflective teaching and gender equality in teaching materials] was published. Their objective is to help those who are in charge of

²¹ All of the mentioned media are available for download from [Stopp-Gewalt \(land-noe.at\)](https://www.land-noe.at).

²² See [policy decree "Reflexive Geschlechterpädagogik und Gleichstellung" \(Circular No. 21/2018\)](#).

analysing, reviewing and approving teaching materials. Also persons who develop, produce and edit teaching materials will find suggestions on how to design their products in line with the criteria specified in the guidelines to counteract discriminating contents in teaching materials, for example.

- The "**Gender- und Diversitätskompetenz bei Schulleitungen – Grundlagen und Anregungen für das Auswahlverfahren**" [gender and diversity competence of head teachers - fundamentals and suggestions for the selection process] guidelines, which were published in 2023, are intended to support the process for selecting head staff for schools. The guidelines provide fundamental knowledge about laws and contents as well as suggestions for candidate assessment as to their "gender and diversity competence".

Courses

- The **university course on 'Gender-reflective teaching and gender equality in the context of heterogenous environments'**, which started at the Salzburg University College of Teacher Education in 2020, is geared to train educational staff, *inter alia*, with respect to gender-based violence at schools. One module, for example, deals with the intersectional aspect of gender-specific violence and violence in the name of honour, whereas another module addresses the topics of sexual violence in social media and pornography.²³
- In the academic year 2019/20 a **continuing education and educational concept on the topic of "violence in the name of honour"** was developed and tested for use in teachers' education for the first time.

In addition, in the academic year 2021/22 webinars were held throughout Austria which specifically dealt with the topic of "gender-reflective teaching and gender equality - young people in the charged relationship between different cultures (of honour)" in classrooms.²⁴

Teaching and information material/Brochures

- The **handbook on "Gender-reflective teaching and gender equality with a special view to the topic of "violence in the name of honour", basic knowledge and challenges for schools"** addresses specific forms of gender-specific violence, including violence in the

²³ See PH Salzburg: HLG RGP.

²⁴ See [Reflexive Geschlechterpädagogik - Heroes - Private Pädagogische Hochschule Augustinum \[Gender-Reflective Teaching - Heroes - Private University College of Teacher Education Augustinum\] \(pph-augustinum.at\)](#).

name of honour in the context of an environment dominated by a culture of honour. The handbook provides basic knowledge and is intended to create awareness of the problem.²⁵

- In October 2021 the Ministry of Education asked *Demokratiezentrum Wien* [Vienna Democracy Centre] to prepare **teaching materials for the primary level and secondary level I** which specifically aim to break gender stereotypes. Numerous so-called lesson plans on different topics were prepared, including on gender-specific violence, the Istanbul Convention, homophobia and sexism, modern masculinity, etc.²⁶
- In addition, some polis magazines²⁷ dealt with gender-specific violence and gender equality. For example, the edition featuring "**Re-Traditionalisierung in der Geschlechterfrage?**" [retraditionalising in the gender issue?], which includes articles and suggestions for lessons in cultural diversity and gender equality²⁸, "gender madness" and traditional honour concepts, or "**Tatort Familie. Gewalt gegen Frauen und Kinder**" [The family as a crime scene. Violence against women and children], which deals with the complex term of "violence" and describes the different forms of violence and the legal situation in Austria. Thus, it addresses the issue of violence against children and the question of how teachers can respond in suspected cases of violence.²⁹
- The e-learning programme "**FGM - Female Genital Mutilation**" (2020)³⁰ of the Vienna Programme for Women's Health is a freely accessible 60-minute learning programme. It provides information on backgrounds and health effects of FGM/C and about signals from affected women, sensitive communication and established contact points. The target group is qualified staff working with girls aged 0 to 15.

Projects

- The **ECaRoM (Early Care and the Role of Men) project** for launching continuing education programmes for kindergarten teachers in Styria is dedicated to overcoming gender stereotypes and empowering caring masculinities at a young age.

²⁵ See the brochure on "Gender-reflective teaching and gender equality with a special view to the topic of "violence in the name of honour", basic knowledge and challenges for schools".

²⁶ See *Demokratiezentrum Wien - Demokratiezentrum Wien*.

²⁷ Polis is short for "*Politik lernen in der Schule*" [learning about politics at school].

²⁸ Zentrum polis - Politik Lernen in der Schule - polis aktuell 2017/01: Re-Traditionalisierung in der Geschlechterfrage? (politik-lernen.at)

²⁹ Zentrum polis - Politik Lernen in der Schule - polis aktuell 2021/09: Tatort Familie. Gewalt gegen Frauen und Kinder (politik-lernen.at)

³⁰ <https://tinyurl.com/FGMWien>

- The "**Plattform Gewaltprävention OÖ**" [Upper Austria anti-violence platform]³¹ has offers for parents, teachers, pupils and students in the area of anti-bullying and anti-violence. Those offers include individual counselling and support of teachers and small groups, inhouse or open continuing education courses for teachers, workshops for school classes or events for large groups.
- In addition, the Vienna Women's Service commissioned a short **animated film** (by "Tricky Women") focusing on gender-specific violence, which can be used for educational purposes.

Article 15: Training of professionals

For information on initial and continuing education, please also refer to the "*Implementation Report*", p. 6 et seq.

11. | 12. Initial, basic and continuing training of professionals

Initial, basic and continuing training of professional groups that have to deal with violence is constantly being expanded and enhanced. The two tables below provide information on some training measures.

³¹ See Plattform Gewaltprävention OÖ.

Table 3: Initial and basic training

Professional group	What are the benefits of initial and basic training?	Is the training compulsory?	Do guidelines apply?	Who funds the training?	Description of the contents and duration of training
Health sector:					
The Physicians' Training Regulations [<i>Ärztinnen-/Ärzte-Ausbildungsordnung</i>] provide for compulsory training content for all physicians on the topic of violence . Raising awareness of the special needs of patients who are victims of human trafficking and/or psychological and/or physical violence, in particular children, women or persons with disabilities, is a priority.					
Physicians	Yes	Yes	Yes	Training institute	<p>Physicians' Training Regulations 2015</p> <p>Specialists in paediatric psychiatry and psychotherapeutical medicine must complete</p> <ul style="list-style-type: none"> • modules to acquire skills in the area of acute care and crisis intervention plus • modules to acquire skills in an official context when drafting therapy concepts of offence-related and offender-related treatment strategies <p>in the course of their training. In addition, they are trained with regard to helpers' conferences on networking, the establishing of child protection groups or counselling the police and supporting children and young people in connection with police action/operations.</p> <p>During their compulsory basic training in this area paediatricians must also acquire skills in crisis intervention (children and young persons and the persons accompanying them) and in the correct preservation of evidence, and documentation for forensic purposes.</p> <p>During the studies of gynaecology and obstetrics physicians should learn the skills of "recognising signs of abuse and caring for women who have been victims of violence" including FGM/C and, in the special subject of paediatrics, obtain knowledge of the "functioning and methods of child protection groups".</p>

Psychotherapists	Yes	Yes	Yes	Direct payer	Professional code: Crisis intervention is taught during psychotherapy training.
Clinical psychologists	Yes	Yes	Yes	Direct payer	Code of ethics: During basic training all persons practising clinical psychology and health psychology are to be made familiar with the compulsory training contents, in particular with the methods of emergency psychological treatment, acute intervention and crisis intervention. The objective is to learn methods of emergency care and crisis intervention and taking targeted psychological measures of first care to avoid late effects. Treatment competences are taught in view of transcultural and gender-specific aspects.
Music therapists	Yes	Yes	Yes	Training institute	Music Therapy Training Regulation [Musiktherapie-Ausbildungsverordnung] 2019: In the course of their training music therapists obtain fundamental knowledge about violence as a multi-factor social phenomenon. In addition, they become more sensitised to the specific needs of particularly vulnerable groups.
Justice administration: To train future judges and public prosecutors in the areas of "violence against women", "domestic violence" and "victim protection" in the best way possible comprehensive training measures have been provided for. They include awareness-raising measures for trainee judges, such as "training on the job" (e.g. assignments to family-law sections or to a detention and remand judge) or a compulsory internship of at least two weeks with a victim protection organisation or welfare institution , to name a few examples.					
Public prosecutors and judges	Yes	Yes	depending on the topic of the course	the Higher Regional Courts [Oberlandesgerichte] in charge of training or the Ministry of Justice	<i>See information under "Justice administration"</i> Depending on the format, specific training in the areas of victim protection, preventing and combating domestic violence and violence against women, Istanbul Convention and fundamental and human rights will take between half a day and two weeks.
Psychosocial court assistants	Yes	Presently, training	Yes	Ministry of Justice in	The duration of training of psychosocial court assistants for women being victims of violence or human trafficking is 9

		is offered on a voluntary basis.		collaboration with the Federal Chancellery	days, accompanied by internal training in a victim protection centre for women.
Law enforcement:					
The government plans for pecially trained police officers to be available as safety officers and contact persons for women, especially in the areas of violence and protection against violence , at every police station and that they be actively connected with the victim protection centres in future. Police officers undergo special training in violence prevention which clearly goes beyond the relevant training modules for law enforcement staff. For the training of police staff a standardised "blended learning" concept was developed.					
Recruiting has already been intensified and is being continued due to the dynamic development of staffing levels at police stations. In January 2023, 1,200 specially trained officers serve in police stations within the federal territory of Austria.					
Police cadets	It is part of basic police training, which is based on the Regulation of the Federal Minister of the Interior on Basic Law Enforcement Training [Grundausbildungsverordnung – Exekutivdienst BMI] of 12 June 2017.	Yes	Since the seminar is part of the curriculum, the legal bases and contents of the seminar are clearly defined.	SIAK: Pursuant to the Security Police Act, <i>Sicherheitsakademie</i> (SIAK) is the training and research institute for staff of the Ministry of the Interior.	<p>Subject of "domestic violence"</p> <p>The subject of "domestic violence" is part of the "theory of action for the security police".</p> <p>A minimum of 24 lessons is provided for this field. At least 12 lessons cover the legal bases and at least 12 lessons are given in the form of a seminar.</p> <p>The seminar on "domestic violence" is held in cooperation with experts from the violence protection centres in every basic police training course.</p> <hr/> <p>Subject of "modular competence training" - "domestic violence" module:</p> <p>The legal bases will be explained in the course of that module. In addition, a seminar on that topic must be completed, which constitutes the basis for the present module comprising 16 lessons. The lessons are:</p> <ul style="list-style-type: none"> • 4 lessons for preparation and follow-up work among all attendees to deal with and revise theoretical contents. • 8 lessons of practical training in groups to implement and interconnect theoretical knowledge and to gain certainty of action in practical training units. • 4 lessons for detailed reflection on training in the training group. <p>The subject is supplemented by a training handbook.</p>

		No	E-learning	Departments of the Federal Ministry of the Interior	Online training "Protection Against Violence Act 2019": This online course deals with organisational and enforcement regulations in the area of "domestic violence" (protection against violence), in particular Section 38a <i>SPG</i> as amended. The course comprises eight video sequences on the most important areas of protection against violence.
Other:					
Gender equality officers, officers in charge of women's affairs/female contacts in the federal administration and outsourced organisations applying the Federal Act on Equal Treatment [<i>Gleichbehandlungsgesetz</i>], members of the working group for equality issues, leading staff, staff responsible for human resources and budget, HR developers, persons interested in this topic		No	Yes	<i>Verwaltungsakademie des Bundes</i> [Public Administration Academy]	Seminar on "Recent developments in equal treatment legislation" The seminar deals with recent developments in equal treatment legislation primarily resulting from relevant court decisions of the last few years (duration: 1 day). Introductory seminar for gender equality officers and officers in charge of women's affairs/female contacts (duration: 3 days) Seminar on "practising the Federal Act on Equal Treatment" The target group of the seminar is gender equality officers, officers in charge of women's affairs/female contacts and working group members who have acquired basic knowledge about the Federal Act on Equal Treatment before and wish to deal in more depth with issues from their own practical work (duration: 1 day).
Kindergarten teachers	120	No	Regularly	State of Styria, Department 6, Society Department	Strengthening caring masculinities through the ECaRoM project: see the information in Article 14: Education, p. 17et seq.
Employees of the Styrian counselling centres for women and girl	20	No	Annually	State of Styria, Department 6, Society Department	Workshops on homicides and severe violence by an intimate partner, and on prevention and case management.
Teachers of all school types, social workers at schools, social education workers,	Yes	No	Yes	State of Lower Austria, Department for	The professional groups are trained to recognise signs of domestic violence and how to respond to victims, and will learn about counselling centres and shelters (duration: approx. 4 hours).

youth workers from organisations and associations
school physicians

Family Affairs
and Generations

Table 4: Training of professionals

Professional group	Number of trained qualified staff	Is (continuing) training compulsory?	Frequency	Are supporting guidelines or policies in place?	Description of the contents and duration of (continuing) training
Health sector:					
Physicians, psychotherapists, clinical psychologists and music therapists are subject to a professional obligation to undergo continuing training . Accordingly, numerous continuing education programmes and seminars are offered in their fields for that purpose.					
In Vienna, for example, the expertise of women's rights organisations is considered in developing continuing or initial training measures of the Vienna Healthcare Network [<i>Wiener Gesundheitsverbund</i>] concerning gender-relevant topics. Several examples of specific seminars and continuing education offers are presented below:					
In Vienna, physicians from all disciplines	103	Yes	2019 and 2020		Seminar on FGM/C: Awareness of FGM/C as a violation of human rights is raised and its prevalence is explained in 4-hour courses organised by the Vienna Medical Association [<i>Ärztchamber</i>] in cooperation with the Vienna Programme for Women's Health. In addition, the effects of FGM/C on health are explained and the seminar gives an insight into the information work in and with the communities.
Clinical hospital staff (physicians, healthcare professionals, psychologists) in Vienna	880	Yes	2017-2022: 3 modules per year	Domestic and sexualised violence as a healthcare topic (on behalf of the Ministry for Women 2017) ³² ,	The continuing education programme: "Gewalt macht krank" [violence makes sick] (cooperation between the Vienna Programme for Women's Health and the Vienna Healthcare Network) comprises 3 modules of 4 hours each. The training programme is focused on the following topics:

³² See the [Information brochure on implementation of internationally accepted standards in the training curricula for all healthcare professions, domestic and sexualised violence as a healthcare topic](#).

				<p>Acting together to prevent violence against women and domestic violence, Guidelines of the Vienna Intervention Centre [<i>Wiener Interventionsstelle</i>] 2015³³, WHO guidelines for responding to intimate partner violence and sexual violence against women (German translation by S.I.G.N.A.L. 2013)³⁴, Training project: "<i>Curriculum. Gewalt gegen Frauen und Kinder</i>" [Curriculum. Violence against Women and Children] of the City of Vienna 2005³⁵</p>	<ul style="list-style-type: none"> • forms of domestic and sexualised violence and their health effects, • vulnerable groups (elderly people, persons with disabilities, women refugees, etc.), • the Protection Against Violence Act and legal framework conditions for the hospital professions, • communication with and responding to traumatised persons, • forensic preservation of evidence and documentation, • extramural counselling and protection centres. <p>In addition, the victim protection groups raise awareness among hospital staff (forms of implementation differ between regions). For information on the victim protection groups see <i>Question 25.b</i> in <i>Article 22: Specialist support services, p. 45 et seq.</i></p>
Persons who work with girls between the age of 0 and 15 (teachers, social workers, healthcare professionals)	Yes	E-learning			The e-learning programme gives an introduction to the socio-cultural backgrounds of FGM/C and the physical and psychological implications of FGM/C (duration: 1 hour, 2 modules and 1 self-test).
Teachers of the University of Applied Sciences FH Campus Wien/Vienna: study programmes:	24	Yes	2020 and 2021	Domestic and sexualised violence as a healthcare topic	In the course of the interdisciplinary "Train the Trainers" workshop of a duration of 12 or 16 hours the following topics are addressed:

³³ See [Guidelines for hospital management and practice in caring for patients affected by violence](#).

³⁴ See the brochure on [Responding to intimate partner violence and sexual violence against women: WHO clinical and policy guidelines](#).

³⁵ See [Curriculum Gewalt gegen Frauen und Kinder, Opferschutz an Wiener Krankenhäusern](#).

<p>physiotherapy, midwife, ergotherapy, radiotechnology</p>	<p>(on behalf of the Ministry for Women 2017)³⁶, Clinical-forensic medicine; interdisciplinary action guidelines for physicians, healthcare professionals, lawyers and counsellors of victims of violence</p>	<ul style="list-style-type: none"> • violence in immediate environments as a problem of society relevant to the healthcare system - effects on health and trauma, • the Protection Against Violence Act, tasks of the police, child and youth services, and violence protection centres, • help offered by violence protection centres and counselling centres, • legal framework for the healthcare professions, • clinical work of victim protection groups, • know-how of documentation and forensics, • responding to patients.
<p>Staff in homes for the elderly or nursing homes</p>		<p>See the answers to <i>Questions 22 and 23 in the subchapter on "Measures in the public healthcare sector", p. 39 et seq.</i></p>
<p>Justice administration:</p>		
<p>Judges and public prosecutors are subject to a general obligation to undergo continuing training but are not required to attend specific compulsory training measures. The issue of "violence against women" is addressed in professional events with a broader focus (Section 57(1) of the Judges' and Public Prosecutors' Service Act [<i>Richter- und Staatsanwaltsdienstgesetz/RStDG</i>]).</p>		
<p>In addition, tackling gender stereotypes within the justice administration is funded in numerous seminars. The international continuing education programmes on "EU Gender Equality Law" offered by the European Judicial Training Network (EJTN) and the Academy of European Law (ERA) are available as well.</p>		
<p>Judges and public prosecutors</p>	<p>No</p>	<p>A number of continuing education seminars (duration depending on the format: half a day up to 2 days) are offered, including on the following topics:</p> <ul style="list-style-type: none"> • trauma (where the victims are children) and its implications for the court, • domestic violence - children as victims and witnesses, • questioning of children where the best interests of the child are at risk, • family and law: domestic violence and child protection (safeguarding),

³⁶ See the [Information brochure on implementation of internationally accepted standards in the training curricula for all healthcare professions, domestic and sexualised violence as a healthcare topic.](#)

					<ul style="list-style-type: none"> questioning of children or young persons after sexual abuse, protection against violence - dynamics of violence - questioning of victims in compliance with the Istanbul Convention, anti-discrimination, subjective perception and legal assessment. <p>In addition, the "Richter:innenwoche 2023" (09.-12.05.2023) was dedicated to the topic of violence. Not only the legal issues were discussed, but also the personal and socio-political aspects of the topic were examined in an interdisciplinary discourse.</p>
Psychosocial and legal court assistance	2021: 15 persons 2022: 46 persons	No	One-off training	Handbooks for every professional group	Combating hate crimes on the internet (duration: 2 days).
Lawyers providing legal court assistance	Total of 51 persons since 2017	No	One-off training	Handbooks for every professional group	Training lawyers on psychosocial aspects of court assistance
Employees of the family and juvenile court assistance service	391 bookings	No			A total of 73 continuing training events with different focuses and duration but each dealing with the response to violence.
Law enforcement:					
See the information on "Law enforcement" in <i>Table 3: Initial and basic training, p. 21 et seq.</i>					
Specially trained prevention officers	around 1,200 persons	Prevention officers are required to train in the area of "domestic violence".	Basic training and regular continuing education programmes	Standardised training programme	<p>The special training programme includes the following subjects:</p> <ul style="list-style-type: none"> legal bases, in particular the Protection Against Violence Act 2019, statistical recording of prevention work, communication with persons likely to threaten safety and persons at risk, investigation and evidence in the case of stalking (Sections 107a and 107c StGB).
Counselling centres:					

To warrant assurance of quality of the counselling services provided by the numerous counselling centres workshops, seminars and continuing education programmes for employees are offered on a regular basis.

Employees of women's centres and psychosocial court assistants	No	Funded since 2007	Funding provided by the Ministry for Women	In the course of the project " <i>GEGEN GEWALT AN FRAUEN HANDELN – Qualitätssicherung der Beratung und Prozessbegleitung in Fraueneinrichtungen durch Fortbildungsseminare, Supervision und Vernetzung</i> " [COMBATING VIOLENCE AGAINST WOMEN - quality assurance of counselling and court assistance in women's centres through continuing education seminars, supervision and networking] many seminars were offered, including <ul style="list-style-type: none"> the basic seminar "<i>Gegen Gewalt an Frauen handeln</i>" [combating violence against women] (particularly designed as an introductory seminar for new employees; duration: 2 days) "<i>Gewalt als traumatische Erfahrung</i>" [violence as a traumatic experience] seminar (duration: 2 days) "<i>Migrantinnen und Gewalt</i>" [women migrants and violence] seminar (duration: 2 days) " <i>Rechtliche Neuerungen</i> " [recent legal developments] seminar (duration: 2 days)
around 24 persons	No	2021-2023	Funding provided by the Ministry for Women	Continuing education seminars on the topic of " Cyber-Gewalt in (Ex-) Partnerschaften " [cyber-violence in (ex-) partner relationships] comprised of a total six 2-day training sessions
Private sector:				
Labour inspectors	60	Yes	2023/2024	Anti-violence project of the labour inspectorate: The courses teach how to detect potential violence in business enterprises. The labour inspectors are also trained in safety measures that are in conformity with the Safety and Health at Work Act [<i>ArbeitnehmerInnenschutzgesetz/ASchG</i>]. Starting from July 2023 specially trained labour inspectors will apply the newly gained knowledge in practice, including in working environments where incidents of violence occur

more frequently (e.g. healthcare and social professions, sales staff, etc.). The project will continue until the end of 2024.

AUVA (*Allgemeine Unfallversicherungsanstalt* - the Austrian Workers' Compensation Board) supports the training measure by contributing an emergency psychology concept. In addition, professional counselling and coaching is included.

Basic services:

Within the framework of basic care on federal level, employees of the Federal Agency for Reception and Support Services [*Bundesagentur für Betreuungs- und Unterstützungsleistungen GmbH – BBU GmbH*], who work in the field of care, are proactively sensitized to the topic of violence against women through internal training programs. The goal of these courses is to provide employees with information on the competent authorities, procedures, identification of vulnerabilities, non-governmental counselling centres/victim protection centres.

As examples of the above described continuing education offered to employees in the field of care, the following courses can be mentioned:

Employees of *BBU GmbH*

half-yearly

In **courses on the subject of human trafficking** in the context of flight and migration, employees are made aware of the subject and given an opportunity to discuss cases in an informal setting. At the same time these courses are intended to make employees familiar with the external counselling/victim protection centres available. Employees of the basic care division only act as intermediaries. Concrete suspicious cases or enquiries from asylum seekers will be forwarded to the institutions in charge.

Yes

Courses on the subjects of female genital mutilation (FGM), women's health and mental health:

For 2023, a training for staff working in the area of care of girls and women is planned on the topic of women's health with a cross-cultural approach and a focus on women with refugee biographies (trauma, post-traumatic stress disorder (PTSD), FGM).

Article 16: Preventive intervention and treatment programmes

13. | 14.a-d Introduction of mandatory counselling for persons likely to threaten safety and expanding work with offenders in the interest of victim protection

As of September 2021 "anti-violence counselling centres" were established throughout Austria (cf. Section 25(4) SPG³⁷). Since then persons who pose a threat and against whom a **protection and mobile restraining order** was issued **are required** to contact an anti-violence counselling centre within five days of the date of the protection and mobile restraining order and make an appointment for anti-violence counselling within 14 days (cf. Section 38a(8) SPG). At least six hours of anti-violence counselling must be attended.

Moreover, since 1 July 2022 the courts may order a perpetrator of violence to attend anti-violence counselling. Filing of a petition requires that **in proceedings for the protection against domestic violence (Section 382b Enforcement Code [Exekutionsordnung/EO]) and general protection against violence (Section 382c EO) the court has issued an interim injunction (restraining order)** and the opponent has not attended anti-violence counselling as provided by the Security Police Act yet. Also in that case the perpetrator must contact a counselling centre to make an appointment within five days of the date of the interim injunction and actively participate in such counselling (within 14 days). For counselling in single or group sessions up to 16 hours are provided for.³⁸

During anti-violence counselling by the "anti-violence counselling centres" clients are referred to follow-up voluntary measures provided as part of the work with offenders in the interest of victim protection, where necessary. If persons who are required to do so fail to attend anti-violence counselling, **they may be brought to anti-violence counselling sessions by force or administrative fines may be imposed** (cf. Section 84 SPG).

For information on the cooperation between the violence protection centres and the "anti-violence counselling centres" please refer to *Article 18: General obligations, p. 32 et seq.*

³⁷ Section 25(4) SPG: "The Federal Minister of the Interior is authorised to contract proven suitable institutions working with offenders in the interest of victim protection to counsel persons likely to threaten safety as defined in Section 38a(8) (anti-violence counselling centres). Counselling aims at making persons refrain from using violence against others and requires at least six hours of counselling (anti-violence counselling)."

³⁸ The association NEUSTART was contracted by the Ministry of Justice to provide anti-violence counselling as defined in Section 382f(4) EO for the entire territory of Austria.

The Ministry of the Interior has concluded contracts with those counselling centres, by which **sustainable funding** is secured. Funding depends on the relevant case numbers and the annual indexation adjustments.

In addition, the Ministry of the Interior and the Ministry for Social Affairs fund victim-focused work with offenders and offender-related interventions with men in the area of domestic violence. The goal is to improve the situation of women and children or other family members that may be affected by domestic violence by helping men to reduce their violent behaviour.

Both the "anti-violence counselling centres" and the funded centres are subjected to regular and recurring "**on-site quality controls**". In addition, the centres apply the **standards of "victim-focused work with offenders"**, which were drafted and imposed by the "federal working group on victim-focused work with offenders".

In addition, in September 2021 the ***Dachverband Opferschutzorientierte Täterarbeit (DV-OTA)***³⁹ [umbrella organisation for work with offenders in the interest of victim protection] was established to improve networking among victim protection centres as well as counselling centres for perpetrators in Austria.

Article 18: General obligations

For information on cooperation and networking see *chapter "1.3 Cooperation with civil society institutions in the "First Country Report Austria", p. 4 et seq.*

15.a-e | 16. Extension of the contracts with the violence protection centres, including an obligation to cooperate

We would like to add the following to the information provided on the violence protection centres in the *"First Country Report Austria", p. 34 et seq. and p. 35 et seq.* By means of the "documentation in compliance with Section 38a SPG" form the police timely notifies the competent local violence protection centre of all protection and mobile restraining orders that have been issued. The notified violence protection centre will then proactively contact the person at risk immediately and no later than after two working days. In July 2021 a

³⁹ See *Dachverband Opferschutzorientierte Täterarbeit (DV-OTA)*.

statutory provision entered into force according to which **in the case of a suspicion of stalking the police must transmit the necessary data to the violence protection centres** to ensure support of the victim by the centres (cf. Section 56(1) No. 3 *SPG*).

If the person at risk cannot be contacted (by phone, letter or in person), the counsellor is supposed to contact the police station in charge if s/he considers this to be necessary after his/her professional assessment. The same procedure applies to reports for Section 107a *StGB*, Stalking (cf. Section 56(1) No. 3 *SPG*).

In autumn 2021, on the basis of the Anti-Violence Package 2021, the **contracts with the violence protection centres were extended** to provide them with additional funding of EUR 5 million per year. In the context of the contract extension cooperation and networking with the newly established "anti-violence counselling centres" (*see Article 16: Preventive intervention and treatment programmes, p. 31 et seq.*) played a key role. The additional funds will be used for the following measures and support services:

- counselling in the case of cyberviolence,
- counselling via video-supported tools,
- attendance at police case conferences as provided for in Section 22(2) *SPG*,
- victim support in connection with anti-violence counselling as defined in Section 25(4) *SPG* including necessary collaboration with the "anti-violence counselling centres",
- victim support in connection with the work with offenders in the interest of victim protection including necessary collaboration with the relevant institutions,
- group offers depending on feasibility and sufficient acceptance by the parties concerned,
- (telephone) follow-up contacts with persons who have attended counselling before (so-called follow-up support) to ensure sustainability of support,
- extension of availability according to the needs of the persons affected and
- other measures in the interest of sustainability, such as work with couples.

Thanks to the increase in funding (by up to 50% compared to the initial contract value) the contracts were adapted to the present requirements and victim protection has been improved considerably. In particular, the goal is to break the spiral of violence through intensified cooperation, including by means of the "anti-violence counselling centres".

In order to increase the visibility and awareness of the violence protection centres and their services, **a single identity is being designed for the nine protection centres** (at the time of preparation of this Report).

15.a-e | 16. Cross-disciplinary networking and cooperation

For the purpose of networking, exchanging ideas, developing best practices and enhancing measures of protection against violence as well as for discussing upcoming challenges and problems representatives of the Ministries and NGOs concerned hold **regular (networking) meetings**, which are headed by government agencies. These include

- the "inter-ministerial working group on protecting women against violence",
- the "working group on protection against violence" at the Federal Office of Criminal Investigations,
- the "Criminal Law Task Force"⁴⁰,
- the annual exchange of experiences on the topic of "violence in immediate social environments" among representatives of the public prosecutors' offices, the courts, the Federal Office of Criminal Investigations, the Ministry for Women, the victim protection centres, the association NEUSTART and the Austrian bar,
- the inter-ministerial working group on "court assistance",
- the "meeting of the violence protection centre managers",
- the "meeting of the anti-violence counselling centre managers" or
- the "working group on social work with girls in Upper Austria" organised by the Regional Youth Department [*Landesjugendreferat*] of the State of Upper Austria.

In addition, **many of the counselling centres organise regular networking meetings and coordinate working groups (on specific topics)**. The following networking and cooperation measures are listed as examples:

- The "**exchange of expertise in victim protection**" is a platform for an institutionalised exchange intended to contribute to improving the protection of victims of domestic violence.
- The association 'Orient Express' heads the "**working group against abduction and forced marriage**", which includes representatives of numerous Ministries and relevant organisations. The working group enables an exchange of views on recent developments as well as on improvements and solution approaches for work at different levels.
- Since 2007 the **FGM Advisory Board of the City of Vienna** has been relying on intersectoral cooperation in combating FGM/C. The Advisory Board, which is headed by the Vienna Programme for Women's Health, is mainly comprised of representatives of the different health professions. The FGM Advisory Board is engaged in structural work

⁴⁰ For information on the "Criminal Law Task Force" please refer to the "*Implementation Report*", p. 9 et seq.

in the field of prevention and raising awareness, and gives impulses in medical care of women affected by FGM/C.

- The **Network of Vienna Victim Protection Groups**, coordinated by the Vienna Programme for Women's Health and the 24/7 women's emergency helpline of the City of Vienna, facilitates a regular exchange of expertise in responding to adult patients affected by violence among the hospitals' victim protection groups. The forum, *inter alia*, serves as a platform for an exchange with experts and for getting to know protection centres.

The networking activities' products include brochures and guidelines on specific topics and a large number of training initiatives for specific professional groups as well as the issuing of opinions on amendments to laws.

15.a-e | 16. Networking and cooperation events

Regular events, such as the **Anti-Violence Summit, which has been held every year since 2020**, serve the purpose of networking:

- On 23 and 24 November 2020 the **first Anti-Violence Summit** was jointly conducted online by the Ministry for Women and the Ministry of the Interior as the kick-off event for the "16 Days of Activism Against Gender-Based Violence" campaign. Experts from victim protection centres, the justice administration, the police, and forensic experts gave talks on the topics of domestic, sexual and tradition-based violence, and on work with offenders in the interest of victim protection.
- On 23 November 2021 the **second Anti-Violence Summit** was held in collaboration between the Ministry of the Interior and the Ministry for Women both via an online live stream and in front of an invited audience. The focus of the Anti-Violence Summit was on the importance of institutionalised cooperation between the police, victim protection centres, offender institutions and the justice administration, as well as on the importance of clinical-forensic investigations to the prevention of violence and protection of victims.⁴¹
- The **third Anti-Violence Summit** was held jointly by the Ministry for Women, the Ministry of the Interior, the Ministry of Justice and the Ministry for Social Affairs as an in-person networking event on 6 December 2022. The central subject was "cyberviolence against women in (ex-)relationships".

⁴¹See also [Promoting the prevention of violence and the protection of women and girls against violence, MRV 7/14, 24 November 2021](#).

The objective of the annual Anti-Violence Summit is to take **"joint action" against violence**, to raise awareness among the population and to further and strengthen networking among all organisations and public authorities dealing with the issue.

15.a-e Establishing specific coordinating bodies

- In autumn 2021 a **coordinating body against female genital mutilation/cutting (FGM/C)** was established. The coordinating body against FGM/C is a common body of the women's health centre *FEM SÜD*, the Austrian Red Cross, the women's health centres of Linz and Salzburg, and the men's health centre MEN. The goal of the coordinating body against FGM/C is to be a point of contact for persons seeking help, for experts, professionals and communities and a networking platform for all players/parties involved.

In addition, a **point of contact for all of Austria as a service and competence centre** and a **networking forum** were established.

The coordinating body against FGM/C is funded by the National Integration Fund by a total amount of EUR 995,000. The project runs from 1 October 2021 until 31 December 2023.

- The association **"Orient Express – counselling, educational and cultural initiative for women"** has been operating a **National Coordinating Body Against Abduction and Forced Marriage** since 2017. The coordinating body is in charge of cases of abduction from Austria abroad in connection with forced marriage, cases of leaving wives behind abroad as a "punishment", or abduction of young persons as a disciplinary measure. The National Coordinating Body has become a well-established point of contact both for girls and young women threatened or affected by abduction, and for multipliers. The services provided under the project include counselling and repatriation of persons under threat/victims, coaching sessions for multipliers, networking and cooperation activities, as well as public relations.

For its "National Coordinating Body Against Abduction and Forced Marriage" the counselling centre was given funds in the approximate amount of EUR 670,000 between 2018 and 2023.

In addition, the **new counselling centre for victims of forced marriage in Tyrol**, which was established in 2021, has to be mentioned.⁴²

⁴² See *Frauen aus allen Laendern* [Women from all Countries].

- For information on the **coordinating body for women's health and gender health**, see the subchapter on "*Measures in the public health sector*", p. 39 et seq.

17. One-stop shop

In Austria, measures and services in the area of victim protection are not offered on the basis of a one-stop shop approach because due to different structures and different social and legal framework conditions this concept is not suitable for all countries. In the area of criminal proceedings, a large number of measures for and rights of victims of the different forms of violence against women and domestic violence are available, most notably the internationally recognised instrument of free-of-charge psychosocial and legal court assistance, which has been successfully practised for many years now (cf. *Question 25.e Psychosocial and legal court assistance in Article 22: Specialist support services*, p. 45 et seq.) as well as separate, considerate adversarial questioning in criminal proceedings.

In contrast to the principle of a one-stop shop, court assistance is divided into several "stages" for victims at different institutions and places. Court assistance is the "red thread" guiding the victim through criminal proceedings. The task of court assistance is to provide relief and stabilisation for the victim. It is a low-threshold service that includes specialist institutions for different groups of victims in every Austrian state, which are funded by the government on a need-based approach.

Moreover, by means of adversarial questioning in criminal proceedings (cf. *Question 55.c Adversarial questioning in Article 56: Measures of protection*, p. 65 et seq.) it is possible to reduce the number of questionings of victims in order to avoid secondary victimisation.

Furthermore, there is a tight net of protection against violence, comprised of many specialist institutions working in close cooperation, which refer people seeking help to the appropriate institutions, where necessary.

One example is the chain of intervention described in *Article 52: Emergency barring orders*, p. 62 et seq., which is triggered by the police in cases of domestic violence.

Article 20: General support services

18. General support services for victims of violence

In principle, Austria has a nationwide and tight net of manifold social services covering all areas, from general social counselling and support, assistance for homeless people, pastoral care in crises and emergencies, family support, community work, etc. for everybody without restriction, i.e. including victims of gender-specific violence.

In addition, the extensive support services of the violence protection centres, the counselling centres for women and girls, and the shelters also provide advice on financial matters and help people find housing or a job.

The additional services that have become available as a result of the extension of the contracts with the violence protection centres have been described in *Article 18: General obligations, p. 32 et seq.*, above. Follow-up support of persons who have attended counselling before is supposed to ensure sustainable support.

The following are examples of specific measures intended to facilitate the start of a life free from violence:

- Under the federal government's labour-market policy women who have experienced violence and look for a job are supported by the counselling and support centres (violence protection centres) under the **PERSPEKTIVE:ARBEIT** [PERSPECTIVE:JOB] project in finding a new job. Women affected by violence are supported in finding a secure, long-term job that provides a living wage, which is a prerequisite for financial autonomy and for breaking the spiral of violence.
- Since November 2022 the association *Wiener Frauenhäuser* [Women's Shelters of Vienna] has operated a **labour-market counselling centre for women affected by violence** to support them in entering into employment relationships offering a living wage.
- Persons in distress may also be eligible for a **monthly allowance called Sozialhilfe** under the Lower Austrian Statute on the Provision of Social Assistance [*NÖ Sozialhilfe-Ausführungsgesetz/NÖ SAG*]⁴³. The allowance is subsidiary to payments from third parties which would affect social assistance, unless pursuing and/or enforcing the same is obviously futile or unbearable. Pursuing and/or enforcing maintenance claims in the case of a separation on the ground of domestic violence is considered unbearable. However, maintenance must not be reduced or denied if claims are not pursued or enforced. This is to ensure that women are not exposed to the danger of continued violence or mental stress in the course of a legal dispute over maintenance claims.
- In Vienna, *Wiener Wohnen* [social housing association in Vienna] **provides housing** for women coming from special protection centres or centres for victims of human trafficking if certain prerequisites are fulfilled. In addition, tenants of council flats who are affected by violence are given the opportunity to **move** to a different council flat.

⁴³ For the legal situation see the *NÖ Sozialhilfe-Ausführungsgesetz*.

- The **Wohn-Hilfefonds** [housing support fund] of the Upper Austrian bank Oberösterreichische Landesbank AG supports women in difficult financial situations in establishing their own homes by means of an **interest-free loan**. The fund is endowed with a total annual amount of EUR 150,000. More than 140 women have been helped quickly and unbureaucratically so far.

Measures in the public health sector

18. | 19. | 20. Measures and standards in the public health sector

A large number of projects and measures in the public health sector are aimed at raising awareness of violence and health aspects specific to women and at providing support. These include:

- The **National Action Plan for Women's Health** defines goals and measures intended to reduce women's health risks, also with regard to domestic violence. For its implementation throughout Austria the Regional Governors in charge of health matters and women's affairs have appointed focal points as women's health experts in the Austrian states.
- In addition, **the annual *FrauenGesundheitsDialog*** [women's health dialogue] constitutes another important pillar of national implementation of the Action Plan for Women's Health in Austria. The fifth "*FrauenGesundheitsDialog*" took place on 13 June 2022 and was entitled "*Gesellschaft im Umbruch. Frauen zwischen Backlash und Innovation*" [A changing society. Women caught between backlash and innovation].
- In 2022 a **coordinating body for women's health and gender health** was established at Gesundheit Österreich GmbH (GÖG)⁴⁴, which drives the exchange on gender-relevant topics and generates information on women's and gender health in Austria. Its tasks also include publishing a Women's Health Report as of 2022 and developing basic concepts of gender-sensitive and gender-equal healthcare.
- The **online toolbox for victim protection groups**⁴⁵, which was commissioned by the Ministry of Health in 2019, has been available online since September 2020 and contains a set of information and best-practice tools, such as information on screening, treatment, evidence preservation and forensic documentation, as well as for referring

⁴⁴ GÖG is the research and planning institute for the public health sector and the competence and funding agency for the promotion of health in Austria.

⁴⁵ See *Toolbox Opferschutz*.

people seeking help to specialist support organisations. It is regularly enhanced and updated (see also *Article 25: Support for victims of sexual violence, p. 53 et seq.*).

- The "**protection against violence in the health sector**" project of the Ministry of Health aims to expand national anti-violence standards in the public health sector according to international standards by implementing measures that build on each other. In addition to updating, maintaining and expanding the toolbox for victim protection groups to include established physicians, nationwide standards for the protection against violence in the public health sector and a systematic data collection system in national hospitals are being developed.

In 2022, a **set of variables was defined in cooperation with an expert advisory board for a uniform recording system for all of Austria for cases of domestic violence** identified and treated in Austrian hospitals. A concept for national implementation, data collection and evaluation for future national statistics is currently being drafted.

- In addition, Austria's child protection groups are organised under the **umbrella organisation "Österreichische Gesellschaft für Kinderschutz Medizin (ÖGKiM)"**⁴⁶ [Austrian Medical Society for Child Protection]. The society's tasks include planning of active medical support for child protection groups with 24/7 availability by phone, and close cooperation with healthcare and social institutions, the police and the justice administration, as well as with the competent authorities in charge of social and health policies.
- Between 1 October 2020 and 30 September 2021 the "**Wertvoll und stark – Empowerment und Vorsorge zur Verbesserung der Lebensqualität von Frauen durch Sensibilisierung zu psychischer Gewalt in Vorarlberg**" [precious and strong - empowerment and prevention to improve the quality of women's lives by raising awareness of psychological violence in Vorarlberg] project was carried out.
- In addition, regular awareness-raising measures against domestic violence have been taken by the ifs⁴⁷ violence protection centre under the "**Signal**" project in the **healthcare and nursing sector**. The project has proved to be a sustainable prevention project. Every year roadshows are organised at the healthcare and nursing schools and at the Dornbirn University of Applied Sciences.

In 2018, for example, **guidelines for "responding to violence against care-dependent persons"** were prepared for all institutions for persons in need of nursing care and protection in Vorarlberg.

⁴⁶ See *Österreichische Gesellschaft für Kinderschutz Medizin*.

⁴⁷ ifs = Institut für Sozialdienste gemeinnützige GmbH.

- The network of Vienna's victim protection groups (see also *Article 18: General obligations, p. 32 et seq.*) comprises hospitals of the Vienna Healthcare Network, hospitals run by religious orders, and the two trauma centres of the social security institutions. One of the networking goals is to raise awareness of the topic of violence against women among the relevant professional groups. Both experts from the various victim protection groups and from the competent departments of the City of Vienna give awareness-raising talks on special issues of victim protection at seminars or courses for specific or several hospitals.

In addition, the **continuing education programme "Gewalt macht krank"** [violence makes you sick] is organised by the Vienna Healthcare Network.

21. Preservation and documentation of forensic evidence

Preservation of forensic evidence and documentation of injuries for court purposes can save victims stressful questioning in court and allows an assessment of the threat (by determining the severeness of trauma).

Presently, there are four forensic institutes in Austria (Graz, Innsbruck, Salzburg-Linz and Vienna). The Clinical Forensic Medical Examination Centre [*Gewaltambulanz*] at the Medical University of Graz is open to victims 24/7.⁴⁸

In summer 2022 the Ministry of Justice, the Ministry of the Interior, the Ministry of Health and the Ministry for Women jointly commissioned the study "**Die Versorgung Österreichs mit Gewaltambulanzen**" [providing clinical forensic medical examination centres for Austria] (total costs: EUR 47,727.40). The study surveyed the status quo in the field of forensic medicine and developed a concept for the establishment of clinical forensic medical examination centres. In addition, a model concept for the region of Vienna, Lower Austria and Burgenland was drafted.

On the basis of the results of the study, recommendations for a structural change and for securing forensic medical examinations were issued. Those recommendations focused on Austria-wide access to clinical forensic medical examination centres, i.e. to diagnostics and evidence preservation for all victims of violence, independent of legal proceedings.⁴⁹ The

⁴⁸ Note on the process of evidence preservation: evidence collected in hospitals or other institutions is handed over to the police and preserved for criminal prosecution. Depending on the relevant Austrian state, exhibits are either stored at the hospital, forensic department or central forensic DNA laboratory and usually for a specific period of time.

⁴⁹ This would also comply with Article 25 Istanbul Convention, according to which a sufficient number of appropriate, easily accessible rape crisis or sexual violence referral centres for victims must be set up to provide for medical and forensic examination, trauma support and counselling for victims.

results of the study are currently being discussed by the Ministries in charge and among experts in this field.

The objective of providing Austria-wide access to clinical forensic medical examination centres is to offer all victims of violence free-of-charge diagnostics and evidence preservation independent of legal proceedings for them to be able to produce objective evidence of the violence suffered that can be used in court and to secure evidence that might help to prove the perpetrator's guilt or solve the crime. Strengthening forensic capacities and their use in the criminal courts could significantly help to reduce the number of cases that have to be stopped by public prosecutors, and increase the conviction rate.

22. | 23. Support for women with disabilities

For information on the National Action Plan on Disability please refer to *Article 7: Comprehensive and coordinated policies, p. 6 et seq.*

Examples of measures taken for or in institutions for persons with disabilities:

- Since 2011 a mandatory and standardised **risk assessment questionnaire** must be used in Lower Austria in the case of suspected physical, psychological or sexual assault, or neglect. Supervision of institutions also focuses on early detection of potential acts of violence. In addition, special training is offered for persons with disabilities for them to be able to effectively defend themselves against physical, psychological and/or sexual violence and to cope with trauma from violence.
- *Fonds Soziales Wien* [Vienna Social Fund] has developed specific **quality standards** for organisations providing services for persons with disabilities. It also issued the specific policy of "*Meldepflicht bei Vorfällen mit Gewalt der Wiener Behindertenhilfe*" [duty to report incidents of violence to the Vienna advisory centre for assistance to persons with disabilities] (1 January 2021)⁵⁰ to warrant a standardised procedure for incidents of violence.

Apart from a large number of other measures, such as, e.g., continuing education for healthcare professionals in identifying maltreatment of care-dependent persons, there are specific counselling centres for women with disabilities who are affected by violence.⁵¹

⁵⁰ see *Ergänzende spezifische Richtlinie Meldepflicht bei Vorfällen mit Gewalt der Wiener Behindertenhilfe (fsw.at)*.

⁵¹ The association NINLIL and Agentur Sonnenklar are among them.

22. | 23. Support for women in old age

The Ministry for Social Affairs takes various sensitisation and awareness-raising measures in the area of **violence against the elderly**, in particular women. These include:

- Between 2014 and 2020 **more than 60 workshops were held in homes for the elderly and nursing homes and with mobile services** in all Austrian states to raise awareness of "violence" among the staff.
- **Specific lectures initiative on the subject of "violence against the elderly"**: Between 2014 and 2022 approx. 40 expert lectures were held to provide basic knowledge about violence, ageism, discrimination and about analysing specific problems people encounter in professional or voluntary work.
- Training of **prevention officers** in selected care institutions for the elderly who provide advice and support in challenging situations and propose and implement anti-violence measures. In the course of the project 18 persons from 10 institutions in three Austrian states were trained as prevention officers.

For information on the "*Beratungstelefon Gewalt und Alter*" [violence and old age helpline] see *Question 25.g Telephone helpline*.

22. | 23. Support for women with refugee background

The special needs of vulnerable persons, which must be assessed shortly after their reception into basic care, are to be taken into account as defined in Section 2(1) of the Federal Basic Care Act 2005 [*Grundversorgungsgesetz - Bund 2005/GVG-B 2005*] in compliance with the requirements of the Reception Conditions Directive (Directive 2013/33/EU). The reception procedure is initiated within 24 and a maximum of 72 hours after the application was made.

In Austria, the process for identification of vulnerable persons, which also includes women with a refugee background, starts with the initial interview after the application for international protection was filed before a law enforcement officer or a security authority. After identification, within the framework of admission to basic care during the initial interview, the need for expert psychological and/or psychosocial care will be assessed by social workers of the *BBU GmbH* and by a physician in the course of an initial medical examination. In a first step the mental state will be determined and any need for clinical psychological counselling will be recorded. The necessary psychological support and counselling measures identified are provided for the entire duration of the stay in a federal care facility, either by employed psychologists or in cooperation with external specialist institutions.

At a regional level also the Austrian states take specific measures, a few examples of which are mentioned below.

- Several Austrian states drafted the **catalogue of recommendations for "Gewaltschutz in Grundversorgungseinrichtungen"** [protection against violence in basic care institutions], which was presented in 2020. The catalogue takes a closer look at the crucial areas of information, prevention, intervention and documentation. Special attention is paid to particularly vulnerable groups of persons in the basic care system. At the same time, the relevance of work with potential offenders is brought into focus. The recommendations are being implemented already.
- In May 2021 **Wiener Flüchtlingshilfe** [Vienna refugee assistance] established the **"Arbeitsgruppe Gewaltprävention"** [working group on the prevention of violence] focusing on the "protection of women and children", which has implemented specific projects since 2022. For example, the **"MITBegleitung"** [with assistance] project offers regular psychological and therapeutical support especially for women. In addition, measures for children and young persons who are or have been exposed to domestic violence are in place.

24. Full information about and consent to medical procedures

The protection of personal rights, including patients' autonomy, which is embodied in the constitution and specific laws, is independent of background, nationality or knowledge of certain languages. Full information and consent as fundamental legal elements of the treatment contract is therefore also required when dealing with patients who have no sufficient knowledge of the German language.

For information on the standardisation of duties to maintain confidentiality, notification and reporting duties in the professional laws for those healthcare professions which are regulated by law please refer to the *"Implementation Report"*, p. 10 and p. 19.

The **German courses** provided by the Austrian Integration Fund (including free-of-charge online offers), counselling and courses of the women's centres of the Austrian Integration Fund (ÖIF) on specific topics, such as health and empowerment of women, as well as **interactive seminars** with experts on the topics of women's health and medical prevention, sexuality and sexual self-determination, family planning, birth control and pregnancy, FGM/C, mental health, as well as forms of violence and prohibition of the use of force, are geared to empower women and girls of the target group in taking self-determined decisions both in terms of language skills and technically.

The target group are persons lawfully residing in Austria who do not hold Austrian citizenship. They include persons eligible for asylum, beneficiaries of subsidiary protection and third-country nationals who are lawfully domiciled in Austria or, as expellees, enjoy a temporary right of residence.

In addition, the Vienna Healthcare Network provides different support tools. A **video interpreting system** is available in all units throughout the network. Specialist translators are called in to enable clear communication between healthcare professionals and patients and/or relatives. The service of sign language interpretation is offered as well.

Apart from video interpreting, **counsellors who are native speakers of the client's language** are available and employees use their language skills to act as language facilitators. In addition, patient questionnaires, declarations of consent and, in general, any type of information material is made available in several languages as needed.

Article 22: Specialist support services

Austria has a very tight net of specific counselling centres, which is being expanded constantly. Please refer to the information provided in the *"First Country Report Austria"*, p. 33 et seq. and in the *"Implementation Report"*, p. 21 et seq. Several examples of measures will be presented hereinafter:⁵²

25.a-e | 26. Shelters

For information on women's shelters please refer, in particular, to the *"First Country Report Austria"*, p. 35 et seq. Apart from protection and accommodation the offer includes psychosocial support in coping with trauma, securing a livelihood, help with reorientation, finding goals and perspectives for the future, legal support, legal and psychosocial court assistance, support in education issues, individual and group offers for women and children, etc.

⁵² We would like to add that, for example in September 2022, "vera* – Die Vertrauensstelle gegen Belästigung und Gewalt in Kunst, Kultur und Sport" [vera* trust centre for persons affected by violence, harassment and the abuse of power in the arts, culture and sports] was established. vera* supports artists/culture managers and athletes in the case of harassment or experiences of violence.

A two-year pilot phase for **cross-region admission of high-risk victims to women's shelters** began on 1 January 2021, which went into standard operation in 2023.

In addition, the number of places in shelters for women and their children was significantly increased throughout Austria in the last few years.⁵³ Furthermore, an existing women's shelter in Vienna was converted into a **women's shelter for girls and young women from the age of 16** to better meet the needs of this specific target group. At the beginning of 2023 the first few residents moved into the new women's shelter for girls and young women.

For the years 2023-2026 the Ministry for Women will provide additional funding of EUR 12 million in the aggregate for measures in the context of sheltered or **temporary housing** for women affected by violence.

25.b Medical support

Please refer to the *subchapter on "Measures in the public health sector" in Article 20: General support services, p. 39 et seq.* We would like to add the following:

- In further developing the child protection groups, which have been enshrined in law since 2004, hospitals are required to set up "**victim protection groups for victims of domestic abuse who are of age**" (Section 8e of the Hospital and Sanatorium Act [*Krankenanstalten-und Kuranstaltengesetz/KAKuG*]).

The tasks of the victim protection groups include early detection of domestic violence and raising awareness among healthcare professionals so that they detect violence more easily, address it, document it and, if necessary, refer victims to the appropriate support service.

In December 2022, 86 out of the 95 hospitals (or hospital associations) required to do so had established or were in the process of establishing one (or more) victim protection groups. The implementation rate was 91%.

- In connection with the "**Intact**" project multipliers were trained in Vienna in collaboration with the women's health centres of Linz and Salzburg with the objective of implementing counselling and support for women and girls affected by FGM/C and

⁵³ For example, the fifth Vienna women's shelter was opened in December 2022. The newly built women's shelter in Braunau, Upper Austria, is planned to be completed in 2023. The building replacing the women's shelter of Ried im Innkreis and the family competence centre *Frauenhaus Steyr* is expected to be completed in 2024.

to organise roadshows to raise awareness (total funding: 2018: approx. EUR 48,000; 2019: approx. EUR 70,000; 2020: approx. EUR 58,000).

In addition, clients are offered holistic treatment by a committed team of experienced gynaecologists, plastic surgeons, psychologists and social workers. **Reconstructive surgery after FGM/C** is carried out in specialist clinics.

25.c | 25.d Psychological support and counselling as well as trauma relief

The Victims of Crime Act [*Verbrechensopfergesetz/VOG*] regulates entitlements of persons who have become victims of crime. Support under the Victims of Crime Act include the costs of crisis intervention by clinical (health) psychologists and psychotherapists (Section 2 No. 2a in conjunction with Section 4a *VOG*) and medical rehabilitation.⁵⁴

For example,

- in Vorarlberg non-medical **psychotherapy** is generally offered **free of charge** through the ifs "*Psychotherapie Vorarlberg*" institution based on an agreement between the social security funds, the State of Vorarlberg and the ifs. Persons requesting psychotherapy are ranked by a clearing agency in terms of urgency, severity of their illness, and their financial means.

Vorarlberg also offers low-threshold contact points in the area of social psychiatry (Social Psychiatric Service) and low-threshold contact points in the field of addiction in all districts. The target group are mentally ill and addicted persons as well as victims of gender-specific violence. The specialist services closely cooperate with the ifs violence protection centre.

In 2021 EUR 2.3 million were provided for non-medical psychotherapy. For 2022 and 2023 additional annual funding of EUR 250,000 is planned. The services are financed by the Vorarlberg Social Fund, on the one part, and by the Umbrella Association of the Austrian Social Security Institutions, on the other part.

25.e Psychosocial and legal court assistance

The successfully established and internationally recognised instrument of free-of-charge psychosocial and legal court assistance in criminal proceedings (Section 66b of the Code of

⁵⁴ Section 2 No. 4 *VOG* provides that medical rehabilitation includes:

"(a) treatment in hospitals which primarily serve the purpose of rehabilitation,

(b) medical treatment, medicines and medical or therapeutic aids if such services are needed directly after or in connection with the measure stated in paragraph (a),

(c) necessary travel and transportation costs;"

See also the information in the "First Country Report Austria", p. 45.

Criminal Procedure [*Strafprozessordnung/StPO*]), which guarantees a particularly high standard of victim protection in Austria, has been in place for many years.⁵⁵ If the prerequisites of Section 66b(1) *StPO* are fulfilled, victims are entitled to legal and/or psychosocial court assistance free of charge, independent of their actual financial situation. An important measure was the enlargement of **the group of persons who are entitled to court assistance by including victims of hatred online⁵⁶ and minors who have witnessed violence in the immediate social environment.** Victims under the age of 14 whose sexual integrity might have been violated must in any case be granted psychosocial court assistance.

Pursuant to Section 66b(2) *StPO* psychosocial court assistance includes preparation of the person concerned for the proceedings and for the emotional stress associated with the proceedings as well as accompanying the person to questioning during investigation proceedings and the main proceedings. Legal court assistance includes legal advice and representation by an attorney.

Pursuant to Section 10(2) *StPO* the police, public prosecutors and judges are required to inform victims about their entitlement to psychosocial and legal court assistance and to refer them to one or more local victim protection centres.

Victims are entitled to court assistance even before filing a report, and may ask to be accompanied to the first contact with the prosecution authorities insofar as this is necessary to preserve the rights of the victim, taking into account their personal concerns.

As a matter of principle, the statutory entitlement to court assistance applies until final/non-appealable conclusion of the criminal proceedings; in certain cases psychosocial court assistance may even be continued after the case has been closed (e.g. for victims of sexual offences or for particularly vulnerable victims as defined in Section 66a *StPO*).⁵⁷

⁵⁵ For information on the funding increase for legal and psychosocial court assistance see *Article 7: Comprehensive and coordinated policies, p. 6 et seq.*

⁵⁶ See also the "*Implementation Report*", p. 11.

⁵⁷ Currently, 48 proven and suitable institutions have been contracted to provide psychosocial and/or legal court assistance. All court assistance organisations are published on [justiz.gv.at](https://www.justiz.gv.at).

25.f Outreach services

Outreach social work is done in various contexts. For information on the "*Frühe Hilfen*" [early childhood interventions] project please refer to the "*First Country Report Austria*", p. 29 et seq.⁵⁸

In order to keep up with modern technological developments, options of **digital outreach services** are offered as well, e.g.,

- digital prevention and educational work via social media in the context of forced marriage and next-of-kin violence through the "*Shirin spricht!*" [Shirin talks] project. The goal is to carry out a targeted information campaign to reach girls and young women at a young age.⁵⁹
- On the basis of the "Anti-Violence Package 2021" the contract with the Intervention Center for Trafficked Women* was expanded as well. Since then the Intervention Center has been providing outreach social services in the digital space as well.

25.g Telephone helpline

For information on the women's helpline +43 800 | 222 555, the 24/7 women's emergency helpline of the City of Vienna, the victims' emergency helpline +43 800 112 112 of *Weisser Ring* and the emergency helpline *Rat auf Draht* 147 for children and young persons please refer to the "*First Country Report Austria*", p. 37 et seq.

In addition, we would like to mention the "*Beratungstelefon Gewalt und Alter*" [violence and old age helpline], which is available by phone number +43 699 11 20 00 99, operated on behalf of the Ministry for Social Affairs by the "*Pro Senectute*" association all over Austria.⁶⁰

25.h Other forms of support

- Many counselling centres have started to offer **online counselling**. Apart from HelpChat and the women's helpline, adequate online advice tools have been set up also in Styria and Upper Austria. See also the answers to *Question 56.d in chapter III. Developments*, p. 68 et seq.
- Due to the specific need for counselling of women affected by cyberviolence the "**Competence Centre Against Cyberviolence**" was established in Vienna in 2020. Here

⁵⁸ See also [Early Childhood Interventions Programme in Austria](#).

⁵⁹ See the "[Shirin spricht!](#)" project of the Orient Express Association.

⁶⁰ See [Beratungstelefon Gewalt und Alter](#).

the IT security specialists of the City of Vienna support the 24/7 women's emergency helpline of the City of Vienna (+43 1/71719) and *Verein Wiener Frauenhäuser* (helpline: +43 1 5123839) where psychosocial counsellors reach the limits of their technological expertise in cases of cyberviolence.

26. Specialist support for children

Children who have become victims of violence are supported by **social services provided by public and private child and youth services**. Those services are primarily funded by the governments of the Austrian states, which are responsible for legislation and law enforcement in this area.

If child and youth services learn of a situation where a child or young person is at risk of becoming a victim of domestic violence (including one parent abusing the other parent), a risk assessment procedure will be carried out to assess the risk situation and to determine which measures should be taken to protect the child or young person. For that purpose specialist social workers will get into personal contact with children and young persons and may call in psychologists to gain the best possible picture of the family and risk situation. Where outreach services are not sufficient for the protection of children or young persons, risk assessment may also be done in the form of admission to care, either in the context of crisis fostering (children from 0 to 3 years) or at a crisis centre (children/young persons from 3 to 18 years). If outreach intervention measures are not sufficient to end the risk situation, children and young persons may need to be fostered outside their families (social education institutions, foster parents).

Pursuant to Section 8e *KAKuG* in conjunction with Section 39 of the Hospital Act [*Spitalsgesetz*] Austrian hospitals are also required to set up **child protection groups for the treatment, support and referral of minors affected by violence**. Thanks to the cooperation between victim protection groups and child protection groups children and young persons who are co-victims of domestic violence can be taken care of or referred to the relevant protection centres.

In 2015 "**Forensische Kinder- und Jugenduntersuchungsstelle**" (**FOKUS**) [forensic medical examination centre for children and young persons] was established at the Vienna General Hospital (*AKH*) and provides support to the Vienna child protection groups.

In addition, all over Austria numerous **family counselling centres and child protection centres** are financed out of public funds with a significant increase in grants in 2021.⁶¹ Please refer to *Article 7: Comprehensive and coordinated policies, p. 6 et seq.* and *Article 8: Funding, 9 et seq.*

In addition, Austria has established a large number of counselling centres for children and young persons. In September 2022, for example, "**BAKHTI - Centre for EmPOWERment of girls and women affected by violence**" was established. The project has been designed for young persons between 14 and 21 who are or have been direct or indirect victims of violence.⁶²

In addition, the federal government has funded the **Platform Against Domestic Violence** since 1993. The different organisations use the platform for networking to further develop technical standards or find new solutions for the prevention of violence against children.⁶³

27. Specialist support services catering to the specific needs of migrant or refugee women and girls or those belonging to national or ethnic minorities

See also the information on *Measures in the public health sector, p. 39 et seq.* and project funding of the Austrian Integration Fund (ÖIF) regarding *Question 5. Funding of specific projects* in *Article 8: Funding, p. 9 et seq.*

In Austria, there are numerous support services catering to the special needs of migrants, persons belonging to national or ethnic minorities, and person eligible for subsidiary protection. For information on the newly established specific coordinating bodies please refer to *Article 18: General obligations, p. 32 et seq.*

A few examples of supplementary measures and projects are presented hereinafter:

- ÖIF offers groups counselling time to discuss the topics of prevention of violence and self-determination together with police officers and/or staff of violence protection centres. Individual counselling and interpreting services are also available.
- The toolbox for victim protection groups provides information on how to respond to victims of violence with a migration background, and specialist contact points.⁶⁴

⁶¹ See also *Die Österreichischen Kinderschutzzentren*.

⁶² See *BAKHTI - Centre for EmPOWERment*.

⁶³ For further information see *Platform Against Domestic Violence*.

⁶⁴ See *Toolbox OSG, Gewaltopfer mit Migrationshintergrund*.

- Since 2009 *Grundversorgung Wien Landesleitstelle* [the Vienna directorate of basic services] and/or *Wiener Flüchtlingshilfe* has/have funded measures of the carrier organisation "**Hemayat – support centre for survivors of war and torture**".⁶⁵
- Another project that has been implemented since 2022 and is funded by *Wiener Flüchtlingshilfe* is "**S.O.S. Stabilisierung ohne Sprache – Ukraine**" [S.O.S. stabilisation without language - Ukraine] for traumatised children and young persons while they wait to be accepted into a therapy programme. Due to limited German-language skills the treatment focuses on non-verbal methods, such as physical relaxation techniques, for example.
- *Wiener Flüchtlingshilfe* also operates the **women's counselling centre of Diakonie** [church welfare organisation] as a low-threshold point of contact for all women in the basic care system of the City of Vienna. All counsellors, interpreters and administrative staff are women. Women should feel protected and free to talk liberally and extensively to qualified and experienced staff about shame-ridden or fear-laden issues, such as birth control, marital difficulties, violence, divorce, gynaecological problems or FGM/C.
- In addition, the "**counselling centre Queer Base - Welcome and Support for LGBTIQ Refugees**" has been another important counselling centre of *Wiener Flüchtlingshilfe* since 2016. The basic care system provides support that caters to the specific needs of LGBTIQ.
- The **DIVAN "Frauenspezifische Beratung für Migrantinnen, mit spezialisiertem Angebot für Betroffene von Gewalt im Namen der Ehre"** [DIVAN "women-specific counselling for migrants providing specialist support for those affected by violence in the name of honour] offered by "*Caritas der Diözese Graz-Seckau*" received funds from the Ministry of Integration in the amount of approx. EUR 640,000 in the years 2018-2023.

The focus is on counselling women who are affected by or want to get out of a forced marriage.

In addition, roadshows and workshops on the issue of "violence in the name of honour" are organised and public campaigns are carried out.

⁶⁵ See [HEMAYAT - support centre for survivors of war and torture](#).

Article 25: Support for victims of sexual violence

28. | 29. Specific support offers

For information on the **specialist counselling centres for victims of sexual violence** please refer to the "*Implementation Report*", *Recommendation 10, p. 26 et seq.* Funding of those specialist counselling centres was significantly increased by the Ministry for Women in the last few years:

In 2022 all nine specialist counselling centres providing support to victims of sexual violence were endowed with EUR 59,420 each, which means an increase by 48% year on year for the four centres recently established in 2019. In 2023 an additional increase in funding is planned.

In addition, the "Package of measures to protect children and young persons against violence with a focus on sexual violence: effective prevention and effective prosecution"⁶⁶ was adopted in January 2023.

For information on better support through adequate training please refer to *Article 15: Training of professionals, p. 20 et seq.* For information on specific support services in hospitals and information on forensics see the *subchapter on "Measures in the public health sector", p. 39 et seq.*

We would like to add the following:

- The 24/7 women's emergency helpline of the City of Vienna offers support to women and girls who have become victims of rape. Among others, the services offered explicitly address women and girls who experienced rape or sexualised violence quite some time ago. Counselling is also provided to relatives and friends of afflicted women. The yearly statistics of the 24/7 women's emergency helpline record all counselling contacts and the different forms of counselling (by phone, by email, in person). Sexualised violence is the prevailing issue of in-person counselling contacts. In 2020, for example, 12,806 counselling contacts were recorded, 745 of which were in person; in 2021 there were 13,160 counselling contacts, 552 of which were in person.
- In 2002 the general public hospital of the City of Dornbirn set up an **outpatient clinic for victims of abuse**. At times where the outpatient clinic cannot be staffed by hospital doctors, a stand-by duty of external female doctors is provided for abused women,

⁶⁶ See *Maßnahmenpaket zum Schutz von Kindern und Jugendlichen vor Gewalt mit dem Fokus auf sexuelle Gewalt: Wirksame Prävention und effektive Strafverfolgung*, MRV 45/9, 25 January 2023.

which is funded by the State of Vorarlberg. The female doctors are both gynaecologists and trained in forensics.

The outpatient clinic for victims of abuse at Dornbirn hospital recorded 46 cases in 2019, 38 cases in 2020 and 36 cases in 2021.

- In addition, the **Ombud for Equal Treatment**⁶⁷ offers confidential and free counselling and support in cases of sexual harassment (as defined in the Act on Equal Treatment). The report for the reporting period 2020/2021 shows that "30% of the requests for counselling or support relating to gender discrimination at work concerned sexual harassment". This means that sexual harassment is the most frequent reason for enquiries with the Ombud for Equal Treatment.⁶⁸

30. Forensic evidence in cases of sexual violence

Please refer to the answer to *Question 21* in the *subchapter on "Measures in the public health sector"*, p. 39 et seq.

31. Access criteria for support services

In principle, all women or girls affected by violence are eligible for the specific counselling and support services offered. Only in the area of sheltered housing have some Austrian states adopted special regulations for person with no secure residence status. See in this respect the information in *Recommendation 9.f of the "Implementation Report"*, p. 24 et seq.

Article 31: Custody, visitation rights and safety

32. a-e | 34. Taking account of criminal offences in curatorship cases

Under applicable Austrian law criminal offences committed by persons entitled to custody of or to contact their child(ren) must be taken into account when assessing the best interests of the child (Section 137 et seq. of the Austrian Civil Code [ABGB]). The decision on the arrangement which will be the best solution for the child concerned is made on a case-by-case basis. For this purpose different options are provided by procedural law (Statute on Non-Litigious Matters [Außerstreitgesetz/AußStrG]):

- appointment of a child advocate (Section 104a),
- ordering family court assistance (Section 106a),

⁶⁷ See Ombud for Equal Treatment.

⁶⁸ See Gleichbehandlungsberichte der Privatwirtschaft [equal treatment reports of the private sector].

- measures to secure the best interests of the child (Section 107(3)),
- accompanied visits (Section 111).

33. Creating awareness among legal professionals

See in this respect the statements in *Article 15: Training of professionals*, p. 20 et seq. and the *"First Country Report Austria"*, p. 18.

35. a-c Arrangements regarding custody and visitation rights

In custody and visitation rights cases the best interests of the child have top priority (Section 138 et seq. ABGB). The subject of violence (experienced by the child him/herself or violence against important caregivers witnessed by the child) is expressly mentioned in No. 7. Decisions are always made on a case-by-case basis and according to the specific situation of the child.

For more details see *Part Three, Chapter One: "General provisions" Sections 137 to 139 ABGB* and *Chapter Four: "Custody": Sections 158 to 185 ABGB* and *Chapter Five: "Personal contacts" Sections 186 to 190 ABGB*.

36. Statutory regulations on withdrawal of parental custody, if applicable

Austrian law does not provide for a withdrawal of parental rights in criminal judgments. In curatorship cases criminal convictions of parents are taken into account when assessing the best interests of the child.

Article 48: Prohibition of mandatory alternative dispute resolution processes or sentencing

Criminal law

37. Alternative dispute resolution

Austria has rejected the conclusion on the introduction of restrictions on the use of diversion from prosecution in cases of domestic violence or stalking from the GREVIO Report 2017 because they would be neither in the interest of the victims of domestic violence or stalking nor in conformity with the constitution. In this respect please refer to the *"Austria's Comments on GREVIO's Draft Report"*, p. 29 et seq. and to the *"Implementation Report"*, p. 28.

Moreover, the decree of the Ministry of Justice on "Guidelines for the prosecution of offences in the immediate social environment"⁶⁹ states that in the case of offences in the immediate social environment the alternative measures in criminal proceedings provided for in Section 198 *StPO* must be weighed most carefully. In the case of diversion from prosecution the victims' best interests and safety are secured by a complex systems of criteria that must be fulfilled (*StPO* Part Eleven: Diversion from prosecution).

Civil law

39. Alternative dispute resolution in civil law

Mediation and other alternative dispute resolution mechanisms may always be resorted to by the parties out of court. The law does not require the court to "check" whether there is a history of violence. Currently, the Statute on Non-Litigious Matters provides for no exceptions to the principle regulated in Section 13(3) *AußStrG*, according to which the court is required to bring about a mutual agreement between the parties at any stage of the proceedings.

Presently, practical application of alternative dispute resolution mechanisms in solving conflicts and their effects on the promotion of peace under the power of law and for the prevention of conflicts is studied under the "**MEDIAS**" research project in cooperation with the Ministry of Justice.

In addition, a call for tenders for a study centred on an evaluation of mutual agreements and alternative dispute resolution in court was issued by the Ministry of Justice.

⁶⁹ See [Guidelines for the prosecution of offences in the immediate social environment, 3rd edition \(2021\)](#).

Articles 49 and 50: General obligations and immediate response, prevention and protection

40. | 42. Human, financial and technical resources of prosecution authorities and special units⁷⁰

Currently, approx. 30,000 law enforcement officers work in Austria. There are no specialist police units for prosecution or investigation of cases of violence against women (*see also Article 15: Training of professionals, p. 20 et seq.*). All specialist investigation units must act **gender-neutrally**.

Subsequently, cases of violence in the immediate social environment (domestic violence, violence against children) must be assigned to one or more specially trained prosecutors.⁷¹ Pursuant to Section 26(6) of the Court Organisation Act [*Gerichtsorganisationsgesetz/GOG*] cases of criminal offences against sexual integrity and self-determination (Section 201 *et seq. StGB*) must be assigned to one and the same court section.

41. Premises for reporting criminal offences

The applicable Federal Disability Equality Act [*Bundes-Behindertengleichstellungsgesetz/BGStG*] prohibits any discrimination against persons with disabilities. This applies equally to the federal administration and to access to services available to the public. Police premises comply with this provision to the extent possible.

According to the provisions of the Guidelines Regulation victims of crime must be treated with particular care. In the case of non-compliance an appeal [*Beschwerde*] may be lodged with the Regional Administrative Court [*Landesverwaltungsgericht*].

43. Duty to expedite proceedings

The Ministry of the Interior's decree for organisation and implementation of measures against domestic violence (anti-violence measures) includes the duty to expedite proceedings. Accordingly, domestic violence cases must be prioritised. If there is reason to

⁷⁰ We would like to add the following: the work of the judge is divided into areas of responsibilities according to different fields of law, e.g. civil cases, non-litigious cases, enforcement cases, criminal cases, etc. The area assigned to a judge and its scope are defined by an independent panel of judges within the schedule of responsibilities of the relevant court. Depending on the size of the court, judges may be assigned different areas of responsibilities.

⁷¹ See Section 4(3a) of the Ministry of Justice's Regulation on the Implementation of the Public Prosecutors' Act [*DV-StAG*] of 16 June 1986.

fear that crimes will be committed against the victim (in particular after threats) or if the causal offence is serious, the prosecutors' office must be contacted immediately with reference to the decree.

Pursuant to Section 9 *StPO* the duty to expedite proceedings (in particular in detention matters) also applies to legal proceedings. Section 5 *StPO* provides that investigations must always be proportionate to the severity of the offence, the degree of suspicion and the intended effect.

44. Measures to instil confidence in law enforcement officials and the judiciary

For information on campaigns please refer to *Article 12: General obligations, p. 13 et seq.* Forensic examinations and collection of evidence are described in the *subchapter on "Measures in the public health sector", p. 39 et seq.* For information on training to learn how to identify potential victims see *Article 15: Training of professionals, p. 20 et seq.*

44. Excursus: Questioning of asylum seekers

Significant measures to identify vulnerabilities (e.g. human trafficking, FGM/C, forced marriage, etc.) are the initial reception interview and the questionnaire which is handed out in the course of the initial medical examination. Initial reception interviews are usually conducted separately by officers of the same gender and (if possible) in the asylum seekers' native language (cf. Section 20 of the Asylum Act [*Asylgesetz/AsylG*]).

The Federal Office of Immigration and Asylum (BFA) is bound by the principle of public prosecution. Therefore, if and when a criminal offence becomes known or is suspected, law enforcement must be informed about the situation.

45. Standards, protocols and guidelines for police interviews

Those police officers who are the first to respond to victims of crime are subject to the provisions of Section 31 *SPG* and the Guidelines Regulation. Victims of crime must be treated with special care (Section 6 Guidelines Regulation).

Furthermore, the "Guidelines for Criminologists" (KLF) provide guidance on police interventions, including, e.g., preservation of evidence in the case of sexual or violent offences. The Guidelines for Criminologists also provides guidance on how to record facts and investigate "criminal offences against sexual integrity". The Guidelines for Criminologists are available to all police officers of the Ministry of the Interior and the subordinate security authorities and police stations and help officers with regard to first response and further-reaching investigative steps.

The Guidelines for Criminologists are updated regularly and take into account new phenomena (such as sexting/cyberstalking/upskirting/sextortion), legal and scientific/forensic-toxicological developments (e.g. in connection with the preservation of evidence of knockout drops) as well as recent social developments.

The Crime Scene Guidelines, which are made available by Austria's Regional Offices of Criminal Investigations [*Landeskriminalämter*], contain additional helpful information.

For compliance with the documentation obligation they contain instructions for completion, checklists and explainer videos.

46. Challenges in connection with the collection of evidence

Especially in cases of violence against women or violence in the immediate social environment evidence of injuries must be collected as early and in as much detail as possible as they are a central aspect to be proved. Contrary to the accused person an injured person cannot be forced to participate in a physical examination. The special requirements for a physical examination to be admissible and carried out, which is of particular relevance in the case of victims of domestic violence or sexual offences, are stated in the relevant statutory provisions of Section 123 *StPO*.

The medical documentation prepared by physicians and hospitals obviously focus on the curative treatment of victims of violence and can take forensic aspects into account to a limited extent only. Only if a forensic expert is called in can the cause of injury, the sequence of events and the consistency of statements of victims, accused persons or witnesses be warranted.

In order to gain insight into the situation of forensic medicine in Austria, a study on the establishment of clinical forensic medical examination centres was commissioned. In this respect please refer to the answers to *Question 21* in the *subchapter on "Measures in the public health sector"*, 39 *et seq.*

47. Residence permit in the case of cooperation in criminal proceedings

Pursuant to Section 57(1) No. 3 *AsylG* the "special protection residence permit" can be issued *ex officio* or upon application if a third-country national who does not lawfully reside in the federal territory of the Republic of Austria has become a victim of violence, if an interim injunction has been issued or could have been issued and the third-country national is able to substantiate that granting of the residence permit is necessary to protect them against other acts of violence. Pursuant to the Section 57(2) *AsylG* such a permit may be issued to witnesses/victims of human trafficking or cross-border trade in prostitution,

provided that the prerequisites are fulfilled. The residence permit may be renewed for another year if the prerequisites are fulfilled.

Article 51: Risk assessment and risk management

48.a-j Risk assessment tools

There is no mandatory Austria-wide risk assessment tool to be used by the police. The academically founded **risk assessment tool ODARA** is currently used by the Vienna Regional Police Headquarters [*Landespolizeidirektion Wien*]. Police officers who are the first to respond to an incident must take into account all indicators listed in paragraphs a. to j., except for paragraph f., in risk assessment on site when issuing a protection and mobile restraining order.

In order to assess whether reasons for detention of an accused person exist (in particular the risk of commission of an offence), the decree on "Guidelines for prosecution in the immediate social environment" provides a **checklist**, which must be ticked off by the public prosecutors who are on stand-by duty in the course of a criminal investigation. The checklist not only constitutes a tool for public prosecutors to avoid information deficits compared to the investigating police but also serves as a comprehensive decision-making basis in the assessment of grounds justifying detention, and, indirectly, also of the victim's threat situation.

Insofar as risk assessment documents are submitted by victim protection organisations, they must be checked and analysed objectively by the criminal police for the purposes of criminal proceedings as laid down in section III of the said decree. The risk assessment tools most commonly used by the Austrian violence protection centres have been made known to the public prosecutors' offices.

49. Cooperation and protective mechanisms in the course of risk assessment by "security police case conferences"⁷²

"Security police case conferences" (see also "*Implementation Report*", p. 9) are available independent of the age of the person at risk. Under the management of the competent

⁷² Section 22(2) SPG: "*The police must prevent dangerous attacks on life, health, freedom, morality, property or the environment if such attacks are likely to occur. For that purpose the police may develop and coordinate the measures which are necessary in a specific case together with authorities and agencies in charge of the carrying out of public tasks, in particular for the purpose of protection against and prevention of violence as*

security authority the authorities and relevant institutions involved in the case, in particular for the purpose of protection against violence, prevention of violence or taking care of people, information is exchanged and measures are coordinated.

To increase use of "security police case conferences" and to further improve uniform and professional organisation of such case conferences throughout Austria, **guidelines** and **an appropriate e-learning tool for the implementation of "security police case conferences"** were developed in cooperation with representatives of NGOs, the security authorities, experts of the Regional Police Headquarters and the Federal Office of Criminal Investigations.

On 24 January 2023 the Ministry of Justice published a **supplementary decree** on "security police case conferences": This interdisciplinary decree regulates actual handling and filing of the records to be transmitted to the attendees after a case conference. It also provides information on the useability of facts and circumstances or evidence relevant to the case which has or have become known during such case conferences.

In the area of the Upper Austrian Regional Police Headquarters establishing a coordination team called "*S-FK-Team*" for standardised organisation and handling of such "security police case conference" in all authorities has proved to be extremely expedient. Upon completion of trial runs, **establishing "*S-FK-Teams*" throughout Austria** was ordered by decree in February 2023. Implementation is in progress.

Thanks to the measures taken the number of security police case conferences on domestic violence increased from 57 in 2021 to 209 in 2022.

50. Measures for analysing killings of women

In 2021 the Ministry of Justice analysed relevant cases for the purpose of **investigating the precise circumstances and motives of killings of women and minors under the age of 14 in the years 2016-2020**, including with a view to the history of the offenders and any previous investigations carried out by public prosecutors.

The defined objectives of the study were to identify the relevant cases, to check for previous legal proceedings in general (divorce or custody proceedings, etc.) and previous involvement of the public prosecutors' office(s) in particular (previous criminal

well as to take care of people, if due to certain circumstances, in particular because of an earlier dangerous attack, it has to be assumed that a specific person will commit an offence against the life, health, freedom or morality of a person that carries a severe penalty (Section 17) (security police case conference)."

proceedings), and to raise awareness of risk assessment and identification of risk factors among public prosecutors.

In addition, "**Untersuchung Frauenmorde – eine quantitative und qualitative Analyse**" [investigation into killings of women - a quantitative and qualitative analysis] was jointly commissioned by the Ministry for Women, the Ministry of the Interior and the Ministry of Justice on the basis of the "Anti-Violence Package 2021".⁷³ The study, the total cost of which amounted to EUR 81,330, was prepared by the Institute of Conflict Research and published in April 2023. It consists of a quantitative and a qualitative part:

- The quantitative part includes evaluation, description and analysis of gender-specific data regarding Section 75 *StGB* (murder under specific aggravating circumstances [*Mord*]; hereinafter: murder) from the "Police Crime Statistics" for the period from 1 January 2010 to 31 December 2020.
- The qualitative part contains an academic analysis of case-related court files including perpetrator typology for the period from 1 January 2016 to 31 December 2020 and clear recommendations of future measures which can be deduced therefrom.

Thus, the study provides an analysis of killings of women since 2010. The authors of the study also distinguished between killings of women and femicides, elaborating on the risk factors and presenting recommendations for action.

Article 52: Emergency barring orders

51.a-c Statutory amendments, information duties, reporting duties if children are (in)directly affected when issuing a protection and mobile restraining order

For information on the expansion of protection orders in the case of domestic violence to include a mobile restraining order please refer to the "*Implementation Report*", p. 9 et seq. In addition, the following statutory measures have been taken:

- On 1 January 2022 the **mandatory provisional weapons ban** entered into force, which applies if and when a protection and mobile restraining order is issued (Section 38a *SPG*). This was done by an amendment to Section 13 of the Weapons Act [*Waffengesetz/WaffG*] 1996 (cf. Section 13 *WaffG*).
- The **storage period** of protection and mobile restraining orders as defined in Section 38a *SPG* in the Central Violent Offenders Register [*Zentrale Gewaltschutzdatei*]

⁷³ See "*Motivation research into killings of women*" of the "*Package of measures to combat violence against women and to strengthen the prevention of violence*" (MRV 59/16).

as defined in Section 58c *SPG* was extended from one year to three years (cf. Section 58c *SPG*).

- For the protection of minors at risk those persons in whose custody the minor regularly is and the competent local Child and Youth Welfare Service must be notified once a protection and mobile restraining order has been issued (cf. Section 56(1) No. 8 *SPG*).
- For further de-escalation after issuance of a protection and mobile restraining order pursuant to Section 38a *SPG*, **mandatory anti-violence counselling** at a suitable "anti-violence counselling centre" has been introduced for persons likely to threaten safety (cf. Section 38a(8) *SPG*). See in this respect *Article 16: Preventive intervention and treatment programmes, p. 31 et seq.*

When a protection and mobile restraining order is issued verbally in the course of police intervention, the person at risk will be **informed about the provisions of Section 38a *SPG* and about the right to file a petition for an interim injunction with the District Court [*Bezirksgericht*]**.⁷⁴ The person at risk will be given such information also **in written form** and the information sheet is currently available in 18 languages.

In addition, a few days after the protection and mobile restraining order has been issued the person at risk will be contacted by police officers specially trained in the area of domestic violence and invited to have a voluntary victim contact meeting with those specially trained police officers. In the course of the meeting more information will be provided on the police procedure and actions, protective measures and plans will be discussed and information on additional victim protection organisations or counselling centres will be furnished and the fact that legal and psychosocial court assistance is available will be pointed out.

Concurrently with issuance of a protection and mobile restraining order the documentation pursuant to Section 38a *SPG* will be transmitted to the victim protection organisations (violence protection centres) which have been contractually recognised as defined in Section 25(3). The victim protection organisations will then proactively contact the person at risk.

The same applies to **children or young persons who have become victims of domestic violence**. In addition, a **mandatory report to the Child and Youth Welfare Service in charge**

⁷⁴ During the Covid-19 pandemic a regulation on special requirements for filing submissions with courts was amended. Persons at risk who were detained in their homes by decision of the district administrative authority under Section 7 of the Epidemic Diseases Act [*Epidemiegesetz/EpiG*] 1950 and were not represented by a lawyer were allowed to hand over their petition for an interim injunction to a law enforcement officer. This relief measure was in force until 30 June 2021.

will be made. If children are no direct victims of acts of violence committed by a person posing a threat themselves but have experienced violence as witnesses or habitually live together in one household, the Child and Youth Welfare Service must be notified also in such cases.

51.d Exceptions

If absolutely necessary, the police are authorised to **make exceptions to protection and mobile restraining orders according to the Security Police Act in terms of time and place** pursuant to a request, including reasons, by the person posing a threat, unless legitimate interests of the person at risk were to be infringed; for that purpose the person at risk must be given an opportunity to make a statement. Exceptions regarding the home for which the protection order has been issued are not permitted. The person at risk must immediately be notified of the authority's decision (cf. Section 38a(9) *SPG*).

52. Control mechanism and administrative measures in the case of violation

Compliance with the protection order must be **checked** by public law enforcement officers **at least once during the first three days** (cf. Section 38a(5) *SPG*).

In the case of violation of a protection and mobile restraining order as defined in the Security Policy Act law enforcement officers may choose from several administrative measures available, such as **making an administrative report**.

Additional measures are available where a person likely to threaten safety fails to attend mandatory counselling. See in this respect *Article 16: Preventive intervention and treatment programmes, p. 31 et seq.*

Article 53: Restraining or protection orders

53.a-c Statutory amendments in connection with interim injunctions

By means of the overall reform of enforcement law, which entered into force on 1 July 2021, **(limited) power of representation of victim protection organisations** was defined by law (Section 382f(1) *EO*): Since then persons at risk may have themselves represented by a suitable victim protection organisation (Section 25(3) *SPG*) in the case of a petition for an interim injunction for protection against violence (Sections 382b and 382c *EO*) or for protection against invasion of privacy (Section 382d *EO*) and when submitting other briefs in proceedings before a court of first instance.

For information on the option available to the courts to require violent offenders to attend anti-violence counselling in the course of the proceedings for an interim injunction see *Article 16: Preventive intervention and treatment programmes, p. 31*.

In addition, the amendment provides that the **Child and Youth Welfare Service and the curatorship court be notified immediately** if the record as it stands shows that a minor person lives in the home for which the interim injunction was issued (Section 382h(2) No. 2 EO).

54. Administrative-law measures in the case of violation

Under the Enforcement Code the possibility to quickly make an administrative-law report in the case of a violation of an interim injunction was established. In the case of non-compliance **all administrative-law measures up to arrest under the Act on Administrative Offences** [*Verwaltungsstrafgesetz/VStG*] can be exhausted.

Article 56: Measures of protection

55.a Information duty

All victims as defined in Section 65 No. 1 letter a *StPO*⁷⁵ and particularly vulnerable victims (Section 66a *StPO*) must immediately be notified *ex officio* if and when the accused person is released, pretrial detention is lifted, of the reasons for that decision and of any milder means that may have been imposed, and if and when the accused person held in pretrial detention has escaped, as well as if and when the accused person is apprehended again; all other victims must be informed upon their request (Section 172(4), Section 177 (5) and Section 181a *StPO*). Victims must also be advised of their right to be immediately informed, at their request, if and when the offender leaves prison unguarded for the first time or is released and about any orders imposed on him/her in order to protect the victim (Section 149(5) of the Penitentiary System Act [*Strafvollzugsgesetz/StVG*]).

55.b Protection of the privacy and the image of the victim

- Pursuant to Section 162 *StPO* witnesses may choose to make their statement **anonymously** if a serious threat to the life, health, physical integrity or freedom of the

⁷⁵ Victims of violence, serious threat or sexual offences.

victim or a third party has to be feared in the case that the identity of the witness becomes known.

- In addition, pursuant to Section 161(3) *StPO* intimate questions about the witnesses' lives may only be asked if this is absolutely necessary because of the particular circumstances of the case. Section 161(1) *StPO* provides that, where other persons are present in the court room, it must be ensured that the personal situation of the witnesses will not become publicly known, where possible.

Pursuant to Section 229(1) No. 2 *StPO* the **public** may be **excluded** from the trial *ex officio* or at the victims' request before matters of the personal or private sphere of the victims are being discussed.

- Apart from the option of an adversarial questioning, witnesses may be examined by **using technical equipment for audio and video transmission** also for other significant reasons as defined in Section 247a *StPO*.

55.c Adversarial questioning

In criminal proceedings, adversarial questioning is an option to avoid secondary victimisation of victims. For example, Section 66a(2) No. 3 *StPO* provides that particularly vulnerable victims as defined in Section 66a(1) *StPO*⁷⁶ are entitled to considerate questioning at the trial (Section 165 and Section 250(3) *StPO*):

- A minor victim whose sexual sphere might have been violated by the offence of which the perpetrator is accused must in any case be questioned in the way described in Section 165(3) *StPO*, if necessary, by an expert⁷⁷.
- All other particularly vulnerable victims (Section 66a), witnesses mentioned in Section 156(1) No. 1 *StPO* and witnesses as defined in Section 66a(1) *StPO* are entitled to ask for such adversarial questioning, which may also be requested by the public prosecutor.
- The parties involved in the proceedings and their counsel may follow the examination by means of technical equipment for audio and video transmission and exercise their right to ask questions.

⁷⁶ Particularly vulnerable victims as defined in Section 66a(1) *StPO* include, without limitation:

- victims whose sexual integrity and self-determination might have been violated;
- victims for the protection of whom a protection and mobile restraining order pursuant to Section 38a(1) *SPG* may be issued to protect them against violence, and
- victims who are minors.

⁷⁷ The expert is usually a psychologist or a psychotherapist.

Pursuant to Section 156(1) No. 2 *StPO* particularly vulnerable victims are, in principle, exempt from the duty to testify at the trial if the parties had an opportunity to attend a previous adversarial questioning. Even if new procedural results are revealed, the right to refuse to testify will not cease. Even the fact that the new procedural results indicate the need for taking verification evidence will not affect the right to refuse to testify (cf. Austrian Supreme Court [*OGH*] ruling, 13 Os 120/17x). Pursuant to Section 252(1) No. 2 letter a *StPO* using the audio and video recording at the trial is admissible.

55.d Support mechanisms

For information on psychosocial and legal court assistance (Section 66b *StPO*) see the answers to *Question 25.e* in *Article 22: Specialist support services, p. 45 et seq.*

III. Developments

56.a Cyberviolence

Cyberviolence accounts for more and more anti-violence work and also the **Anti-Violence Summit 2022** focused on the subject of "cyberviolence against women in (ex-)relationships" (see *Article 18: General obligations, p. 32 et seq.*)

In particular, criminal law, civil law and media law contains regulations for victims to counteract cyberviolence effectively. On 1 January 2021 the first **statutory package on "hatred online"** entered into force. It contains significant measures to improve the legal situation of (potential) victims (see in this respect the *"Implementation Report", p. 11*).

Moreover, Austria has taken numerous measures to ramp up the efforts to raise awareness of the different aspects of cyberviolence, on the one hand, and to combat cyberviolence, on the other.

- The higher amount of counselling work resulting from the growing aspect of cyberviolence in (ex-)relationships is covered by **increasing the number of contracts with violence protection centres** (see *Article 18: General obligations, p. 32 et seq.*).
- **Continuing education seminars on the topic of cyberviolence in (ex-)relationships** (project term from 1 March 2021 to 1 March 2023) were organised to train approx. 150 employees of counselling centres in Austria on two days each.
- In addition, a **study** on the topic of "*(K)ein Raum: Cyber-Gewalt gegen Frauen in (Ex-) Beziehungen*" [(no) room: cyberviolence against women in (ex-)relationships] was carried out.⁷⁸
- In 2022 the Ministry for Women funded projects for "measures for more empowerment of girls and women in the digital world and diversification of their training path and career choices with a focus on mathematics, information technology, natural sciences and technology". See in this respect *Question 9.c* in *Article 12: General obligations, p. 13 et seq.*
- In addition, the Ministry for Women has been a member of the **National No Hate Speech Committee**, which is coordinated by the Ministry for Family Affairs.

⁷⁸ See *(K)ein Raum: Cyber-Gewalt gegen Frauen in (Ex-) Beziehungen | KIRAS Sicherheitsforschung [Security Research]*.

- For information on the "Competence Centre Against Cyberviolence" please refer to *Question 25.h in Article 22: Specialist support services, p. 45 et seq.*
- The issue of cyberviolence has also been a subject of a number of campaigns. In 2020 the State of Upper Austria, for example, carried out a **social media and poster campaign** under the motto "CYBERMOBBING SPERRT AUS./CYBERMOBBING VERLETZT./CYBERMOBBING KANN TÖTEN." [cyberbullying isolates/cyberbullying hurts/cyberbullying can kill]

56.a Increasing number of protection and mobile restraining order

Due to the numerous awareness-raising measures it is assumed that the number of protection and mobile restraining orders will continue to rise.⁷⁹ This increase, however, **does not allow the conclusion that the number of domestic violence cases has risen**. Many years of educational work, cooperation, awareness raising, training measures and measures of professional development have made a difference. Since incidents are reported to the police, more victims can be helped and more measures for the protection and support of victims and for the prevention of violence can be initiated.

56.c Funding

For information on the budget increases in all areas see in particular *Article 7: Comprehensive and coordinated policies, p. 6 et seq.*

56.d Innovative approaches

An example of an innovative, low-threshold approach is the Upper Austrian **online platform for women's counselling**, which was established in 2021. Thanks to this online platform new target groups can be reached, including, most importantly, those who would not seek advice otherwise. All women and girls in Upper Austria from the age of 14 as well as relatives or friends are given counselling.

A team of psychosocial counsellors and legal practitioners is available. Online counselling is free of charge, anonymous and is provided via a web-based application ensuring secure exchange of data. The service can be used via computer, tablet or smartphone.⁸⁰

⁷⁹ For details on protection and mobile restraining orders see *Question 7.a in Article 11: Data collection and research, p. 10 et seq.*

⁸⁰ See [Online Frauenberatung OÖ \[Upper Austria women's counselling online\]](#).

For information on outreach services in the digital space please also refer to *Question 25.f* in *Article 22: Specialist support services, p. 45 et seq.*

56.e Emerging trends related to access to asylum and international protection

See the answers to *Questions 22* and *23* in the *subchapter on "Measures in the public health sector", p. 39 et seq.* and to *Questions 44* and *47* in *Articles 49 and 50: General obligations and immediate response, prevention and protection, p. 57 et seq.*

IV. Data and statistics

57.a Police data on reported crimes

Statistics can only provide information on developments if the parameters used remain the same throughout the entire period. Due to the restrictions on daily life caused by the Covid-19 pandemic and the ensuing requirements imposed in 2020 and 2021, reference figures from 2019 must be used.

Table 5: Analyses of selected reported crimes from the Police Crime Statistics (2019 to 2022)

<i>StGB</i> offences	Year 2019	Year 2020	Year 2021	Year 2022
Section 83 Assault	34,900	31,617	30,586	37,475
Section 84 Serious assault	3,266	3,001	3,085	3,698
Section 107 Dangerous threat	14,837	14,272	14,266	15,047
Section 107a Stalking	1,726	1,717	1,657	1,635
Section 107b Persistent use of force	1,474	1,561	1,732	1,720
Total	56,203	52,168	51,326	59,575

57.a Judicial data on criminal offences

The following three tables are selected analyses of crimes defined in the Criminal Code [*StGB*] in connection with "violence against women and domestic violence".

However, the data is conclusive to a limited extent only. For example, the number of female victims cannot be considered to be absolutely accurate as recording of the victim's gender in the registers of the justice administration may be incorrect or missing due to numerous factors.

As regards cases for murder (Section 75 *StGB*), e.g., apart from female murder victims (direct victims) also female relatives (indirect victims) of murder victims (including male victims) are recorded as victims in the case automation system, which means that 195 female victims in cases for murder (Section 75 *StGB*) in 2022 does not mean that 195 women were killed.

Table 6: Analyses of criminal offences in the aggregate and with regard to female victims (2020 to 2022) from the case automation system (reports)

StGB offences	Year 2020		Year 2021		Year 2022	
	Total	Female victims	Total	Female victims	Total	Female victims
Section 75 Murder	580	213	545	190	587	195
Section 76 Manslaughter	2		5		2	1
Section 83 Assault	42,225	14,248	39,379	13,946	46,947	15,821
Section 84 Serious assault	6,733	1,393	6,418	1,403	7,591	1,502
Section 85 Assault occasioning grievous bodily harm	51	20	42	17	60	14
Section 86 Assault with lethal outcome	22	9	43	21	22	5
Section 87 Intentional serious assault	728	143	686	144	760	153
Section 98 Termination of pregnancy without the consent of the pregnant woman	17	11	12	9	10	8
Section 105 Coercion	11,505	4,455	11,316	4,449	12,549	4,660
Section 106 Serious coercion	1,927	888	1,893	845	2,001	886
Section 106a Forced marriage	18	14	28	15	14	10
Section 107 Dangerous threat	19,243	7,521	19,546	7,636	2,0187	7,546
Section 107a Stalking	2,874	1,711	2,686	1,611	2,692	1,504
Section 107b Persistent use of force	1,862	1,350	1,994	1,443	2,034	1,419
Section 107c Persistent harassment involving telecommunication or computer systems	513	315	625	380	606	332
Section 108 Deception	254	54	261	46	346	62
Section 120a Unauthorised picture-taking	2		151	95	236	161
Section 201 Rape	1,371	1,070	1,546	1,197	1,639	1,241
Section 202 Sexual coercion	374	268	351	238	360	251
Section 205 Sexual abuse of a vulnerable or mentally impaired person	462	347	471	341	511	371
Section 205a Violation of the right to sexual autonomy	290	216	373	292	449	335
Section 212 Abuse of a position of authority	353	198	415	231	359	195
Section 218 Sexual harassment and sexual acts in public	2,226	1,517	2,223	1,504	2,599	1,766
Total	93,632	35,961	91,009	36,053	102,561	38,438

Table 7: Analyses of criminal offences in the aggregate and with regard to female victims (2020 to 2022) from the case automation system (criminal charges)

StGB offences	Year 2020		Year 2021		Year 2022	
	Total	Female victims	Total	Female victims	Total	Female victims
Section 75 Murder	109	56	133	60	172	90
Section 76 Manslaughter			2			
Section 83 Assault	8,403	3,747	10,905	5,025	15,867	7,298
Section 84 Serious assault	2,165	682	2,641	948	3,924	1,237
Section 85 Assault occasioning grievous bodily harm	11	7	13	9	23	13
Section 86 Assault with lethal outcome	2	1	7	7	3	1
Section 87 Intentional serious assault	278	73	319	77	498	165
Section 98 Termination of pregnancy without the consent of the pregnant woman	5	5	6	5	6	6
Section 105 Coercion	2,583	1,436	3,292	1,842	4,278	2,439
Section 106 Serious coercion	525	329	621	399	809	523
Section 106a Forced marriage	5	5	3	1	5	5
Section 107 Dangerous threat	3,458	1,885	4,386	2,456	5,592	3,067
Section 107a Stalking	398	335	534	454	594	503
Section 107b Persistent use of force	390	361	606	551	755	677
Section 107c Persistent harassment involving telecommunication or computer systems	35	26	57	43	73	63
Section 108 Deception	17	9	28	16	24	9
Section 120a Unauthorised picture-taking			11	11	53	45
Section 201 Rape	171	155	278	252	356	315
Section 202 Sexual coercion	56	49	98	90	108	96
Section 205 Sexual abuse of a vulnerable or mentally impaired person	61	54	105	90	145	129
Section 205a Violation of the right to sexual autonomy	51	47	69	66	132	123
Section 212 Abuse of a position of authority	70	58	134	121	148	127
Section 218 Sexual harassment and sexual acts in public	282	241	438	376	668	582
Total	19,075	9,561	24,686	12,899	34,233	17,513

Table 8: Analyses of convictions including types of crime in the aggregate and with regard to female victims (2020 to 2022) from the case automation system (convictions)

StGB offences and type of crime	Year 2020		Year 2021		Year 2022	
	Total	Female victims	Total	Female victims	Total	Female victims
Section 75 Murder	85	52	86	44	84	46
Seizure	1					
Custodial sentence suspended on probation	1	1	2	2	1	1
Custodial sentence partially suspended on probation	2	2	2		1	
Custodial sentence with no probation	58	36	63	35	66	34
Conviction with no additional sentence as defined in Sections 31 and 40 StGB	2	2				
Committal as defined in Section 21(1) StGB	21	11	18	6	16	11
Forfeiture			1	1		
Section 76 Manslaughter			2	1	1	1
Custodial sentence with no probation			2	1	1	1
Section 83 Assault	4,610	1,955	4,420	1,927	4,913	2,188
Seizure			2		1	1
Custodial sentence suspended on probation	1,541	687	1,519	679	1,666	738
Custodial sentence partially suspended on probation	261	135	279	144	339	169
Custodial sentence with no probation	798	334	766	316	818	386
Fine and custodial sentence	198	106	172	90	226	119
Fine suspended on probation	4	2	3	2	9	3
Fine partially suspended on probation	386	161	304	137	383	170
Fine without probation	1,208	456	1,150	473	1,234	502
Awards to civil claimants	3	2	4		8	2
Conviction without punishment as defined in Section 12 of the Juvenile Court Act [Jugendgerichtsgesetz/JGG]	4	2	6	3	7	2
Conviction with no additional sentence as defined in Sections 31 and 40 StGB	52	16	58	17	58	23
Conviction with sentence reserved	48	10	34	12	40	15
Committal as defined in Section 21(1) StGB	53	19	61	32	60	28
Committal as defined in Section 21(2) StGB			1	1	1	1
Committal as defined in Section 22 StGB					2	1
Conditional fine imposed on an organisation					3	2
Forfeiture	50	21	59	21	57	25
Sanction	1	1	1		1	1
Award of damages - Section 8a of the Media Act [Mediengesetz/Medieng]	3	3	1			
Section 84 Serious assault	1,734	583	1,628	573	1,884	630
Custodial sentence suspended on probation	641	201	631	214	726	205
Custodial sentence partially suspended on probation	242	80	217	77	284	108
Custodial sentence with no probation	330	130	341	117	352	147
Fine and custodial sentence	195	65	144	41	195	63
Fine suspended on probation					2	2

Fine partially suspended on probation	116	31	93	36	102	25
Fine without probation	76	23	57	22	80	20
Awards to civil claimants			3	1		
Conviction without punishment as defined in Section 12 of the Juvenile Court Act [<i>Jugendgerichtsgesetz/JGG</i>]	1	1	2	1	2	
Conviction with no additional sentence as defined in Sections 31 and 40 <i>StGB</i>	3	1	1	1	1	1
Conviction with sentence reserved	14	2	16	3	17	5
Committal as defined in Section 21(1) <i>StGB</i>	84	37	98	55	87	36
Committal as defined in Section 21(2) <i>StGB</i>			1	1	1	1
Committal as defined in Section 22 <i>StGB</i>					3	2
Forfeiture	28	9	22	3	32	15
Sanction	1	1				
Award of damages - Section 8a of the Media Act [<i>Mediengesetz/MedienG</i>]	3		2			
		2		1		
Section 85 Assault occasioning grievous bodily harm	7	2	5	2	15	8
Custodial sentence suspended on probation	3	1	3	1	3	
Custodial sentence partially suspended on probation	1				5	4
Custodial sentence without probation	2		1	1	4	2
Fine and custodial sentence					2	1
Committal as defined in Section 21(1) <i>StGB</i>	1	1	1			
Forfeiture					1	1
Section 86 Assault with lethal outcome	1	1	3	2	5	2
Custodial sentence suspended on probation			1	1		
Custodial sentence partially suspended on probation			1	1	2	1
Custodial sentence without probation	1	1	1		1	1
Fine and custodial sentence					1	
Forfeiture					1	
Section 87 Intentional serious assault	181	67	162	45	231	78
Seizure			1			
Custodial sentence suspended on probation	16	6	17	4	30	6
Custodial sentence partially suspended on probation	36	9	51	15	59	16
Custodial sentence without probation	87	37	69	23	100	40
Fine and custodial sentence	19	7	8	1	16	4
Fine partially suspended on probation	1		1		1	
Fine without probation	2				2	
Committal as defined in Section 21(1) <i>StGB</i>	19	7	14	2	19	9
Committal as defined in Section 22 <i>StGB</i>					1	1
Forfeiture	1	1	1		3	2
Section 98 Termination of pregnancy without the consent of the pregnant woman	3	3	2	1	3	3
Custodial sentence suspended on probation			1	1		
Custodial sentence partially suspended on probation	2	2			1	1
Custodial sentence without probation	1	1			1	1

Fine without probation					1	1
Committal as defined in Section 21(1) <i>StGB</i>			1			
Section 105 Coercion	1,701	908	1,733	937	1,807	1,020
Seizure			2		1	1
Custodial sentence suspended on probation	689	349	657	327	721	399
Custodial sentence partially suspended on probation	192	103	204	126	217	130
Custodial sentence without probation	359	197	369	204	379	244
Fine and custodial sentence	119	73	139	82	140	74
Fine suspended on probation			1	1	1	1
Fine partially suspended on probation	102	50	115	64	89	49
Fine without probation	143	81	136	74	153	74
Awards to civil claimants					2	1
Conviction without punishment as defined in Section 12 of the Juvenile Court Act [<i>Jugendgerichtsgesetz/JGG</i>]	1		1		2	1
Conviction with no additional sentence as defined in Sections 31 and 40 <i>StGB</i>	7	3	5	3	7	3
Conviction with sentence reserved	15	8	10	6	22	7
Committal as defined in Section 21(1) <i>StGB</i>	39	30	46	26	36	18
Committal as defined in Section 21(2) <i>StGB</i>			1	1		
Forfeiture	33	13	44	22	37	18
Sanction	1		2			
Award of damages - Section 8a of the Media Act [<i>Mediengesetz/Medieng</i>]	1	1	1	1		
Section 106 Serious coercion	310	183	310	194	310	184
Seizure			2		1	1
Custodial sentence suspended on probation	84	41	75	45	95	52
Custodial sentence partially suspended on probation	63	37	70	44	70	43
Custodial sentence without probation	84	54	72	49	80	52
Fine and custodial sentence	24	16	21	15	19	12
Fine partially suspended on probation	8	1	8	4	2	2
Fine without probation	3	2	4	2	4	2
Awards to civil claimants			1	1	1	1
Conviction with no additional sentence as defined in Sections 31 and 40 <i>StGB</i>			1	1		
Conviction with sentence reserved	1	1	1	1		
Committal as defined in Section 21(1) <i>StGB</i>	37	29	44	26	31	14
Forfeiture	6	2	11	6	7	5
Section 106a Forced marriage	1	1	1		3	3
Custodial sentence suspended on probation					1	1
Custodial sentence partially suspended on probation			1		1	1
Custodial sentence without probation					1	1
Committal as defined in Section 21(1) <i>StGB</i>	1	1				
Section 107 Dangerous threat	2,024	1,077	2,058	1,088	2,129	1,139
Seizure			5	1	2	1
Custodial sentence suspended on probation	814	432	820	432	837	441

Custodial sentence partially suspended on probation	198	119	220	127	240	136
Custodial sentence without probation	450	232	449	233	489	270
Fine and custodial sentence	133	74	139	74	147	80
Fine suspended on probation					2	1
Fine partially suspended on probation	123	63	97	58	98	56
Fine without probation	168	82	159	77	170	86
Awards to civil claimants			2	2	1	
Conviction without punishment as defined in Section 12 of the Juvenile Court Act [<i>Jugendgerichtsgesetz/JGG</i>]			2		4	2
Conviction with no additional sentence as defined in Sections 31 and 40 <i>StGB</i>	4	1	6	2	6	2
Conviction with sentence reserved	13	4	19	5	26	11
Committal as defined in Section 21(1) <i>StGB</i>	98	57	102	55	86	42
Committal as defined in Section 21(2) <i>StGB</i>			1	1	1	
Committal as defined in Section 22 <i>StGB</i>	1	1			1	1
Conditional fine imposed on an organisation	1	1				
Forfeiture	20	10	35	20	19	10
Sanction			2	1		
Award of damages - Section 8a of the Media Act [<i>Mediengesetz/Medieng</i>]	1	1				
Section 107a Stalking	192	161	202	160	177	149
Custodial sentence suspended on probation	100	76	105	79	102	83
Custodial sentence partially suspended on probation	26	26	16	14	17	14
Custodial sentence without probation	26	26	30	26	15	14
Fine and custodial sentence	16	14	23	20	17	17
Fine partially suspended on probation	10	8	8	7	10	9
Fine without probation	11	9	15	12	10	7
Conviction with no additional sentence as defined in Sections 31 and 40 <i>StGB</i>	1	1			1	1
Conviction with sentence reserved			1			
Committal as defined in Section 21(1) <i>StGB</i>			3	1	3	3
Forfeiture	2	1	1	1	2	1
Section 107b Persistent use of force	159	143	216	201	189	172
Custodial sentence suspended on probation	71	58	79	77	74	65
Custodial sentence partially suspended on probation	28	28	37	33	33	32
Custodial sentence without probation	32	31	62	55	54	47
Fine and custodial sentence	15	15	17	16	13	13
Fine partially suspended on probation	3	3	6	6	4	4
Fine without probation	4	3	6	6	4	4
Awards to civil claimants	1	1				
Conviction with sentence reserved					1	1
Committal as defined in Section 21(1) <i>StGB</i>	4	4	4	3	4	4
Committal as defined in Section 21(2) <i>StGB</i>			1	1		
Forfeiture	1		4	4	2	2
Section 107c Persistent harassment involving telecommunication or computer systems	16	13	15	13	22	18

Custodial sentence suspended on probation	5	4	12	10	15	11
Custodial sentence partially suspended on probation	2	2	1	1		
Custodial sentence without probation	3	2	2	2	2	2
Fine and custodial sentence	4	4			1	1
Fine partially suspended on probation					2	2
Fine without probation	2	1			1	1
Committal as defined in Section 21(1) <i>StGB</i>					1	1
Section 108 Deception	8	5	7	3	2	2
Custodial sentence suspended on probation	4	3	2			
Custodial sentence partially suspended on probation	1	1	2			
Custodial sentence without probation			1	1		
Fine and custodial sentence			2	2	1	1
Fine partially suspended on probation					1	1
Fine without probation	2	1				
Forfeiture	1					
Section 120a Unauthorised picture-taking			2	2	11	10
Custodial sentence suspended on probation					3	3
Custodial sentence without probation					1	1
Fine partially suspended on probation					2	1
Fine without probation			2	2	5	5
Section 201 Rape	93	86	124	118	125	112
Custodial sentence suspended on probation	9	9	6	6	8	8
Custodial sentence partially suspended on probation	6	6	23	22	17	16
Custodial sentence without probation	70	64	86	81	84	72
Fine and custodial sentence	5	5	4	4	8	8
Fine suspended on probation					1	1
Fine partially suspended on probation			1	1		
Awards to civil claimants	1	1			1	1
Committal as defined in Section 21(1) <i>StGB</i>	2	1	3	3	5	5
Forfeiture			1	1	1	1
Section 202 Sexual coercion	41	35	57	52	48	43
Custodial sentence suspended on probation	9	8	13	13	12	10
Custodial sentence partially suspended on probation	7	6	11	11	10	9
Custodial sentence without probation	15	11	19	16	15	13
Fine and custodial sentence	9	9	8	7	7	7
Fine partially suspended on probation			2	2		
Fine without probation					2	2
Conviction with sentence reserved					1	1
Committal as defined in Section 21(1) <i>StGB</i>	1	1	2	1	1	1
Forfeiture			2	2		
Section 205 Sexual abuse of a vulnerable or mentally impaired person	39	37	53	47	62	53
Custodial sentence suspended on probation	7	7	12	9	8	7
Custodial sentence partially suspended on probation	10	10	11	11	13	12

Custodial sentence without probation	13	11	22	19	30	26
Fine and custodial sentence	8	8	5	5	9	7
Fine without probation			2	2		
Awards to civil claimants	1	1				
Committal as defined in Section 21(1) <i>StGB</i>			1	1	2	1
Section 205a Violation of the right to sexual autonomy	23	22	32	30	39	38
Custodial sentence suspended on probation	9	8	5	5	9	8
Custodial sentence partially suspended on probation	5	5	7	7	9	9
Custodial sentence without probation	6	6	16	14	11	11
Fine and custodial sentence	3	3			6	6
Fine partially suspended on probation					3	3
Fine without probation			2	2		
Committal as defined in Section 21(1) <i>StGB</i>			1	1		
Forfeiture			1	1	1	1
Section 212 Abuse of a position of authority	65	56	101	92	71	61
Custodial sentence suspended on probation	5	4	15	14	7	6
Custodial sentence partially suspended on probation	7	6	19	17	13	11
Custodial sentence without probation	38	32	54	50	39	33
Fine and custodial sentence	10	9	6	5	12	11
Fine partially suspended on probation			3	2		
Fine without probation	5	5	3	3		
Committal as defined in Section 21(1) <i>StGB</i>			1	1		
Section 218 Sexual harassment and sexual acts in public	177	148	157	128	169	144
Custodial sentence suspended on probation	48	38	42	32	34	25
Custodial sentence partially suspended on probation	5	4	6	4	5	4
Custodial sentence without probation	36	29	25	22	34	26
Fine and custodial sentence	8	7	7	4	6	6
Fine suspended on probation			1	1	1	1
Fine partially suspended on probation	16	12	13	10	18	17
Fine without probation	62	56	60	53	68	63
Conviction with no additional sentence as defined in Sections 31 and 40 <i>StGB</i>			1	1	1	1
Conviction with sentence reserved			1		1	1
Forfeiture	2	2	1	1	1	
Total	11,470	5,538	11,376	5,660	12,300	6,104

57.b Data on protection and mobile restraining orders from the Police Crime Statistics

For details on protection and mobile restraining orders see *Question 7.a in Article 11: Data collection and research, p. 11 et seq.*

57.c Data on interim injunctions (*Gewaltschutz-EV* [domestic violence protection order])

Table 9: Analyses of domestic violence protection orders from the case automation system for the years 2019 to 2021

	Year 2019	Year 2020	Year 2021
Domestic violence case ⁸¹ with no previous intervention	441	532	567
Protection order in a domestic violence case	2,227	2,467	2,542
Interim injunction in a domestic violence case (partially) allowed	2,924	3,138	3,236
anti-violence counselling order			18
Go order in a domestic violence case	1,166	1,340	1,364
Interim injunction as defined in Section 382d <i>EO</i> (protection against invasion of privacy: including contact ban, telephone contact ban, protection and mobile restraining orders, etc.)	169	134	129
Total	6,927	7,611	7,856

⁸¹ Interim injunctions as defined in Section 382b and Section 382c *EO* are recorded as "domestic violence cases" in the case automation system.

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Abbreviations

ABGB	Allgemeines Bürgerliches Gesetzbuch - Austrian Civil Code
Art.	Article
ASchG	ArbeitnehmerInnenschutzgesetz - Statute on Safety and Health at Work
AußStrG	Außerstreitgesetz - Statute on Non-Litigious Matters
BBU GmbH	Bundesagentur für Betreuungs- und Unterstützungsleistungen Gesellschaft mit beschränkter Haftung - Federal Agency for Reception and Support Services
BFA	Bundesamt für Fremdenwesen und Asyl - Federal Office of Immigration and Asylum
BFRG	Bundesfinanzrahmengesetz - Federal Budgetary Framework Act
BGStG	Bundes-Behindertengleichstellungsgesetz - Federal Disability Equality Act
DV-OTA	Dachverband Opferschutzorientierte Täterarbeit - umbrella organisation for work with offenders in the interest of victim protection
DV-StAG	Verordnung des Justizressorts zur Durchführung des Staatsanwaltschaftsgesetzes - Ministry of Justice's Regulation on the Implementation of the Public Prosecutors' Act
EO	Exekutionsordnung - Enforcement Code
GOG	Gerichtsorganisationsgesetz - Court Organisation Act
GÖG	Gesundheit Österreich GmbH
GVG-Bund 2005	Grundversorgungsgesetz – Bund 2005 - Federal Basic Care Act 2005
ifs	Institut für Sozialdienste gemeinnützige GmbH
incl.	including
KAKuG	Bundesgesetz über Krankenanstalten und Kuranstalten - Federal Act on Hospitals and Sanatoriums
KLF	Kriminalistischer Leitfaden - Guidelines for Criminologists
NAP	National Action Plan
NÖ SAG	NÖ Sozialhilfe-Ausführungsgesetz - Lower Austrian Act on the Provision of Social Assistance
ÖGKiM	Dachorganisation Österreichische Gesellschaft für Kinderschutz Medizin - umbrella organisation: Austrian Medical Society for Child Protection
ÖIF	Österreichischer Integrationsfonds - Austrian Integration Fund
approx.	approximately

RStDG	Richter- und Staatsanwaltschaftsdienstgesetz - Judges' and Public Prosecutors' Service Act
S-FK	Sicherheitspolizeiliche Fallkonferenzen - security police case conferences
SPG	Sicherheitspolizeigesetz - Security Police Act
StGB	Strafgesetzbuch - Criminal Code
StPO	Strafprozessordnung - Code of Criminal Procedure
VOG	Verbrechensopfergesetz - Victims of Crime Act
WaffG	Waffengesetz - Weapons Act
e.g.	for example
No.	Number

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